

## Dane County Contract Cover Sheet

<b>Dept./Division</b>	Sheriff's Office Field Services Division	<b>Contract #</b> <small>Admin will assign</small>	13556
<b>Vendor Name</b>	WI Department of Military Affairs	<b>Addendum</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Vendor MUNIS #</b>	1692	<b>Type of Contract</b>	
<b>Brief Contract Title/Description</b>	Approval of grant funding to purchase night vision equipment.	<input type="checkbox"/>	Dane County Contract
<b>Contract Term</b>	December 17, 2018 - May 31, 2019	<input checked="" type="checkbox"/>	Grant
<b>Total Contract Amount</b>	\$ 20,000	<input type="checkbox"/>	County Lessee
		<input type="checkbox"/>	County Lessor
		<input type="checkbox"/>	Intergovernmental
		<input type="checkbox"/>	Purchase of Property
		<input type="checkbox"/>	Property Sale
		<input type="checkbox"/>	Other

<b>Purchasing Authority</b>	<input type="checkbox"/> \$10,000 or under – Best Judgment (1 quote required)	
	<input type="checkbox"/> Between \$10,000 – \$36,000 (\$0 – \$25,000 Public Works) (3 quotes required)	
	<input type="checkbox"/> Over \$36,000 (\$25,000 Public Works) (Formal RFB/RFP required)	RFB/RFP #
	<input type="checkbox"/> Bid Waiver – \$36,000 or under (\$25,000 or under Public Works)	
	<input type="checkbox"/> Bid Waiver – Over \$36,000 (N/A to Public Works)	
	<input checked="" type="checkbox"/> N/A – Grants, Leases, Intergovernmental, Property Purchase/Sale, Other	

<b>MUNIS Req.</b>	Org Code	SHRFFLD	Obj Code	22653	Amount	\$ 20,000
<b>Req #</b>	Org Code	SHRFFLD	Obj Code	80725	Amount	\$ 20,000
<b>Year</b>	Org Code		Obj Code		Amount	\$

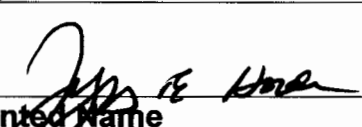
<b>Resolution</b>	<b>A resolution is required if the contract exceeds \$100,000 (\$40,000 Public Works). A copy of the Resolution must be attached to the contract cover sheet.</b>			
	<input type="checkbox"/> Contract does not exceed \$100,000 (\$40,000 Public Works) – a resolution is not required.			
	<input type="checkbox"/> Contract exceeds \$100,000 (\$40,000 Public Works) – resolution required.		<b>Res #</b>	443
	<input checked="" type="checkbox"/> A copy of the Resolution is attached to the contract cover sheet.		<b>Year</b>	2018

Contract Review/Approvals				
Initials	Dept.	Date In	Date Out	Comments
MG	Received by DOA	12/5/18		
ck	Controller		12/7/18	
CC	Purchasing	12/11/18	12/11/18	
CC	Corporation Counsel	12-7-18	12/7/18	
dl	Risk Management	12/10/18	12/10/18	
	County Executive			

Dane County Dept. Contact Info		Vendor Contact Info	
<b>Name</b>	Lillian Radivojevich	<b>Name</b>	Rebecca Thompson
<b>Phone #</b>	(608) 284-4801	<b>Phone #</b>	(608) 242-3236
<b>Email</b>	radivojevich@danesherriff.com	<b>Email</b>	rebecca2.thompson@wisconsin.gov
<b>Address</b>	PSB, 115 West Doty Street, Madison, Wisconsin, 53703	<b>Address</b>	WI Dept. of Military Affairs, 2400 Wright St., PO Box 14587, Madison, WI, 53708

<b>Certification:</b> The attached contract is a:	
<input type="checkbox"/>	Dane County Contract <u>without</u> any modifications.
<input type="checkbox"/>	Dane County Contract <u>with</u> modifications. <b>The modifications have been reviewed by:</b>
<input type="checkbox"/>	Non-standard contract.

