

## ORDINANCE NO. 2515

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND APPROVING A BUDGET AMENDMENT OF THE GRANT FUND AND GENERAL FUND TO APPROPRIATE FUNDS FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, STAFFING FOR ADEQUATE FIRE & EMERGENCY RESPONSE (SAFER) GRANTS PROGRAM, FOR THE HIRING OF ADDITIONAL FIREFIGHTING PERSONNEL TO BE USED BY THE FIRE DEPARTMENT IN THE PROTECTION AND DELIVERY OF EMERGENCY SERVICES TO THE CITIZENS OF THE SALISBURY FIRE DISTRICT.

WHEREAS, the Fire Department has the need to hire additional personnel who would enhance operational efficiency and effectiveness; and

WHEREAS, the Fire Department made application for grant funds for this purpose from a program administered by the United States Department of Homeland Security (DHS) under the Staffing for Adequate Fire & Emergency Response (S.A.F.E.R.) grants program, designed to provide funding directly to fire departments to help increase the number of trained, "front-line" firefighters available in their communities; and

WHEREAS, this grant will assist in offsetting the effects of the current and ongoing economic conditions; and

WHEREAS, the Fire Department has been offered a grant award in the amount of \$1,527,738.00 from the DHS as part of the S.A.F.E.R. grant program to be used for the hiring of 12 additional personnel for a period of three years; and

WHEREAS, the grant will pay for 75 percent of salary and benefits for each of the additional firefighters in the first and second year of the grant and 35 percent of salary and benefits in the third year of the grant; and

WHEREAS, the City of Salisbury must agree to the terms of the documents in the Award Package, attached as Exhibit A; and

WHEREAS, § 7-29 of the Salisbury City Charter forbids contracts requiring an expenditure in excess of the amount appropriated for that general classification or expenditure, and forbids any office, department, or agency from expending funds not appropriated; and

WHEREAS, the total amount of the grant funds estimated to be received over three years is \$1,527,739, and the grant requires matching funds from the City General Fund in the estimated amount of \$949,674; and

WHEREAS, this amendment is intended to appropriate the first year grant match amount of \$206,451 in FY19; and

WHEREAS, additional grant matching funds are estimated in the amount of \$743,223 and are required to be appropriated by the grant over the following two year life of the grant; and

WHEREAS, the grant issuer requires the return of all grant funds if the required future matching grant funds are not appropriated by City Council.

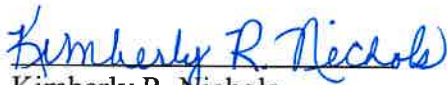
NOW, THEREFORE BE IT RESOLVED that the City of Salisbury accepts these grant funds and the terms of the Award Package, attached as Exhibit A; the City further agrees to appropriate the necessary funds and expresses its sincere appreciation to the United States Department of Homeland Security, Staffing for Adequate Fire & Emergency Response grants program administrators, for their recognition of and contribution to the City's efforts to enhance the efficiency and effectiveness of the services provided by the Salisbury Fire Department to the citizens of the City and the Salisbury Fire District; and


BE IT FURTHER ORDAINED that the City's Grant Fund Budget and City's Fiscal Year 2019 General Fund Budget be and hereby are amended as follows:

Fund	Account	Grant/Project	Amount
Grant Fund	Federal Grant Revenue	FEMA/DHS Safer	1,527,738
Grant Fund	General Fund Transfer Revenue	FEMA/DHS Safer	206,451
Grant Fund	Salaries and Benefit Expenses	FEMA/DHS Safer	1,734,189
General Fund	Current Year Surplus Revenue		206,451
General Fund	Grant Match Transfer Expense		206,451

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 10<sup>th</sup> day of December, 2018, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 14<sup>th</sup> day of January, 2019.

