



# CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 7 / 19 / 05

**SUBJECT:** SAFER Grant Submittal

**DEPARTMENT:** Fire & Rescue

JUL 01 2005  
CITY OF FORT ORANGE  
FINANCE DEPT.

**RECOMMENDED MOTION:** Approve the submittal of a SAFER Grant, under the FEMA Assistance to Firefighters Grant Program, in the amount of \$1,522,957.

**SUMMARY:** The Department would like to submit for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant, offered by FEMA. If awarded, the grant would subsidize the hiring of six firefighters. The time line of the grant extends over five years, with the City paying all associated costs for the firefighters' the fifth year. The overall cost breakdown reflects \$600,000 from the SAFER Grant, with the City contributing \$922,957 over a five-year period.

The intent of the grant submittal is to help bring the Department into compliance with NFPA 1710, and to also meet the requirements cited in the Risk Analysis and Countywide Fire Service Study conducted by the Tri Date Corporation.

**ATTACHMENTS:**  Ordinance  Resolution  Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

<b>DEPARTMENT HEAD</b>	Submitted <i>[Signature]</i>	Date <i>6/29/05</i>
<b>FINANCE DEPARTMENT</b>	Approved as to Budget Requirements	Date <i>7/1/05</i>
<b>CITY ATTORNEY</b>	Approved as to Form and Legality <i>[Signature]</i>	Date
<b>CITY MANAGER</b> <i>[Signature]</i>	Approved Agenda Item for:	Date <i>7/19/05</i>

**COUNCIL ACTION:**  Approved as Recommended  Disapproved  Tabled Indefinitely  
 Continued to Date Certain  Approved with Modification

## Entire Application

### Overview

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**Are you a member, or are you currently involved in the management of the fire department or organization applying for this grant with this application?**

Yes, I am a member/officer of this applicant

**If you answered No**, please **complete** the information below and press the *Save and Continue* button. **If you answered Yes**, please do **not** complete the information requested below and press the *Save and Continue* button.

**Note:** If you answered **No** to the above question, the fields marked with an \* are required.

#### Preparer Information

\* Preparer's Name

\* Address 1

Address 2

\* City

\* State

\* Zip

-

\* Is there a grant-writing fee associated with the preparation of this request?

If you answered yes above, what is the fee? \$

**Contact Information**

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## Alternate Contact Information Number 1

* Title	Chief
Prefix	Mr.
* First Name	Thomas
Middle Initial	G
* Last Name	Weber
* Business Phone	386 506 5900 Ext.
* Home Phone	386 322 3532 Ext.
Mobile Phone/Pager	386 527 6802
Fax	386 756 5405
* E-mail	tweber@port-orange.org

## Alternate Contact Information Number 2

* Title	Public Info Officer
Prefix	Ms.
* First Name	Lisa
Middle Initial	
* Last Name	Saunders
* Business Phone	386 506 5906 Ext.
* Home Phone	386 566 8435 Ext.
Mobile Phone/Pager	386 527 6029
Fax	386 756 5405
* E-mail	lsaunders@port-orange.org

**Applicant Information**

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EMW-2005-FF-02320

Originally submitted on 06/28/2005 by Lisa Saunders (Userid: tbazanos)

**Contact Information:**

Address: 1090 City Center Blvd  
 City: Port Orange  
 State: Florida  
 Zip: 32119  
 Day Phone: 386-506-5906  
 Evening Phone: 386-527-6929  
 Cell Phone:  
 Email: lsaunders@port-orange.org

**Application number is EMW-2005-FF-02320**

* Organization Name	Port Orange Department of Fire & Rescue
* 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?	%
* Type of Jurisdiction Served	City
If other, please enter the type of Jurisdiction	
* <u>Employer Identification Number</u>	59-6000412
* Are you sharing an EIN with another organization?	No
If yes, please enter the name of the entity with whom you share an EIN	
* Does your organization have a <u>DUNS Number</u> ?	Yes
If yes, please enter the <u>DUNS Number</u>	102616021
Headquarters Physical Address	
* Physical Address 1	1090 City Center Blvd
Physical Address 2	
* City	Port Orange
* State	Florida
* Zip	32129 - 9614 <a href="#">Need help for ZIP+4?</a>
Mailing Address	
* Mailing Address 1	1090 City Center Blvd
Mailing Address 2	
* City	Port Orange
* State	Florida
* Zip	32129 - 9614 <a href="#">Need help for ZIP+4?</a>
Account Information	
* Type of bank account	Checking
* Bank routing number - <u>9 digit</u> number on the bottom left hand corner	

