

RESOLUTION NO. 2009- 110 R

A resolution ratifying the City of Victoria Fire Department's grant application and authorizing the City Manager to execute all documents necessary to accept a grant from the Federal Emergency Management Agency (FEMA) 2009 Assistance to Firefighters Grant Program, which will provide communications equipment (new 800MHz radios) for all of the fire departments in Victoria County, in a total amount of up to \$962,302, subject to a local match not to exceed 20% thereof or \$192,460, and declaring an effective date.

IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The City of Victoria Fire Department's grant application to the Federal Emergency Management Agency (FEMA) 2009 Assistance to Firefighters Grant Program, which will provide communications equipment (new 800MHz radios) for all of the fire departments in Victoria County, in a total amount of up to \$962,302, subject to a local match not to exceed 20% thereof or \$192,460, in the form attached hereto, is ratified. The City Manager is authorized to execute all documents necessary to accept said grant, in a form to be approved by the City Attorney.

2.

This resolution shall become effective immediately upon adoption.

PASSED, this the 16th day of June, 2009.

AYES: 7

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 16th day of June, 2009.



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Will Armstrong

WILL ARMSTRONG, Mayor of the City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

George E. Hyde w/ *Linda Champion*
BY: GEORGE E. HYDE, City Attorney
DENTON, NAVARRO, ROCHA & BERNAL, P.C.

Distribution: Legal Department
Fire Department
Finance Department
Police Department

Copies Sent: JUNE 17, 2009

Overview

<p>•Did you attend one of the workshops conducted by DHS's regional fire program specialist?</p> <p>No, I have not attended workshop</p>
<p>•Are you a member, or are you currently involved in the management, of the fire department or non-affiliated EMS organization applying for this grant with this application?</p> <p>No, I am a grant writer or otherwise not affiliated with this applicant</p>

If you are a grant writer or otherwise not affiliated with this applicant, please **complete** the information below.

If you are a member/officer of this applicant, please do **not** complete the information requested below. After you are finished press the *Save and Continue* button below.

Preparer Information

• Preparer's Name	Jesse Turner
• Address 1	306 S. Bridge
Address 2	P.O. Box 2086
• City	Victoria
• State	Texas
• Zip	77901 - 8090

Contact Information

Alternate Contact Information Number 1

· Title	Chief
Prefix	N/A
· First Name	Vance
Middle Initial	
· Last Name	Riley
· Business Phone	361-485-3450 Ext.
· Home Phone	361-485-3450 Ext.
Mobile Phone/Pager	
Fax	
· Email	vriley@victoriatx.org

Alternate Contact Information Number 2

· Title	Assistant Chief
Prefix	N/A
· First Name	Michael
Middle Initial	
· Last Name	Belt
· Business Phone	361-485-3450 Ext.
· Home Phone	361-485-3450 Ext.
Mobile Phone/Pager	
Fax	
· Email	mbelt@victoriatx.org

Applicant Information

EMW-2009-FR-00468

Originally submitted on 05/20/2009 by Michael Belt (Userid: mkatbelt)

Contact Information:

Address: 606 East Goodwin Ave
 City: Victoria
 State: Texas
 Zip: 77901
 Day Phone: 3614853450
 Evening Phone: 3616524599
 Cell Phone: 3615506512
 Email: mbelt@victoriatx.org

Application number is EMW-2009-FR-00468

* Organization Name	Victoria Fire Department
* Type of Applicant	Regional Request
* Type of Jurisdiction Served	Other (Explain)
If other, please enter the type of Jurisdiction	Both City and County
* Employer Identification Number	74-6002441
* What is your organization's DUNS Number?	796683220 (call 1-866-705-5711 to get a DUNS number)
Headquarters or Main Station Physical Address	
* Physical Address 1	606 East Goodwin Ave
Physical Address 2	
* City	Victoria
* State	Texas
* Zip	77901 - 6846 Need help for ZIP+4?
Mailing Address	
* Mailing Address 1	606 East Godwin Ave.
Mailing Address 2	
* City	Victoria
* State	Texas
* Zip	77901 - 6846 Need help for ZIP+4?
Account Information	
* Type of bank account	Checking
* Bank routing number - 9 digit number on the bottom left hand corner of your check	121000248
* Your account number	4496845603
Additional Information	