### Contract Cover Sheet Signature

Department Approval of Contract		
<b>Dept. Head / Authorized Designee</b>	<b>Signature</b>	<b>Date</b>
		12-3-18
	<b>Printed Name</b>	
	Jeff Hook, Chief Deputy	

### Contracts Exceeding \$100,000

Major Contracts Review – DCO Sect. 25.11(3)

<b>Director of Administration</b>	<b>Signature</b>	<b>Date</b>
	<b>Comments</b>	
<b>Corporation Counsel</b>	<b>Signature</b>	<b>Date</b>
	<b>Comments</b>	



State of Wisconsin  
Scott Walker, Governor



Department of Military Affairs  
Donald P. Dunbar, Adjutant General

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

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November 20, 2018

Ira Simpson, Sergeant  
Dane County Sheriff's Office  
115 West Doty Street  
Madison, WI 53703-3276

**RE: Homeland Security - WEM/Homeland Security ALERT SWAT Night Vision Grant  
DMA Grant Number: 2017-HSW-02A-11466**

Dear Sgt. Simpson:

Congratulations! On behalf of General Dunbar, I have approved a grant award to Dane County in the amount of \$20,000. These funds are from DMA's Homeland Security - WEM Program available through the State of Wisconsin. This grant supports the Dane County Homeland Security - WEM/Homeland Security ALERT SWAT Night Vision Grant.

To accept this award, have the authorized official initial the bottom right corner of Attachments A and B, and sign the *Signatory Page, Certified Assurances, and OMB Standard Form 424B* (Attachment C). The Project Director should sign the *Acknowledgement Notice*. **Two award packets are enclosed. Once signed, return one to WEM (attention: Rod Stearns) and keep the other for your records.** Funds cannot be released until all signed documents are received.

As Project Director, you will be responsible for all reporting requirements outlined in the grant award and seeing that funds are administered according to the approved application materials and certifications enclosed. We look forward to a collaborative working relationship with you.

Sincerely,

Brian M. Satula, Administrator  
Wisconsin Emergency Management

**DEPARTMENT OF MILITARY AFFAIRS**  
**Homeland Security Program**  
**Grant Summary Sheet**

Recipient or Unit of Government: **Dane County**

Project Name: **Homeland Security - WEM/Homeland Security ALERT SWAT Night Vision Grant**

Address: **Dane County Sheriff's Office, 115 West Doty Street, Madison, Wisconsin 53703-3276**

Project Director: **Ira Simpson**

Phone number: **608-284-6800**

Signing Official: **Joe Parisi, County Executive, Dane County, 210 Martin Luther King Jr. Blvd., Madison, Wisconsin 53703-3340**

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Amount of Award: **\$20,000**

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**SUMMARY OF GRANT:**

This grant will fund Dane County Sheriff's Office for the purchase of Night Vision Goggles that enhances night operations.

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Program contact: **Rod Stearns (608) 381-8010**

Fiscal contact: **Rebecca Thompson (608) 242-3236**



State of Wisconsin  
Scott Walker, Governor



13556

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'18 HOMELAND SECURITY PROGRAM GRANT AWARD**  
**Homeland Security - WEM/Homeland Security ALERT SWAT Night Vision Grant**  
**2017-HSW-02A-11466**

The Department of Military Affairs (DMA), hereby awards to **Dane County**, (hereinafter referred to as the **Recipient**), the amount of **\$20,000** for programs or projects pursuant to the federal Homeland Security Grant Program.

This grant may be used until **May 31, 2019** 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 Recipient 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 Recipient 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

11/20/2018

Date

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

RECIPIENT: **Dane County**

BY: \_\_\_\_\_

NAME: **Joe Parisi**

TITLE: **County Executive**

\_\_\_\_\_  
Date

**DEPARTMENT OF MILITARY AFFAIRS  
ATTACHMENT A**

**APPROVED FY'18 HOMELAND SECURITY GRANT PROGRAM BUDGET**

Recipient: **Dane County**

Project Title: **Homeland Security - WEM/Homeland Security ALERT  
SWAT Night Vision Grant**

CFDA #97.067

Grant Period: From **December 17, 2018** To **May 31, 2019**

Grant Number: **2017-HSW-02A-11466**

**APPROVED BUDGET**

		<u>Federal &amp; Match</u>
Personnel		
Employee Benefits		
Travel (Including Training)		
Equipment		\$20,000.00
Supplies & Operating Expenses		
Consultants		
Other		
Indirect		
<b>FEDERAL TOTAL</b>	<u>\$20,000.00</u>	
<b>LOCAL CASH MATCH</b>		
<b>TOTAL APPROVED BUDGET</b>	<u>\$20,000.00</u>	<u>\$20,000.00</u>