of your check 063105308  
\*Your account number 0536081910710

Additional Information

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

\* If awarded this grant, will your jurisdiction expend greater than \$500,000 in Federal share funds during the Federal fiscal year in which the grant was awarded? No

\* 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:

**Applicant Characteristics (Part I)**

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- \* Are you a member of a Fire Department or authorized representative of a fire department? Yes
- \* Are you a member of a Federal Fire Department or contracted by the Federal government and solely responsible for suppression of fires on Federal property? No
- \* Does your organization protect critical infrastructure of the state? No
- \* Please indicate the type of community your organization serves. Urban
- \* How many commercial, industrial, residential, or institutional structures in your jurisdiction are more than four stories tall? 2
- \* What is the permanent resident population of your Primary/First-Due Response Area or jurisdiction served? 54000
- \* Please indicate if your department has an automatic/mutual aid agreement with another community or fire department and the type of agreement that exists. Automatic aid

The objective of SAFER is to increase the on-duty strength of fire departments. The following questions are designed to help us understand the changes that will occur in departments receiving grants. For the following 4 questions only list the number of "firefighter" positions. Do not include company or command officer positions.

- \* At the time of application, how many authorized and funded active, full-time firefighter positions are in your department? 51
- \* At the time of application, how many active volunteer firefighters are in your department? 0
- \* If awarded this grant, how many authorized and funded active full-time firefighter positions will be in your department? 57
- \* If awarded this grant, how many active volunteer firefighters will be in your department? 0
- \* How many stations are in your organization? 4
- \* Do you currently report to the National Fire Incident Reporting System (NFIRS)? Yes

**Applicant Characteristics (Part II)**

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* What is the total number of fire-related civilian fatalities in your jurisdiction over the last three years?	1
* What is the total number of fire-related civilian injuries in your jurisdiction over the last three years?	9
* What is the total number of line of duty member fatalities in your jurisdiction over the last three years?	0
* What is the total number of line of duty member injuries in your jurisdiction over the last three years?	36
* In an average year, how many times does your organization receive automatic/mutual aid?	49
* In an average year, how many times does your organization provide automatic/mutual aid?	152
* What is your department's operating budget (including personnel costs) for your current fiscal year and what was your budget for the last three fiscal years?	6579644 6444545 5272813 5233071
* What percentage of your annual operating budget is derived from: Enter numbers only, percentages must sum up to 100%	
Taxes?	96 %
Grants?	2 %
Donations?	0 %
Fund drives?	0 %
Other?	2 %
If you entered a value into Other field (other than 0), please explain	Revenue from Flu Shot program, ACLS, BTLS, CPR and other contract training programs.

**Department Call Volume**

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\* How many responses per year by category? (Enter whole numbers only: If you have no calls for any of the categories, enter 0)

Structural Fires	43
Vehicle Fires	23
Vegetation Fires	49
EMS	4816
Rescue	0
Hazardous Condition/Materials Calls	352
Service Calls	406
Good Intent Calls	500
False Alarms	69
Other Calls and Incidents	48



**Request Details**

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The activity for your organization is listed in the table below.