ATTEST:

  
Kimberly R. Nichols  
CITY CLERK

  
John R. Heath  
PRESIDENT, City Council

APPROVED BY ME THIS 15<sup>th</sup> day of JANUARY, 2019

  
Jacob R. Day, Mayor



City of  
**Salisbury**  
Jacob R. Day, Mayor

## MEMORANDUM

**To:** Julia Glanz, City Administrator

**From:** John W. Tull, Fire Chief *(JWT)*

**Subject:** SAFER Grant Budget Ordinance

**Date:** November 15, 2018

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As you aware, the Department participated in the United States Department of Homeland Security Staffing for Adequate Fire & Emergency Response (SAFER) grants program under the "Hiring of Firefighters Activity" project. The Department was selected as a recipient of a SAFER grant award in the amount of \$ 1,527,738 for the hiring of twelve (12) additional personnel. The SAFER grant award is for a period of three (3) years and will pay for 75 percent of the salary and benefits for each of the additional firefighters in the first and second year of the grant; the third year of the grant funds 35 percent of salary and benefits. The amount of federal funding provided to a recipient under the SAFER "Hiring of Firefighters Activity" is based on the usual annual cost of a first-year firefighter which includes the base salary (exclusive of overtime) and standard benefits package (including the average health cost, dental, vision, FICA, life insurance, retirement/pension, etc.) offered by fire departments to first-year (i.e. entry-level) firefighters.

At the September 24, 2018 City Council meeting, Resolution #2888 was approved accepting the grant funds and the grant terms as listed in the Award Package documents. Attached you will find a budget ordinance that will appropriate the total amount of the grant funds awarded by FEMA/DHS for the three-year grant period, and will authorize an increase to the General Fund Transfer Revenue account of the City's required matching amount for the first year only. The amount shown as an increase to the expenditure account is the total grant funds plus the match for the first year.

Should you require any additional information, please do not hesitate to contact me.

Fire Safer Grant Analysis  
With Retirement

		Yr 1		Yr 2		Yr 3		Total	
<b>Revenues</b>									
Federal Share		619,353	75%	619,353	75%	289,032	35%	1,527,738	62%
General Fund Trf Match		206,451	25%	206,451	25%	536,772	65%	949,674	38%
<b>Total Revenues</b>		<b>825,804</b>	<b>100%</b>	<b>825,804</b>	<b>100%</b>	<b>825,804</b>	<b>100%</b>	<b>2,477,412</b>	<b>100%</b>
<b>Expenditures</b>									
Salary	\$ 37,178.00	446,136		446,136		446,136		1,338,408	
FICA	7.65%	34,129		34,129		34,129		102,388	
WC	9.40%	41,937		41,937		41,937		125,810	
Retirement	31.49%	140,488		140,488		140,488		421,465	
Health	\$ 13,561.20	162,734		162,734		162,734		488,203	
Life	\$ 31.20	374		374		374		1,123	
Rounding		5		5		5		14	
<b>Total Expenditures</b>		<b>825,804</b>		<b>825,804</b>		<b>825,804</b>		<b>2,477,412</b>	



FY 2017 Staffing for  
Adequate Fire and  
Emergency Response  
Session Time out in 27 mins

[Direct Deposit Form 1199A](#)

[Return to Status Page](#)

[Log Off](#)

## Award Status

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Congratulations! Your grant application has been selected for an award.

Please review the award package by clicking the link below. Once you have reviewed the award package and are ready to accept the award, the **Primary Point of Contact** must select the "Accept Award" button below, enter the password, check the certification box, and then press the *Accept/Reject Award* button at the bottom of the screen.

Awards made under the **Hiring of Firefighters Category** require the support of your governing body **prior to acceptance** of the award. Therefore, by accepting this award you are confirming that you have discussed this award with your local officials and that there is a clear understanding of the long-term obligations (such as staffing level requirement and no layoffs) of a SAFER grant and that both the department and governing body are committed to fulfilling the requirements of this grant immediately upon acceptance.

FEMA has developed tools and resources to assist recipients with ensuring compliance to grants management policies, procedures and federal regulations. Training is available at <https://www.fema.gov/assistance-firefighters-grants-training-tools>.

