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**BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA**

**RESOLUTION TO ACCEPT THE
2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT
FOR SARPY COUNTY EMERGENCY MANAGEMENT, SARPY COUNTY, NEBRASKA**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers;

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2012), the powers of the County as a body are exercised by the County Board;

WHEREAS, the Nebraska Emergency Management Agency has made an Emergency Management Performance Grant ("EMPG") in the amount of \$77,500 available to the Sarpy County Emergency Management Agency; and

WHEREAS, it is the desire of Sarpy County to accept these funds as well as the "Special Conditions" outlined in the attached Grant Application Notification ("GAN").

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT this Board hereby approves and accepts the 2013 EMPG funds in the amount of \$77,500 and "Special Conditions" outlined in the GAN, and any other related documents, the same being approved and adopted by the Board.

BE IT FURTHER RESOLVED that the Chairman of this Board, together with the County Clerk are hereby authorized to execute the GAN on behalf of this Board.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 17th day of September, 2013.

Jim Warner
Sarpy County Board Chairman



[Signature]
County Clerk

Handwritten signature or mark.



SARPY COUNTY EMERGENCY MANAGEMENT
1210 GOLDEN GATE DRIVE PAPILLION, NE 68046
Phone: 402-593-5785



To: Sarpy County Board

From: Lynn Marshall, Emergency Manager

RE: 2013 Emergency Management Performance Grant (EMPG)

On September 17, 2013, the County Board will be asked to approve a Resolution authorizing the County Board to accept the 2013 Emergency Management Performance Grant (EMPG) funds in the amount of \$77,500.00. This Resolution will also ask the County Board to accept the "Special Conditions" outlined in the Grant Application Notice (GAN). The EMPG grant is federal funds awarded by Federal Emergency Management Agency (FEMA) to the Nebraska Emergency Management Agency (NEMA).

The EMPG grant funding is awarded, by NEMA, to eligible Nebraska counties that have Emergency Management programs that meet the required criteria based on state and federal performance measures and standards. The EMPG funds will be utilized to maintain and sustain the Sarpy County Emergency Management Program for compliance and to adhere to those performance measures and standards set forth by FEMA and NEMA.

The GAN acceptance date deadline is October 24, 2013 with a performance period from July 1, 2013 through June 30, 2014.

I am available to answer any questions you may have prior to the September 17, 2013 County Board meeting so please don't hesitate to contact me at (402-593-5785) with any questions.

Respectfully,

A handwritten signature in cursive script that reads "Lynn Marshall".

Lynn Marshall, Sarpy County Emergency Manager

September 13, 2012

Cc: Mark Wayne

Scott Bovick

Deb Houghtaling

Brian Hanson

Bonnie Moore



Nebraska Emergency Management Agency

2013 Sub-Recipient Agreement for Sarpy County

Date of Award
9/9/2013

1. Sub-Recipient Name and Address		2. Prepared by: Hergenrader, Mardell	3. Award Number: 13-SR 8750-01
Sarpy County 1210 Golden Gate Dr NE 68046		4. Federal Grant Information	
		Federal Grant Title:	Homeland Security Grant Program
		Federal Grant Award Number/CFDA Number:	EMW-2013-EP-00011-S01 / 97.042
		Federal Granting Agency:	Grant Programs Directorate Federal Emergency Management Agency U.S. Department of Homeland Security

5. Award Amount and Grant Breakdowns	
Total Award Amount \$77,500.00	2013 Emergency Management Performance Grant Performance Period: FROM Jul 1, 2013 – Jun 30, 2014

6. Statutory Authority for Grant: This project is supported under Public Law 108-334, the Department of Homeland Security Appropriations Act of 2013.

7. Method of Payment: Primary method is reimbursement through the on-line Nebraska Grant Management System.

8. Debarment/Suspension Certification: By signing in block 10 below, the sub-recipient official certifies that any contractors utilized are not listed on the excluded parties listed system at <http://www.epls.gov>.

9. Agency Approval	
Approving NEMA Official: Al Berndt Assistant Director	Signature of NEMA Official:
	Date: 24 Sept 13

10. Sub-Recipient Acceptance

I have read and understand the attached Terms and Conditions.

Typed name and title of Authorized Sub-Recipient official: Jim Warren, Chairman Sarpy County Board Commissioners	Signature of Authorized Sub-Recipient Official:
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11. Enter Employer Identification Number (EIN) / Federal Tax Identification Number: 47-600-6504	12. Date Signed : 9/17/13
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13. DUE DATE: 10/24/2013

Signed award and Direct Deposit Form (if applicable) must be returned to NEMA on or before the above due date.