Activity	Number of Entries
<u>Hiring Firefighters</u>	1

**Hiring Firefighters**

- \* 1. The Hiring of FF activity requires a considerable cost-share on behalf of the applicant and/or its governing body. As such, it is imperative that the local governing body be aware of and support this application. Have you, as the applicant, discussed this application and its long-term obligations with your governing body and is your governing body willing to accept this long term commitment? Yes
- \* 2. If awarded a hiring grant, will the newly added firefighters be trained to at least Firefighting I or equivalent within 6 months of employment? Yes
- \* 3. If awarded a hiring grant, will the newly added firefighters be trained to at least Firefighting II or equivalent within 24 months of employment? Yes
- \* 4. If awarded a hiring grant, will the newly added firefighters be trained within 24 months of employment to at least the minimum level of EMS certification as established by the local fire department? Yes
- \* 5. Given the number of structure fires indicated in the "Call Volume" screen of your application, how many times did you assemble the minimum number of firefighting personnel at the scene in compliance with either NFPA 1710 or NFPA 1720? 43
- \* 6. With staffing requested in this application and given the number of structure fires indicated in the "Call Volume" screen of your application, how many times would you estimate you would have been able to assemble the minimum number of firefighting personnel at the scene in compliance with either NFPA 1710 or NFPA 1720? 43
- \* 7. What is the current staffing level on your first arriving engine company or vehicle capable of initiating suppression activities? 3
- \* 8. Is your request for hiring firefighters based on a risk analysis and/or a staffing needs analysis? Yes

A risk analysis determined the emergency call volume to the western section of the city and current average response time. There were 458 incidents in this district and 625 total responses with an average response time of over 8 minutes for BLS service. This area has changed from a Rural Area to a High-Density Suburban Area. Additionally, the eastern portion of the city is changing from a Low-Density Urban Area to a High-Density Urban Area. These changes were noted in a County-wide Fire Service Study conducted by the Tri-Data Corporation of Arlington, VA. This study detailed hazards,

If Yes, describe how the analysis was conducted.

call volume and recommended staffing. Our grant request is based on this study's recommendation.

\* 9. If awarded a grant for hiring additional firefighters, will you provide them with an entry-level physical in accordance with NFPA 1582, Standard on Comprehensive Occupational Medical Program for Fire Departments 2003 Edition, Chapter 6? Yes

**Budget Item**

- \* How many full-time firefighter positions, including job-shares, are you requesting? 6
- If you are requesting assistance to fund a position that would be "shared" by more than one individual, i.e., for job-share, please indicate how many individuals would fill that position and provide an explanation as to why the position is shared. N/A
- \* What is the annual starting salary for firefighters in your department? 31488
- \* What is the average benefit rate for your department (as calculated as a percentage of the annual salary)? 43%
- \* If awarded, what is your estimate of the average annual increase in salary for these firefighting positions as a result of step increases, cost-of-living adjustments, incentive pay, etc.? Show this figure as a percentage of the annual salary. 6%

**Budget**

Budget Matrix

	First 12-Month Period	Second 12-Month Period	Third 12-Month Period	Fourth 12-Month Period	Fifth 12-Month Period	Total
<u>Personnel</u>	188,928	200,264	212,280	225,016	238,517	1,065,005
<u>Benefits</u>	81,239	86,114	91,280	96,757	102,562	457,952
Federal Share	216,000	192,000	120,000	72,000	0	600,000
Applicant Share	<b>54,167</b>	<b>94,378</b>	<b>183,560</b>	<b>249,773</b>	<b>341,079</b>	<b>922,957</b>
<b>Total:</b>	<b>270,167</b>	<b>286,378</b>	<b>303,560</b>	<b>321,773</b>	<b>341,079</b>	<b>1,522,957</b>

## Narrative Statement

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### Project Description

\* Please provide your narrative statement in the space provided below.

#### Introduction

The City of Port Orange Department of Fire and Rescue (POFR) provides fire suppression and advanced life support (ALS) services, to a community covering 35 square miles with a population of 54,000. We currently have four fire stations staffed around the clock with an average of sixteen firefighters and paramedics, on four fire engines, one Squirt and one Battalion Chief, working three shifts. We operate as partners in an automatic aid, closest unit first response system with eight of our neighboring cities (Daytona Beach, Daytona Shores, Edgewater, New Smyrna Beach, South Daytona, Holly Hill, Ponce Inlet, and Ormond Beach). Three of these cities (Edgewater, New Smyrna Beach and Ponce Inlet) have joined us in creating a functional merger of operations through a regional dispatch center, which is providing seamless emergency response and training between the different fire service agencies.