[USFA Home](#) | [FEMA](#) | [Frequently Asked Questions](#) | [Glossary](#) | [Privacy](#) | [Help](#)

# Award Package

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# FEMA

Mr. John Tull  
Salisbury Fire Department  
325 Cypress Street  
Salisbury, Maryland 21801-4928

Re: Award No. EMW-2017-FH-00382

Dear Mr. Tull:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grant has been approved in the amount of \$2,477,412.00. As a condition of this award, you are required to contribute a cost match in the amount of \$949,674.00 of non-Federal funds. The Federal share is \$1,527,738.00 of the approved total project cost of \$2,477,412.00.

**Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system.** By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Notice of Funding Opportunity

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

**Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov).** As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

**Step 1:** Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your recruitment period has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and keep the original form in your grant files. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

9/11/2018

Award Package

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas DiNanno". The signature is written in a cursive style with a large initial "T" and a prominent "D".

Thomas George DiNanno  
GPD Assistant Administrator



## Summary Award Memo

**INSTRUMENT:** GRANT  
**AGREEMENT NUMBER:** EMW-2017-FH-00382  
**GRANTEE:** Salisbury Fire Department  
**DUNS NUMBER:** 142493142  
**AMOUNT:** \$2,477,412.00, Hiring

**Project Description**

The purpose of the Staffing for Adequate Fire and Emergency Response Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Staffing for Adequate Fire and Emergency Response Grant program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

**Period of Performance**

28-FEB-19 to 27-FEB-22

**Amount Awarded**

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	\$1,338,408.00
Fringe Benefits	\$1,139,004.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect Charges	\$0.00
Total	\$2,477,412.00

**NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)**

If you have any questions about your award package, please contact your GPD Grants Management Specialist: Levenix Riddle at [Levenix.Riddle@fema.dhs.gov](mailto:Levenix.Riddle@fema.dhs.gov).

**FEMA Officials**

**Program Officer:** The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

**Grants Assistance Officer:** The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

**Grants Operations POC:** The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

**ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 8000 characters)**

## Agreement Articles



# FEMA

U.S. Department of Homeland Security  
Washington, D.C. 20472

## AGREEMENT ARTICLES

### STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) Grants

**GRANTEE:** Salisbury Fire Department

**PROGRAM:** Staffing for Adequate Fire and Emergency Response (SAFER) - Hiring

**AGREEMENT NUMBER:** EMW-2017-FH-00382

**AMENDMENT NUMBER:**

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**Article I. Assurances, Administrative Requirements, Cost Principles, and Audit Requirements**

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

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

Article II. **DHS Specific  
Acknowledgements and  
Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.

2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.

3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

5. If, during the past three years, recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS FAO and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at [crcl@hq.dhs.gov](mailto:crcl@hq.dhs.gov) or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.

6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS FAO and the CRCL office by e-mail or mail at the addresses listed above.

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

- Article III. Acceptance of Post Award Changes** In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to [firegrants@dhs.gov](mailto:firegrants@dhs.gov).
- Article IV. Acknowledgment of Federal Funding from DHS** All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.
- Article V. Activities Conducted Abroad** All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
- Article VI. Age Discrimination Act of 1975** All recipients must comply with the requirements of the *Age Discrimination Act of 1975* ([Title 42 U.S. Code, § 6101 et seq.](#)), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- Article VII. Americans with Disabilities Act of 1990** All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. ([42 U.S.C. §§ 12101- 12213](#)).
- Article VIII. Animal Welfare Act of 1966** Where applicable, recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.
- Article IX. Best Practices for Collection and Use of Personally Identifiable Information (PII)** DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) as useful resources respectively.
- Article X. Civil Rights Act of 1964 - Title VI** All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* ([42 U.S.C. § 2000d et seq.](#)), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at [6 C.F.R. Part 21](#) and [44 C.F.R. Part 7](#). All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See [42 U.S.C. § 3601 et seq.](#)), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The
- Article XI. Civil Rights Act of 1968**

**Article XII. Contract Provisions for Non-federal Entity Contracts under Federal Awards**

prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See 24 C.F.R. § 100.201.)