GOVERNOR'S DIVISION OF EMERGENCY
MANAGEMENT (NEMA)
EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM
AWARD NUMBER: EMW-2012 EP-00002-SOI
CFDA # 97.042

SPECIAL CONDITIONS

1. This Sub award is subject to the FY2013 Emergency Management Performance Grants Program Guidelines and Application Kit. The Guidelines and Kit can be accessed at <http://www.fema.gov/government/grant/nondisaster.shtm>. The National Preparedness Directorate (NPD) periodically publishes Information Bulletins to release, update, amend or clarify grants and programs which it administers. NPD's Information Bulletins can be accessed at <http://www.ojp.usdoj.gov/odp/docs/bulletins.htm> and are incorporated by reference into this Sub award. This Sub award is also subject to the current Nebraska Emergency Management Performance Grant Program Instructions, the Federal Grant Award and to the grant guidance imposed upon NEMA by FEMA. The Nebraska Grant Instructions are intended to complement rather than replace the Federal Program Guidelines published by the FEMA and are incorporated by reference into this Sub-award together with the attached Special Conditions.

2. **Purpose :** Sub-grant funds, as appropriated by NEMA under the Fiscal year (FY) 2013 Emergency Management Performance Grants (EMPG) Program, provides resources to assist state, local, and tribal governments in preparing for all hazards, as authorized by the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (42 U.S.C. 5121 et seq.).

3. **Overview :** Funds provided shall be used to sustain local jurisdictional Emergency Management organizations by providing support for salaries, operational supplies, and equipment needed to sustain an Emergency Management Program. All costs under these categories must be eligible under 2 CFR 225 (formerly OMB Circular No. A-87 Attachment A), located at http://www.whitehouse.gov/sites/default/files/omb/fedreg/2005/083105_a87.pdf.

4. The **Notice of Sub-recipient Award** is only an offer until the sub-recipient returns the signed copy of the Notification of Sub-recipient Award. Sub-recipient agrees to make no request for reimbursement prior to return of the Grant Adjustment Notice.

5. Sub-recipient agrees to make no request for reimbursement for goods or services procured by sub-recipient prior to the performance period start date of this agreement.

6. Sub-recipient shall comply with all applicable laws, regulations and program guidance. A nonexclusive list of regulations commonly applicable to DHS grants are listed below, including the guidance:

A. Administrative Requirements

- 1) OMB Circular A-102, State and Local Governments (10/07/94, amended 08/29/07) (44CFR Part 13)

2) 2 CFR Part 215 (formerly OMB Circular A-110), Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (Rev 1 January 2010)

B. Cost Principles

- 1) 2 CFR 225 (formerly OMB Circular A-87), State and Local Governments ((Rev 1 January 2010)
- 2) 2 CFR 220 (formerly OMB Circular A-21), Educational Institutions (Rev 1 January 2010)
- 3) 2 CFR 230 (formerly OMB Circular A-122), Non-Profit Organizations (Rev 1 January 2010)

C. Audit Requirements

OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (6/24/97, includes revisions published in the Federal Register 6/27/03

D. Federal Funding Accountability and Transparency Act (FFATA)

7. The EMPG program has a 50 percent (50%) Federal and 50 percent (50%) non-Federal cost match requirement. Federal funds cannot be matched with other Federal funds.

8. Sub-recipient agrees to use the Nebraska Grant Management System for all financial transactions and tracking for all grants from NEMA, <https://www.nebraskagms.com>.

9. Prior to disbursement of any FY2013 grant funds, sub-grantee will have:

A. Current County Local Emergency Operations Plan (L.E.O.P.)

B. NIMS Cast that has been completed for 2012.

10. County/Counties located within a Region will not be allowed to receive any FY2013 grant funds for projects located within the county/counties, if the County is not current on prior and current year DHS/FEMA/NEMA program requirements. The recipient/ sub-recipient is not allowed to receive or expend funds in support of non-compliant county/counties within the Region.

11. Notwithstanding any other agreement provisions, the parties hereto understand and agree that NEMA's obligations under this agreement are contingent upon the receipt of adequate funds to meet NEMA's liabilities hereunder. NEMA shall not be liable to the Sub-recipient for costs under this Agreement which exceed the amount specified in the Notice of Sub-recipient Award.

12. Administration of the grant will be accomplished through the Nebraska GMS website (www.nebraskagms.com).

13. Sub-recipient agrees to comply with all reporting requirements and shall provide such information as required to NEMA for reporting as noted in the 2013 Federal Grant Guidelines. Jurisdiction is required to complete and submit the Biannual Strategy Implementation Report (BSIR) each July 15 and January 15 until the end of the

grant. The report will include a narrative summary on the progress of each project. A final BSIR is due 90 days after the end of the grant award period. The BSIR is accessed through the on line Grant Reporting Tool at www.reporting.odp.dhs.gov and four quarterly program reports. Failure to complete the BSIR and/ or quarterly program reports will be considered a non-compliance issue and may result in grant funds being frozen.