* For this fiscal year (Federal) is your organization receiving Federal funding from any other grant program that may duplicate the purpose and/or scope of this grant request? No

* If awarded the AFG grant, will your organization expend more than \$500,000 in Federal funds during your organization's fiscal year in which this AFG grant was awarded? Yes

* Is the applicant delinquent on any Federal debt? No

If you answered yes to any of the additional questions above, please provide an explanation in the space provided below:

Our proposal exceeds the \$500,000.00 figure.If awarded we would spend more than \$500,000.00

Department Characteristics (Part I)

- What kind of organization do you represent? All Paid/Career
 - If you answered combination, above, what is the percentage of career members in your organization? %
 - What type of community will your regional project serve (what is the make up of the majority of the region affected by the project)? Suburban
 - What is the square mileage of the region affected by the project? 882
 - In what county/parish is the host applicant physically located? If you have more than one station, in what county/parish is your main station located? Victoria
 - Does your region protect critical infrastructure of the state? Yes

 - How much of your region's land use is for agriculture, wild land, open space, or undeveloped properties? 65 %
 - What percentage of your region's land use is for commercial, industrial, or institutional purposes? 15 %
 - What percentage of your region's land is used for residential purposes? 20 %

 - What is the permanent resident population of your region served? 85648
 - How many active firefighters (including firefighters dual-trained in EMS) and active EMS members are in your region? 337
 - How many active members does your EMS region have that meet the minimum EMS certification standards as dictated by your jurisdiction or State? 151
 - How many stations are in your region? 20
 - If you (the host applicant) are a fire department, do you report to the National Fire Incident Reporting System (NFIRS)? Yes
 - If yes, please enter your FDIN/FDID XA612
 - What services are provided by your organization and the organizations participating in the regional application?
- | | | |
|----------------------------------|-------------------------------------|------------------------------------|
| Medical First Response | Hazmat Operational Level | Basic Life Support Transport |
| Hazmat Technical Level | Advanced Life Support Transport | Rescue Operational Level |
| Basic Life Support Non-Transport | Advanced Life Support Non-Transport | BLS/ALS Schedule Transport |
| Rescue Fire Suppression | Swift Water Rescue | Vehicle Extraction |
| Structural Fire Suppression | Wildland Fire Suppression | Airport Rescue Firefighting (ARFF) |
| | | Rescue Technical Level |

Department Characteristics (Part II)

	2008	2007	2006
• What is the total number of line of duty member fatalities in your region over the last three years?	0	0	0
• What is the total number of line of duty member injuries in your region over the last three years?	5	3	2
• What is the cumulative total of the three-year average budgets of all participating organizations in this project?	11450470		
• What percentage of this declared budget is dedicated to personnel costs (salary, fringe, and overtime)?	71.78 %		
• What percentage of the declared operating budget is derived from: Enter numbers only, percentages must sum up to 100%			
Taxes?	88.60 %		
Grants?	.11 %		
Donations?	.14 %		
Fund drives?	1.24 %		
Fee for Service?	9.86 %		
Other?	.05 %		
If you entered a value into Other field (other than 0), please explain	membership dues		

• How many vehicles are operational within the region in each of the types or class of vehicle listed below? You must include vehicles that are leased or on long-term loan as well as any vehicles that have been ordered or otherwise currently under contract for purchase or lease by your organization but not yet in your possession. Enter numbers only and enter 0 if you do not have any of the vehicles below.