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the recipient under the Federal award must contain provisions as required by Appendix II of 2 C.F.R. Part 200, *Contract Provisions for Non-Federal Entity Contracts Under Federal Awards*, including but not limited to the following:

a. Contracts for more than the simplified acquisition threshold set at \$150,000.

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

b. Contracts in excess of \$10,000.

All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

**Article XIII. Copyright**

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

**Article XIV. Debarment and Suspension**

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

**Article XV. Disposition of Equipment Acquired Under the Federal Award**

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

**Article XVI. Drug-Free Workplace Regulations**

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. § 8101 et seq.), which requires all organizations receiving grants from any federal agency agree to maintain a drug-free workplace. You as the recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101-8107).

**Article XVII. Duplication of Benefits**

Any cost allocable to a particular federal financial assistance

- award provided for in [2 C.F.R. Part 200, Subpart E](#) may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.
- Article XVIII. **Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX** All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 ([20 U.S.C. § 1681 et seq.](#)), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at [6 C.F.R. Part 17](#) and [44 C.F.R. Part 19](#).
- Article XIX. **Energy Policy and Conservation Act** All recipients must comply with the requirements of [42 U.S.C. § 6201](#) which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
- Article XX. **Environmental Planning and Historic Preservation Screening** AFG funded activities that may require an EHP review, involving the installation or requiring renovations to facilities, including but not limited to air compressor/fill station/cascade system (Fixed) for filling SCBA, air improvement systems, alarm systems, antennas, gear dryer, generators (fixed), permanently mounted signs, renovations to facilities, sprinklers, vehicle exhaust systems (fixed) or washer/extractors are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to our Department of Homeland Security/Federal Emergency Management Agency website at: <https://www.fema.gov/library/viewRecord.do?id=6906>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.
- Article XXI. **False Claims Act and Program Fraud Civil Remedies** All recipients must comply with the requirements of [31 U.S.C. § 3729- 3733](#) which prohibits the submission of false or fraudulent claims for payment to the federal government. (See [31 U.S.C. § 3801-3812](#) which details the administrative remedies for false claims and statements made.)
- Article XXII. **Federal Debt Status** All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See [OMB Circular A- 129](#).)
- Article XXIII. **Federal Leadership on Reducing Text Messaging while Driving** All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in [E.O. 13513](#), including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.
- Article XXIV. **Fly America Act of 1974** All recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under [49 U.S.C. § 41102](#)) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* ([49 U.S.C. § 40118](#)) and the interpretative guidelines issued by the Comptroller General of



- the United States in the March 31, 1981 [amendment to Comptroller General Decision B-138942](#).
- Article XXV. **Hotel and Motel Fire Safety Act of 1990**  
In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, [15 U.S.C. § 2225a](#), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, [15 U.S.C. § 2225](#).
- Article XXVI. **Limited English Proficiency (Civil Rights Act of 1964, Title VI)**  
All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
- Article XXVII. **Lobbying Prohibitions**  
All recipients must comply with [31 U.S.C. § 1352](#), which provides that none of the funds provided under an federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action concerning the award or renewal.
- Article XXVIII. **National Environmental Policy Act**  
All recipients must comply with the requirements of the [National Environmental Policy Act](#) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
- Article XXIX. **Nondiscrimination in Matters Pertaining to Faith- Based Organizations**  
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. All recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
- Article XXX. **Non-supplanting Requirement**  
All recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
- Article XXXI. **Notice of Funding Opportunity Requirements**  
All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
- Article XXXII. **Patents and Intellectual Property Rights**  
Unless otherwise provided by law, recipients are subject to the [Bayh-Dole Act, Pub. L. No. 96-517](#), as amended, and codified in [35 U.S.C. § 200](#) et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at [37 C.F.R. Part 401](#)