Several factors influence our exposure to hazardous situations beyond what is expected from most communities. First, within our response area, we protect several major transportation routes. They are the Intracoastal Waterway, Interstate 95, and the Florida East Coast Railroad. It is important to note that the Kennedy Space Center is approximately 40 miles south of the City of Port Orange. Much of the material being shipped to and from there travels through our city via the highway or railway. In addition, throughout the year our area is inundated by visitors during special events; Race Weeks, Spring Break, Bike Week, Black College Reunion, and Biketoberfest to name a few. Each of these events brings an influx of hundreds of thousands of people to our area. These events cause a severe financial burden on the municipalities. Finally, our tropical climate produces serious safety concerns for our firefighters operating in this environment. For eight months of the year the heat index during emergency operations is classified as Extreme Caution or Dangerous. This requires additional response of firefighting staff to prevent heat related injuries.

#### Project Needs

Port Orange was able to meet NFPA 1710 one hundred percent of the time to the structure fires responded to in 2004. We met it by placing a full first alarm assignment on scene in 8-minutes or less. We were only able to meet the 4 firefighters in 4-minutes criteria twenty percent of the time to those same incidents. Our current staffing of three personnel per Company (except the Ladder Company, 2) does not allow for compliance of NFPA 1710 regarding EMS response. Our request for personnel support from the SAFER Act Grant would help solve staffing and coverage issues for our organization. This support will increase Ladder Company staffing to three personnel full time making that a safer working environment. It will also allow for improved coverage in a remote district where a station has not been placed yet. Finally, a fourth person will be added to Engine 71 in District 71, which is transforming into a High Density Urban Area. Our grant requests are based on a risk analysis and County-wide Fire Service Study conducted by the Tri-Data Corporation of Arlington, VA. This study detailed hazards, call volume and recommended staffing.

#### Community and Firefighter Risks

The SAFER Act Grant funds will provide a fifty percent increase in staffing of our Ladder Company. This staff will take this company from a two-person crew to a full time three-person crew. The benefits of adding the third position full time directly corresponds to the unit's ability to provide a safer team environment for the company. It allows for greater functionality of the unit, with less dependence on assistance from other companies. A three-person crew can function safely inside a fire building or more efficiently conduct aerial operations. Additionally, a three-person crew can provide better patient care in a timelier manner.

These staffing enhancements would be assigned the Ladder Company that has a current minimum staffing of two personnel; a Driver/Engineer and Lieutenant, of which at least one is a paramedic. This unit responds with 33% less staff than all other units. Therefore, its efficiency is reduced by that corresponding percentage and it must be completely taken out of service when the paramedic is required to continue patient care to the hospital. The risk to the community is this unit's reduced patient care ability, down time for priority patient transport and

reduced ladder company functionality. Increased firefighter risks are operational safety, backing and vehicle safety with only one spotter and increased firefighter workload demand. The vehicle, a 65' Squirt, has many more capabilities than two persons are safely capable of providing, however the crew will try to do all that is needed no matter the risks. This environment lends itself to increased risk of injury to that two-person crew. Adding another firefighter will improve the unit's functionality and efficiency thereby improving the safety to the community and our firefighters.

The Ladder Company is the second unit in Station 73, our busiest district with 4,046 responses in 2004. This station is also responsible for coverage in District 75 where a proposed station has not been built as of this date. District has rapidly changed from a Rural Area to a High-Density Suburban Area. That district produced over 650 requests for assistance last year. Because of its remoteness, our response time average was eight minutes, far above the average of the rest of the city, which is four minutes. Increased staffing on the Ladder Company will allow for one of Station 73's units to be relocated to District 75 for coverage as a facility is being built and additional staff hired, thereby reducing the response time to that District.

Station 71 is the second busiest district with 2,226 responses. Station 71 is staffed with one ALS Engine Company with three personnel. This unit can be cut off from the rest of the City by the Florida East Coast Railroad. This is an extremely busy north-south rail line. All crossings are at grade level and there are many times when response routes are blocked by trains traveling through or loading and unloading cars. Additionally, six 17-story high-rise condominiums will be built in this district as part of a river walk commercial, residential, boardwalk, and marina district. Three of the SAFER Act firefighters will be assigned to Engine 71 making that a four-person crew. This enhancement will increase this unit's NFPA 1710 compliance for both fire and medical responses, to close to if not above full compliance.

