



## COUNTY OF LOS ANGELES

### FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294  
(323) 881-2401

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

December 01, 2015

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**APPROVE THE ACCEPTANCE OF GRANT FUNDS, EMW-2015-CA-00008-S01, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY FISCAL YEAR 2015 URBAN SEARCH AND RESCUE READINESS COOPERATIVE AGREEMENT (ALL DISTRICTS) (3 VOTES)**

### **SUBJECT**

The Consolidated Fire Protection District of Los Angeles County (District) is requesting approval to accept \$1,286,082 in grant funding from the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) Fiscal Year (FY) 2015 Urban Search and Rescue (US&R) Readiness Cooperative Agreement.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY:**

1. Accept \$1,286,082 in grant funding, EMW-2015-CA-00008-S01, from DHS/FEMA FY 2015 US&R Readiness Cooperative Agreement.
2. Approve and delegate authority to the Fire Chief, or his designee, to sign any documents required by the DHS/FEMA that are associated with the administration and management of the grant.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the DHS/FEMA FY 2015 US&R Readiness Cooperative Agreement is to fund services and supplies, salaries and employee benefits, and capital assets for US&R Task Forces. This funding will enable the District's US&R Task Force, California Task Force2 (CA-TF2), to complete their mission in accordance with the guidelines set forth in the grant.

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

46 December 1, 2015

  
PATRICK OZAWA  
ACTING EXECUTIVE OFFICER

Approval of the recommendations will allow sufficient funding for preparedness, operations, and maintenance of CA-TF2, in support of the National Response Framework, and will address the following:

- Salaries and Employee Benefits: \$563,660
- Services and Supplies: \$396,422
- Services and Supplies – Warehouse Improvement: \$200,000
- Capital Assets – Equipment: \$126,000

The grant funding for services and supplies will consist of travel, training, supplies, contractual services, and warehouse improvements which includes the effective use of storage and workspace. Capital Asset purchases will include communication, hazardous material, rescue, and transportation equipment.

### **Implementation of Strategic Plan Goals**

Approval of the recommended actions is consistent with the County's Strategic Plan Goals of Operational Effectiveness/Fiscal Sustainability (Goal 1), through emergency preparedness and response efforts.

### **FISCAL IMPACT/FINANCING**

The District's FY 2015-16 Final Adopted Budget includes sufficient funding for this grant to address the projected needs for this fiscal year.

There is no cost share or matching funds requirements.

There is no impact to net County cost.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The performance period for the DHS/FEMA FY 2015 US&R Readiness Cooperative Agreement is from October 1, 2015 through September 30, 2018.

### **CONTRACTING PROCESS**

Purchase of services and supplies is under the statutory authority of the County's Purchasing Agent. Any and all purchases will be requisitioned through, and accomplished by the Purchasing Agent in accordance with the County's purchasing policies and procedures, established by the Internal Services Department.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

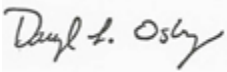
Approval of the recommended action will ensure the District's ability to provide effective and essential levels of public safety to the residents of Los Angeles County, as well as expand the quality and productivity of the District's emergency services.

**CONCLUSION**

Upon approval by your Board, please electronically submit a Statement of Proceedings to the following:

Consolidated Fire Protection District of Los Angeles County  
Executive Office – Emergency Operations  
Acting Chief Deputy David R. Richardson Jr.  
David.Richardson@fire.lacounty.gov

Respectfully submitted,



DARYL L. OSBY  
FIRE CHIEF, FORESTER & FIRE WARDEN

DLO:mfg

Enclosures

c: Chief Executive Officer  
Acting Executive Officer, Board of Supervisors  
County Counsel  
Auditor-Controller

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



John Tripp  
LOS ANGELES, COUNTY OF FIRE DEPARTMENT  
5801 South Eastern Avenue  
Commerce, CA 90040

Re: Grant No. EMW-2015-CA-00008

Dear John Tripp:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2015 National Urban Search & Rescue (US&R) Response System Readiness Cooperative Agreement has been approved in the amount of \$ \$1,286,082.00 . You are not required to match this award with any amount of non-Federal funds.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2015 National Urban Search & Rescue (US&R) Response System Readiness Cooperative Agreement Funding Opportunity Announcement.