**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 paid or obligated (purchase order issued) for services provided during the grant period. If obligated by the end of the grant period, payment must be made within 30 days of the grant period ending date.
3. 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: <https://dma.wi.gov/DMA/wem/grants/homeland-security>
4. 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 2 C.F.R. §§ 200.318-326.
5. Reimbursement for travel (i.e. mileage, meals, and lodging) is limited to applicable state rates and timeframes. DMA Grants staff are available to answer questions before costs are incurred.
6. 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 must be expended within the grant performance period. 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 on the request for reimbursement (G-2) form.
7. 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 U.S. Department of Homeland Security."
8. 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."
9. To be eligible to receive Federal preparedness funding assistance, applicants must meet NIMS compliance requirements. Information on achieving compliance is available through Wisconsin Emergency Management at <https://dma.wi.gov/DMA/wem>
10. The recipient agrees that all allocations and use of funds under this grant will be in accordance with the Federal Fiscal Year (FY) 2018 Homeland Security Grant Program (HSGP) Notice of Funding Opportunity.
11. The recipient and any sub-recipients must comply with the Grant Announcement used to announce the funding opportunity.
12. The recipient and any sub-recipients must comply with the Grant Award Documents.
13. The recipient and any sub-recipients must cooperate with the Homeland Security Compliance Monitors.

# DEPARTMENT OF MILITARY AFFAIRS

## ATTACHMENT B

### Award Special Conditions

1. All personnel who utilize equipment purchased with funds from this grant must receive training either through the equipment vendor or other competent source specific to that piece of equipment before it is put into service. The sub-recipient is required to maintain proper training records.
2. Emergency response capabilities developed using these grant funds must be made available to other emergency response agencies regionally, as may be required for incident response purposes.
3. Equipment shall be maintained and available to use as intended by the grant for the duration of its useful life. The sub-recipient is required to maintain proper equipment records. Sub-recipient seeking to dispose, or transfer ownership of equipment must contact Wisconsin Emergency Management (WEM) Homeland Security Staff to obtain the Homeland Security Equipment Disposition Form, and further directions. If approved, the sub-recipient 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
4. Agencies that accept funding are responsible for all sustainment costs.
5. Agencies accepting funding understand that equipment is intended to support regional law enforcement response efforts with ALERT. In the event that an agency is separated from the ALERT program, all equipment must be surrendered or transferred as directed by the ALERT Executive Committee.
6. Recipients and sub recipients shall use their own procurement standards and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 2 CFR § 200.318-326.
7. Grant modification must be approved by Wisconsin Emergency Management (WEM) in order to be considered. The applicant must be current with WEM Fiscal and Program Reports in Egrants for modification to be consideration. Grant modifications will not be granted unless applicant provides a compelling reason.
8. SAM.gov Requirement – Pursuant to 2 CFR Part 25.200, the applicant must be registered in the System for Award Management (SAM.gov) prior to submitting an application for federal funds and they must certify that they will maintain an active SAM registration at all times during which it has an active federal award.”

**WISCONSIN DEPARTMENT OF MILITARY AFFAIRS**  
**ATTACHMENT C**

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**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.**

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**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), 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.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE <b>County Executive</b>	
APPLICANT ORGANIZATION <b>Dane County</b>		DATE SUBMITTED

**ACKNOWLEDGEMENT NOTICE**

Recipient: Dane County Date: November 2018  
Grant No. 2017-HSW-02A-11466  
Project Title: Homeland Security - WEM/Homeland Security ALERT SWAT Night Vision Grant

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:

**6/30/2019**

**Final**

\_\_\_\_\_

**PROGRESS 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.**

**FINANCIAL REPORTS (G-2)** The G-2 request for reimbursement form may be found on the WEM website at <https://dma.wi.gov/DMA/wem/grants/homeland-security>. Requests may be submitted more frequently but at a minimum, are due to WEM on:

**6/30/2019**

**Final**

\_\_\_\_\_

**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:

**6/30/2019**

**Final**

\_\_\_\_\_

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.

11/29/2018  
Date

  
\_\_\_\_\_  
Ira Simpson, Project Director

# Agreement Articles for Federal Fiscal Year 2018 Homeland Security Awards

## Article I – Summary Description of Award

The purpose of the FY 2018 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of \$3,980,000. This grant program funds a range of activities, including planning, organization, equipment purchase, training, exercises, and management and administration across all core capabilities and mission areas

## Article II – 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.

## Article III – Procurement of Recovered Materials

All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

## Article IV – Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C Section 2409, 41 U.S.C. 4712, and 10 U.S.C. Section 2324, 41 U.S.C. Sections 4304 and 4310.

## Article V – Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO, 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 VI – USA Patriot Act of 2001

Recipients must comply with 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.

## Article VII - Universal Identifier and System of Award Management (SAM)

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A.

## Article VIII – Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all Federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of the federal financial assistance award, the recipient must comply with the requirements set forth in the government-wide Award Terms and Conditions for Recipient Integrity and Performance Matters located at 2 C.F.R. § 200, Appendix XII, the full text of which is incorporated herein by reference in the award terms and conditions.