Type or Class of Vehicle	Total Number	Total Number of Riding Positions
Engines or Pumpers (pumping capacity of 750 gpm or greater and water capacity of 300 gallons or more): Pumper, Pumper/Tanker, Rescue/Pumper, Foam Pumper, CAFS Pumper, Quint (Aerial device of less than 76 feet), Type I Engine, Type II Engine, Type II/III Wildland/Urban Interface	14	55
Tankers (pumping capacity of less than 750 gallons per minute (gpm) and water capacity of 1,000 gallons or more): Tanker, Tender, Tanker/Tender	9	28
Aerial Apparatus: Aerial Ladder Truck, Telescoping, Articulating, Ladder Towers, Platform, Tiller Ladder Truck, Quint (Aerial device of 76 feet or greater)	2	8
Brush/Quick attack (pumping capacity of less than 750 gpm and water carrying capacity of at least 300 gallons): Brush Truck, Patrol Unit (Pick up w/ Skid Unit), Quick Attack Unit, Mini-Pumper, Type III Engine, Type IV Engine, Type V Engine, Type VI Engine, Type VII Engine	27	86
Rescue Vehicles: Rescue Squad, Rescue (Light, Medium, Heavy), Technical Rescue Vehicle, Hazardous Materials Unit	9	27
Other: EMS Chase Vehicle, Air/Light Unit, Rehab Units, Bomb Unit, Technical Support (Command, Operational Support/Supply), Hose Tender, Salvage Truck, ARFF (Aircraft Rescue Firefighting), Command/Mobile Communications Vehicle, Other Vehicle	19	46

Department Call Volume

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	2008	2007	2006
* How many responses per year by category? (Enter whole numbers only. If you have no calls for any of the categories, enter 0)			
Working Structural Fires	136	176	155
False Alarms/Good Intent Calls	618	636	595
Vehicle Fires	99	113	117
Vegetation Fires	292	389	330
EMS-BLS Response Calls	628	708	701
EMS-ALS Response Calls	4990	4768	4595
EMS-BLS Scheduled Transports	0	0	0
EMS-ALS Scheduled Transports	4219	4031	3988
Vehicle Accidents w/o Extrication	795	683	803
Vehicle Extrications	135	131	134
Other Rescue	10	6	12
Hazardous Condition/Materials Calls	150	185	194
Service Calls	0	0	0
Other Calls and Incidents	352	421	469
Total	12424	12247	12093
What is the total acreage of all vegetation fires?	2110	2530	2630

Request Information

* 1. Select a program for which you are applying. You can apply for as many activities within a program as you need. If you are interested in applying under both Vehicle Acquisition and EMS Operations and Safety, and/or regional application you will need to submit separate applications.

Program Name

Operations and Safety

* 2. Will this grant benefit more than one organization?

Yes

If you answered Yes to Question 2 above, please explain.

This will benefit all fire departments in Victoria county. This includes the City of Victoria Fire department and the 11 volunteer departments in the County. The victoria fire department is responsible for all fire calls in the county and is assisted by the Volunteer departments

* 3. Enter Grant-writing fee associated with the preparation of this request. Enter 0 if there is no fee.

\$0

Request Details

The activities for program **Operations and Safety** are listed in the table below.

Activity	Number of Entries	Total Cost	Additional Funding	Action
Equipment	5	\$ 962,302	\$ 0	View Details View Additional Funding
Training	0	\$ 0	\$ 0	View Details
Grant-writing fee associated with the preparation of this request.				\$0

Request Details

Equipment

Item	Number of units	Cost per unit	Total Cost	Action
Portable Radios	212	\$ 2,171	\$ 460,252	View Details
Mobile Radios	60	\$ 2,395	\$ 143,700	View Details
Base Station	6	\$ 3,500	\$ 21,000	View Details
Mobile Radios	31	\$ 3,370	\$ 104,470	View Details
Portable Radios	71	\$ 3,280	\$ 232,880	View Details

Budget**Budget Object Class**

a. Personnel	\$ 0
b. Fringe Benefits	\$ 0
c. Travel	\$ 0
d. Equipment	\$ 962,302
e. Supplies	\$ 0
f. Contractual	\$ 0
g. Construction	\$ 0
h. Other	\$ 0
i. Indirect Charges	\$ 0

Federal and Applicant Share

Federal Share	\$ 769,842
Applicant Share	\$ 192,460
Federal Rate Sharing (%)	80/20

* **Non-Federal Resources** *(The combined Non-Federal Resources must equal the Applicant Share of \$ 192,460)*

a. Applicant	\$ 192,460
b. State	\$ 0
c. Local	\$ 0
d. Other Sources	\$ 0

If you entered a value in Other Sources other than zero (0), include your explanation below. You can use this space to provide information on the project, cost share match, or if you have an indirect cost agreement with a federal agency.