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

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

Step 1: Please go on-line to the ND Grants system at <https://portal.fema.gov>. After logging in, you will see a subtitle Grants Management. Under this subtitle, you will see a link that says Award Package(s). Click this link to access your award packages. Click the Review Award Package link to review and accept the award package for your award. Please print your award package for your records.

Step 2: Please fill out and have your bank complete and sign the SF 1199A, Direct Deposit Sign-up Form. The information on the 1199A must match your SAM record. Be sure to include your DUNS and grant number on the form in Section 1F "Other." The SF 1199A should be sent directly from your financial institution to the FEMA Finance Center, via fax or mail to the Vendor Maintenance Office (see address below). The 1199A form will not be accepted unless it is received directly from the financial institution. Please pay careful attention to the instructions on the form.

FEMA Finance Center  
Attn: Vendor Maintenance  
P.O. Box 9001  
Winchester, VA 22604

Secured Fax: (540) 504-2625  
Email: [FEMA-Finance@FEMA.DHS.gov](mailto:FEMA-Finance@FEMA.DHS.gov)

System for Award Management (SAM): Please ensure that your organization's name, address, DUNS number, EIN, and banking information are up to date in SAM and that the DUNS number used in SAM is the same one used to apply for all FEMA awards. The System for Award Management is located at <http://www.sam.gov>. Future payments will be contingent on the information provided in the SAM; therefore it is imperative that the information is correct.

If you have any questions or concerns regarding the process to request your funds, please call (866) 927-5646.



BRIAN KAMOIE, GPD Assistant Administrator



**AGREEMENT ARTICLES**  
**National Urban Search & Rescue (US&R) Response System Readiness Cooperative Agreement**

**GRANTEE:** LOS ANGELES, COUNTY OF FIRE  
DEPARTMENT  
**PROGRAM:** National Urban Search & Rescue  
(US&R) Response System Readiness  
Cooperative Agreement  
**AGREEMENT NUMBER:** EMW-2015-CA-00008-S01

**TABLE OF CONTENTS**

|               |  |
|---------------|--|
| Article I     | Assurances, Administrative Requirements and Cost Principles                        |
| Article II    | Acknowledgement of Federal Funding from DHS  |
| Article III   | Activities Conducted Abroad  |
| Article IV    | Age Discrimination Act of 1975   |
| Article V     | Americans with Disabilities Act of 1990  |
| Article VI    | Best Practices for Collection and Use of Personally Identifiable Information (PII) |
| Article VII   | Title VI of the Civil Rights Act of 1964   |
| Article VIII  | Civil Rights Act of 1968   |
| Article IX    | Copyright  |
| Article X     | Debarment and Suspension   |
| Article XI    | Drug-Free Workplace Regulations  |
| Article XII   | Duplication of Benefits  |
| Article XIII  | Energy Policy and Conservation Act   |
| Article XIV   | Reporting Subawards and Executive Compensation                                     |
| Article XV    | False Claims Act and Program Fraud Civil Remedies                                  |
| Article XVI   | Federal Debt Status  |
| Article XVII  | Fly America Act of 1974  |
| Article XVIII | Hotel and Motel Fire Safety Act of 1990  |
| Article XIX   | Limited English Proficiency (Civil Rights Act of 1964, Title VI)                   |

|                 |   |
|-----------------|---|
| Article XX      | Lobbying Prohibitions   |
| Article XXI     | Non-supplanting Requirement   |
| Article XXII    | Patents and Intellectual Property Rights  |
| Article XXIII   | Procurement of Recovered Materials  |
| Article XXIV    | Contract Provisions for Non-federal Entity Contracts under Federal Awards         |
| Article XXV     | SAFECOM   |
| Article XXVI    | Terrorist Financing E.O. 13224  |
| Article XXVII   | Trafficking Victims Protection Act of 2000  |
| Article XXVIII  | System of Award Management and Universal Identifier Requirements                  |
| Article XXIX    | USA Patriot Act of 2001   |
| Article XXX     | Use of DHS Seal, Logo and Flags   |
| Article XXXI    | Whistleblower Protection Act  |
| Article XXXII   | DHS Specific Acknowledgements and Assurances                                      |
| Article XXXIII  | Disposition of Equipment Acquired Under the Federal Award                         |
| Article XXXIV   | Prior Approval for Modification of Approved Budget                                |
| Article XXXV    | Cooperative Agreement   |
| Article XXXVI   | Program Income  |
| Article XXXVII  | Acceptance of Post Award Changes  |
| Article XXXVIII | Rehabilitation Act of 1973  |
| Article XXXIX   | Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act) |