## Article IX – Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. Section 794), as amended, which provides that no otherwise qualified handicapped individuals 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.

#### **Article X – Trafficking Victims Protection Act of 2000**

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 by 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

#### **Article XI – Terrorist Financing**

Recipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

#### **Article XII - SAFECOM**

Recipients receiving federal financial assistance 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.

#### **Article XIII - Reporting Subawards and Executive Compensation**

Recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions

#### **Article XIV – Debarment and Suspension**

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

#### **Article XV – Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of U.S. Government sponsorship (including award number) to any work first produced under Federal financial assistance awards.

#### **Article XVI –Civil Rights Act of 1964 - Title VI**

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. Section 2000d et seq.), 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. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

#### **Article XVII – Best Practices for Collection and Use of Personally Identifiable Information (PII)**

Recipients who collect PII are required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

#### **Article XVIII – Americans with Disabilities Act of 1990**

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 XIX – Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975 (Title 42 U.S. Code, § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

## **Article XX – Activities Conducted Abroad**

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 XXI - Acknowledgement of Federal Funding from DHS**

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 XXII – DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must 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 reviews or compliance investigations 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 federal financial assistance award 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, recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS FAO and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at [crcl@hq.dhs.gov](mailto:crcl@hq.dhs.gov) or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS FAO and the CRCL office by e-mail or mail at the addresses listed above.

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

## **Article XXIII – Assurances, Administrative Requirements, Cost Principles, and Audit Requirements**

DHS financial assistance recipients must complete either the OMB Standard Form) Standard Form 424B Assurances Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations, Part 200, and adopted by DHS at 2 C.F.R. Part 3002

#### **Article XXIV – Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. Section 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. Section 401.14.

#### **Article XXV - Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. Recipients must comply with any such requirements set forth in the program NOFO.

#### **Article XXVI – Non-supplanting Requirement**

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

#### **Article XXVII - Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

#### **Article XXVIII - National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

#### **Article XXIX – Lobbying Provisions**

Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an federal financial assistance 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 related to a federal award or contract including any extension, continuation, renewal, amendment, or modification.

#### **Article XXX - Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Recipients must comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) 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. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

#### **Article XXXI – 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. § 2225a,) 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*, as amended, (15 U.S.C § 2225.)

#### **Article XXXII – Fly America Act of 1974**

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 B-138942.

### **Article XXXIII - Federal Leadership on Reducing Text Messaging while Driving**

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

### **Article XXXIV – Federal Debt Status**

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).

### **Article XXXV – False Claims Act and Program Fraud Civil Remedies**

Recipients must comply with the requirements of The False Claims Act ( 31 U.S.C. §§ 3729 – 3733) which prohibits the submission of false or fraudulent claims for payment. (See also 38 U.S.C §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

### **Article XXXVI – Energy Policy and Conservation Act**

Recipients must comply with the requirements of The Energy Policy and Conservation Act (42 U.S.C. § 6201), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

### **Article XXXVII – Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX**

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. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

### **Article XXXVIII – Duplication of Benefits**

Any cost allocable to a particular federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial awards terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

### **Article XXXIX – Drug-Free Workplace Regulations**

Recipients must comply with the Drug-Free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101).

### **Article XL – Civil Rights Act of 1968**

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 (See 42 U.S.C. Section 3601 *et seq.*), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily 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 C.F.R. Section 100.201.)

### **Article XLI - Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. For awards with an approved budget greater than the simplified acquisition threshold as defined at 2 C.F.R Section 200.88 (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations

front your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**Article XLII - Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

**Article XLIII – Termination of Agreement**

This grant award may be terminated in whole or in part as follows:

1. DMA/WEM may terminate this grant award at any time for cause by delivering thirty (30) days written notice to the Recipient. Upon termination, the awarding agency’s liability will be limited to the pro rata cost of the services performed as of the date of termination plus expenses incurred with the prior written approval of the awarding agency.
2. DMA/WEM may terminate this grant award at will effective upon delivery of written notice to the Recipient, under any of the following conditions:
  - a. If the awarding agency’s funding from federal, state, or other sources is not obtained and/or continued at levels sufficient to allow for purchases of the indicated quantity of services, the grant may be modified to accommodate a reduction or increase in funds.
  - b. If federal or state laws, rules, regulations, or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this grant or are no longer eligible for the funding proposed for payments by this grant.
  - c. If any license or certification required by law or regulation to be held by the Recipient to provide the services required by this grant award is for any reason denied, revoked, or not renewed.

Any termination of this grant award shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

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

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

Homeland Security ALERT SWAT Night Vision Grant  
Application Number and Project Name

Joe 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.**