Total Budget **\$ 962,302**

Narrative Statement

Project Description

* Please indicate which of these Target Capabilities your request outlined in this application will satisfy. Check all that apply:

Communications

* Please provide your narrative statement in the space provided below. Include in your narrative, details regarding (1) your project's description and budget, (2) your organization's financial need, (3) the benefit to be derived from the cost of your project, and (4) how the activities requested in your application will help your organization's daily operations and how this grant will protect life and property.

Victoria Fire Department Radio Replacement Project

The County of Victoria is located along the Texas coast and is situated between Houston, Austin, Corpus Christi, and San Antonio almost equally in that all of these cities are approximately 100 miles away. The largest city in the county is Victoria. The area is known as the "crossroads" due to several major highways coming together in the county. The major Highways are U.S. 59, 77, and 87. These highways all connect to the Mexico border and are major transportation routes leading to the larger metropolitan areas of the state and beyond.

These major highways bring virtually every type of product or material into the county all of which pass through Victoria. These routes also bring many visitors to our major shopping and medical facilities. The majority of Victoria County is rural with the exception of the City of Victoria. The City has the largest paid full time career fire department in the region. The Victoria Fire Department is responsible for providing fire protection for the entire county and is assisted by the 11 volunteer fire departments spread across the county.

In 1999 the entire County of Victoria operated on an out of date VHF radio system. The system had been in place since the 1970's and was in dire need of replacement and updating. The City of Victoria decided to purchase and install a state of the art 800 MHz trunked radio system. The 800 system was robust enough to cover the entire county and thus many of the other governmental entities decided to join onto the system. Over time and through many fundraisers all of the volunteer fire departments within the county were able to purchase the required amount of radios.

In 2009, the 800 MHz radio system must be replaced as it is required to transition to 800MHz digital by the FCC. The City of Victoria has initiated the process to begin the replacement of the entire system. With the replacement of the entire radio system requires the replacement of all the mobile and portable radio equipment currently in use. The current radios are not capable of being used on a digital system due to their age thus the need to replace the equipment.

Victoria County and the City of Victoria have long been partners in many public safety projects. One of the most successful projects has been providing county wide fire protection. This joint venture is based upon the City of Victoria Fire Department which operates 5 fire stations. The City of Victoria Fire Department is supported by the 11 volunteer fire departments situated through out the county. The County of Victoria operates a Fire station at the Victoria Regional airport; however it mission is geared towards aircraft emergencies and assists in other fire responses when able. Together these departments are the first responders for every type of emergency that occurs in the County. Often these departments are called upon to assist in fire fighting and other emergencies in the adjacent counties.

While the City of Victoria will fund the replacement radio system, financial assistance will be needed to purchase the many mobile and portable radios that will be needed for the mandated transition. The many volunteer agencies and departments will be at a disadvantage as they are not 100% tax supported departments and lack the capital to replace all of their radio equipment at one time. These departments will have to spend the meager resources they have to obtain this needed equipment most likely at the detriment of other important needs such as vehicle and equipment maintenance or training.

If forced to purchase radio equipment through fundraisers, donations, or smaller grants many of the volunteer departments will not have radio equipment to function properly during emergency response situations and this

has the potential to place life and property in jeopardy. This will create a serious firefighter safety issue.