- and the standard patent rights clause located at 37 C.F.R. § 401.14.
- Article XXXIII. **Prior Approval for Modification of Approved Budget**
- Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.
- Article XXXIV. **Procurement of Recovered Materials**
- All recipients must comply with Section 6002 of the [Solid Waste Disposal Act](#), as amended by the [Resource Conservation and Recovery Act](#). The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 C.F.R. Part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
- Article XXXV. **Protection of Human Subjects**
- Where applicable, recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.
- Article XXXVI. **Rehabilitation Act of 1973**
- All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, [29 U.S.C. § 794](#), as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- Article XXXVII. **Reporting of Matters Related to Recipient Integrity and Performance**
- If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at [2 C.F.R. Part 200, Appendix XII](#), the full text of which is incorporated here by reference in the award terms and conditions.
- Article XXXVIII. **Reporting Subawards and Executive Compensation**
- All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at [2 C.F.R. Part 170, Appendix A](#), the full text of which is incorporated here by reference in the award terms and conditions.
- Article XXXIX. **SAFECOM**
- All recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the [SAFECOM](#) Guidance for Emergency Communication Grants, including provisions on technical

- standards that ensure and enhance interoperable communications.
- Article XL. **Terrorist Financing**  
All recipients must comply with [E.O. 13224](#) and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.
- Article XLI. **Trafficking Victims Protection Act of 2000**  
All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000*, (TVPA) as amended by [22 U.S.C. § 7104](#). The award term is located at [2 C.F.R. § 175.15](#), the full text of which is incorporated here by reference in the award terms and conditions.
- Article XLII. **Universal Identifier and System of Award Management (SAM)**  
All recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at [2 C.F.R. Part 25, Appendix A](#), the full text of which is incorporated here by reference in the terms and conditions.
- Article XLIII. **USA Patriot Act of 2001**  
All recipients must comply with requirements of the [Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act \(USA PATRIOT Act\)](#), which amends [18 U.S.C. §§ 175-175c](#).
- Article XLIV. **Use of DHS Seal, Logo and Flags**  
All recipients must obtain permission from their DHS FAO, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
- Article XLV. **Whistleblower Protection Act**  
All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at [10 U.S.C § 2409](#), [41 U.S.C. 4712](#), and [10 U.S.C. § 2324](#), [41 U.S.C. §§ 4304 and 4310](#).

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1. AGREEMENT NO. EMW-2017-FH-00382	2. AMENDMENT NO. 0	3. RECIPIENT NO. 52-6000806	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX03041N2018T
6. RECIPIENT NAME AND ADDRESS Salisbury Fire Department 325 Cypress Street Salisbury Maryland, 21801-4928	7. ISSUING OFFICE AND ADDRESS Grant Programs Directorate 500 C Street, S.W. Washington DC, 20472 POC: Sheila Parker Darby 202-786-9521	8. PAYMENT OFFICE AND ADDRESS FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472		
9. NAME OF RECIPIENT PROJECT OFFICER John Tull	PHONE NO. 4105483120X103	10. NAME OF PROJECT COORDINATOR Catherine Patterson	PHONE NO. 1-866-274-0960	
11. EFFECTIVE DATE OF THIS ACTION 28-FEB-19	12. METHOD OF PAYMENT SF-270	13. ASSISTANCE ARRANGEMENT Cost Sharing	14. PERFORMANCE PERIOD From:28-FEB-19 To:27-FEB-22  Budget Period From:13-MAY-18 To:29-SEP-18	

15. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX- XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON- FEDERAL COMMITMENT
SAFER	97.083	2018-F7-C211-P4310000-4101-D	\$0.00	\$1,527,738.00	\$1,527,738.00	\$949,674.00
TOTALS			\$0.00	\$1,527,738.00	\$1,527,738.00	\$949,674.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.

N/A

16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

SAFER recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)  
N/A

DATE  
N/A

18. FEMA SIGNATORY OFFICIAL (Name and Title)  
Rosalie Vega

DATE  
11-JUL-18