#### Financial Need

The City of Port Orange is primarily a residential community. Revenue sources are more limited here than in areas where there are more commercial or industrialized institutions. Most of our revenue comes from our citizens, of whom approximately 45% are elderly and/or retirees on fixed incomes. For several years, the City has been sympathetic to the needs of these citizens and has tried to keep tax rates down. This means each department in the City struggles to maintain current service levels, sometimes with reduced revenue. Port Orange is expecting growth to significantly subside in the next couple of years. In our City, public safety accounts for 55% of general fund expenditures. Moreover, Port Orange was directly impacted by three hurricanes last year. The affect of these storms was a reduction in the City's financial ability for general fund activities so funds could be dedicated to pay for damage that was not covered by FEMA. Port Orange also had to dedicate significant dollars to mitigation efforts. During Hurricane Frances, the City had over 200 homes significantly damaged by flooding. Mitigation has become a very high priority. As a result, it will be difficult for the City to maintain and fund needed personnel for the next few years.

#### Hiring Practices Reflecting Diversity in Community

As Chief of the Department, I have established the goal of our department hiring personnel that allow our organization to mirror the community as close as possible. Currently our population is 95 % Caucasian, 2% African American, 2% Hispanic and 1% Asian, our Hiring Pool of candidates is 86% White, 6% African American, 4 % Hispanic, 0% Asian, 83% Male and 17% Female. Our department is currently 96 % Caucasian, 1 % African American, 3 % Hispanic 0% Asian, 89% Male and 11% Female. Since becoming Chief I have hired four personnel. They were one African American male, one Caucasian male and two Caucasian females. We will continue this practice until we can mirror or exceed the make up of our community and match or exceed our available hiring pool ethnic makeup.

#### Match Requirements

The SAFER Grant award will be matched through the normal budgetary process. The City Council has passed a Fire Impact Fee, which will fund equipment and facility additions and improvements. This will make General Fund revenue available for the matching personnel costs. The City Council has endorsed and directed submittal of this application and will formally approve it, thereby obligating the City to match the funding requirements. The City determined that a new full-time staffed facility is required in the western section of the City. The City will staff this facility in early 2007. A staffing plan includes attempting to hire three new personnel annually until current and future staffing needs are met. The need for a fifth station assures that there can be no personnel reductions on the horizon for our organization.

### Non-Discrimination

All positions in Port Orange have the ability to seek outside volunteer opportunities. There are no rules, standard operating guidelines, or contractual language that prohibits the practice. All outside employment is tracked by the Department on an annual basis but cannot be denied. This has never been an issue in our organization. Additionally, our City has extensive volunteer programs including Citizen Emergency Response Teams and Volunteers in Police Services.

### Summary

Port Orange will use the SAFER Act Grant to 1) increase Ladder Company staffing from two to three full time personnel so improvement in safety and efficiency can be recognized, 2) improve response times to the City's District 75 which is currently at eight minutes, 3) improve Station 71 staffing from three to four full time personnel. These enhancements would improve the City's chances of being NFPA 1710 compliant for fire responses by providing 4 personnel in 4 minutes in its two busiest Districts and compliant for EMS in one district. It will also help the City work toward implementation of the recommendations for staffing by the Tri-Data Corporation.

Port Orange is grateful for the opportunity to participate in the SAFER Act Grant Program. The chance to provide a safer environment for our community and firefighters is paramount; assistance from this grant can help us accomplish this.

\* Please describe any grants that your department has received from DHS including the AFG. For example: 2002 AFG Fire Engine, 2003 UASI Equipment... (Enter "N/A" if Not Applicable)

We received an AFG for Firefighter Safety and Health in 2002 in the amount of \$146,818.

We are working on completing a 2003 Fire Prevention and Safety Grant for a Fire Safety Trailer. The amount is for \$58,000.

**Assurances and Certifications**

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**Form 20-16A**

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**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 **Lisa Saunders** on **06/27/2005**



**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 28 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).

(8) 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 **Lisa Saunders** on **06/27/2005**

**FEMA Standard Form LLL**

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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**