14. A-133 REPORTING REQUIREMENT: Sub-recipient must prepare and submit quarterly financial reports to NEMA for the duration of the grant performance period or until all grant activities are completed and the grant is formally closed. Sub-recipient may also be required to submit additional information and data requested by NEMA.

15. NEMA may perform periodic reviews of sub-recipient performance of eligible activities and approved projects. These reviews may include, without limitation: performance of on-site review, compliance and program monitoring - including inspection of all grant-related records and items, comparing actual sub-recipient activities to those approved in the sub-award application and subsequent modifications if any, ensuring that advances have been disbursed in accordance with applicable guidelines, confirming compliance with grant assurances, information provided on performance reports and payment requests, needs and threat assessments and strategies.

16. NEMA may suspend or terminate sub-award funding, in whole or in part, or other measures may be imposed for any of the following reasons: failing to comply with the requirements or statutory objectives of federal law, failing to make satisfactory progress toward the goals or objectives set forth in the sub-award application, failing to follow grant agreement requirements or special conditions, failing to submit required reports, filing a false certification in the application or other report or document, and non-performance.

17. Sub-recipient agrees to retain all grant records for this, and any federal grants, for three years after they are notified by NEMA the grant has been closed by DHS/FEMA.

18. Sub-recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, to lobby in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

19. When implementing the Department of Homeland Security funded activities, the sub-recipient must comply with all federal civil rights laws, to include Title VI of the Civil Rights Act, as amended. The sub-recipient is required to take reasonable steps to ensure persons of limited English proficiency have meaningful access to language assistance services regarding the development of proposals and budgets and conducting GPD funded activities.

20. Dues and Conference registration fees will only be paid for the following organizations:

- A. Nebraska Association of Emergency Managers
- B. Nebraska Infrastructure Protection Conference
- C. Nebraska EMT Association
- D. Nebraska Hazardous Materials Association
- E. Nebraska Fire School
- F. International Association of Emergency Managers
- G. Nebraska Association of County Officials

H. Other associations with direct ties to Emergency Management like Nebraska Floodplain and Storm water Assoc. tied to the Hazard Mitigation program

21. Sub grantees will not be reimbursed by EMPG funds for meals or lodging when traveling to meetings, conferences or training. Mileage will be paid if recorded as defined in the grant application and submitted with the quarterly reimbursement request

22. Allowable equipment categories are listed in the Grant Guidance package as categories 4, 5, 6, 7, 10, 11, 12, 14, 19, and 21. Besides being allowable equipment must also be necessary, reasonable and applicable to the Emergency Management Program.

23. Sub-grantees are required to provide the AEL number for all equipment purchased with grant awarded funds. For any item requiring an EHP, payment will not be made if the invoiced date is prior to the EHP approval or if there is no EHP approval on file.

24. Repair and replacement parts may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.

25. No communication equipment can be purchased until approved by NEMA.

26. Title to equipment costing \$5,000 or more and acquired by the sub-grantee with funds provided under this award shall vest in the sub-grantee. When the equipment is no longer needed by the sub-grantee and the per unit fair market value is less than \$5,000, the sub-grantee may retain, sell, or dispose of the equipment with no further obligation to NEMA. If, on the other hand, the per-unit fair market value is \$5,000 or more, then the sub-grantee must submit a written request to NEMA, for disposition instructions.

27. The sub-recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

28. Approval of this award does not indicate approval of any consultant rate in excess of \$450 per day. A detailed justification must be submitted to and approved by NEMA prior to obligation or expenditure of such funds.

29. To the extent that recipients of a grant use contractors or subcontractors, such recipients shall use small, minority, women-owned or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

30. Sub-recipients must maintain an updated inventory of equipment purchased through this grant program. Approved inventory record form is available at <http://www.nema.ne.gov/grants>. An inventory of equipment will be conducted every two years.

31. All Communication projects involving towers and tower buildings cannot be ordered until the EHP is

approved by DHS/FEMA. NEMA will coordinate the approval process and the grantee agrees to provide all documents required.

31. The recipient shall not undertake any project having the potential to impact Environmental or Historical Preservation (EHP) resources without **the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings, structures and objects that are 50 years old or greater.** Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding.

I have read and understand the Special Conditions for the FY 2013 EMP Grant.

Dated:  _____
9/17/13