The project will be administered by the City of Victoria who is best suited to handle such a large purchase and has experience with responsible grant management. This will allow for cost savings in that a bulk purchase will be more attractive to the vendors ensuring the best possible price. The plan calls for purchasing 91 mobile radios, 283 portable radios, and 6 control stations that will be compatible with the new 800 MHz digital system. The estimated cost for this equipment is \$962,302.00. The new communications equipment will enable the fire first responders to communicate with all the departments in the county, as well as the dispatch center.

The current state of the economy has caused reduced tax income for both the city and county thus reducing the available funds needed to make such a large purchase. The City of Victoria has been forced to spend the majority of the available funding on infrastructure improvements such as rebuilding crumbling streets and replacing 100 year old water and sewer lines. The City will have planned expenditures of 313 million dollars from 1999 until 2010 in an effort to keep these necessary utilities functioning. These huge and costly projects leave little funding available for a total communications replacement. Unlike many other infrastructure projects that can be spread over time, the replacement of communications cannot since the entire radio system must be transitioned per the FCC regulation. The matching funds will be sought from both the City and County of Victoria once again illustrate a partnership in providing for the citizens fire protection in a cost effective manner.

If approved, the grant will provide for the replacement of all the communication equipment used by all 12 departments in the county. This will allow all of the first responders to have access to a radio. This will ensure that the responders can be in contact with other responders and the dispatcher. This ability will provide for the safety of the first responder and provide an effective means of getting assistance and aid for the general public.

* Please describe all grants that you have received from DHS including any AFG grants received from DHS or FEMA, for example, 2002 AFG grant for vehicle or 2003 ODP grant for exercises. (Enter "N/A" if Not Applicable)

None

Assurances and Certifications

Form 20-16A

You must read and sign these assurances by providing your password and checking the box at the bottom of this page.

Note: Fields marked with an * are required.

Assurances Non-Construction Programs

Note: Certain of these assurances may not be applicable to your project or program. If you have any 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 costs) 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 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. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen 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. Sections 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. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 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) Sections 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 Acts of 1968 (42 U.S.C. Section 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 Title 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 interest in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 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. Sections 276a to 276a- 7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for Federally assisted construction sub agreements.
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 flood plains 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. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 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. Section 1271 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. Section 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 of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.
19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

Signed by **Michael Belt** on **05/20/2009**

Form 20-16C

You must read and sign these assurances by providing your password and checking the box at the bottom of this page.

Note: Fields marked with an * are required.

Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements.

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 44 CFR Part 17, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Homeland Security (DHS) determines to award the covered transaction, grant, or cooperative agreement.

1. Lobbying

A. As required by the section 1352, Title 31 of the US Code, and implemented at 44 CFR Part 18 for persons (entering) into a grant or cooperative agreement over \$100,000, as defined at 44CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement and extension, continuation, renewal amendment or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all the sub awards at all tiers (including sub grants, contracts under grants and cooperative agreements and sub contract(s)) and that all sub recipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

A. As required by Executive Order 12549, Debarment and Suspension, and implemented at 44CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A, the applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.

(b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of

this certification: and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. Drug-Free Workplace (Grantees other than individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44CFR Part 17, Subpart F, for grantees, as defined at 44 CFR part 17, Sections 17.615 and 17.620:

(A) The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantees policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement and
- (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable DHS awarding office, i.e. regional office or DHS office.

(f) Taking one of the following actions, against such an employee, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance

Street	City	State	Zip	Action
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If your place of performance is different from the physical address provided by you in the Applicant Information, press *Add Place of Performance* button above to ensure that the correct place of performance has been specified. You can add multiple addresses by repeating this process multiple times.

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for DHS funding. States and State agencies may elect to use a Statewide certification.

Signed by **Michael Belt** on **05/20/2009**

FEMA Standard Form LLL

Only complete if applying for a grant for more than \$100,000 and have lobbying activities. See Form 20-16C for lobbying activities definition.

This form is not applicable

[Reply](#)

To: mkatbelt
Date: 05/20/2009
Subject: FY 2009 Assistance to Firefighters Grant Program
From: firegrants@dhs.gov

Congratulations! Your application for the FY 2009 Assistance to Firefighters Grant Program has been received.

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