### **Article I - Assurances, Administrative Requirements and Cost Principles**

Recipients of DHS federal financial assistance must complete OMB Standard Form [424B Assurances – Non-Construction Programs](#). Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions.

The administrative and audit requirements and cost principles that apply to DHS award recipients originate from [2 C.F.R. Part 200](#), *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, as adopted by DHS at 2 C.F.R. Part 3002.

### **Article II - Acknowledgement 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 III - 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 IV - Age Discrimination Act of 1975**

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

#### **Article V - 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 VI - Best Practices for Collection and Use of Personally Identifiable Information (PII)**

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) respectively.

#### **Article VII - Title VI of the Civil Rights Act of 1964**

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. Implementing regulations for the Act are found at [6 C.F.R. Part 21](#) and [44 C.F.R. Part 7](#).

#### **Article VIII - Civil Rights Act of 1968**

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 ([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 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](#)).

#### **Article IX - Copyright**

All recipients must affix the applicable copyright notices of [17 U.S.C. §§ 401 or 402](#) and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

#### **Article X - Debarment and Suspension**

All recipients must comply with Executive Orders [12549](#) and [12689](#), which provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

#### **Article XI - Drug-Free Workplace Regulations**

All recipients must comply with the *Drug-Free Workplace Act of 1988* ([41 U.S.C. § 701 et seq.](#)), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at [2 C.F.R. Part 3001](#).

#### **Article XII - Duplication of Benefits**

Any cost allocable to a particular Federal award provided for in [2 C.F.R. Part 200, Subpart E](#) may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

#### **Article XIII - 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 issues in compliance with this Act.

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

### **a. Reporting of first-tier subawards.**

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

### **b. Reporting Total Compensation of Recipient Executives.**

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

### **c. Reporting of Total Compensation of Subrecipient Executives.**

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

#### **d. Exemptions**

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

And

ii. The total compensation of the five most highly compensated executives of any subrecipient.

#### **e. Definitions. For purposes of this award term:**

1. *Entity* means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward*:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. *Salary and bonus.*

- ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
- v. *Above-market earnings on deferred compensation which is not tax-qualified.*
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

#### **Article XV - False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of [31 U.S.C. § 3729](#) which set forth that no recipient of federal payments shall submit a false claim for payment. See also [38 U.S.C. § 3801-3812](#) which details the administrative remedies for false claims and statements made.

#### **Article XVI - 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](#) and form SF-424B, item number 17 for additional information and guidance.

#### **Article XVII - 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 XVIII - 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 XIX - 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. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. 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 XX - Lobbying Prohibitions**

All recipients must comply with [31 U.S.C. §1352](#), which provides that none of the funds provided under an 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 XXI - Non-supplanting Requirement**

All recipients who receive 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. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

### **Article XXII - 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 financial assistance awards are in [37 C.F.R. Part 401](#) and the standard patent rights clause in 37 C.F.R. § 401.14.

### **Article XXIII - 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, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

### **Article XXIV - Contract Provisions for Non-federal Entity Contracts under Federal Awards**

#### **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 XXV - SAFECOM**

All recipients who receive 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 XXVI - Terrorist Financing E.O. 13224**

All recipients must comply with [U.S. Executive Order 13224](#) and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

### **Article XXVII - 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 (TVPA) of 2000*, as amended ([22 U.S.C. § 7104](#)). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at [2 CFR § 175.15](#).

### **Article XXVIII - System of Award Management and Universal Identifier Requirements**

#### **A. Requirement for System of Award Management**

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

## **B. Requirement for unique entity identifier**

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

## **C. Definitions**

For purposes of this award term:

1. *System of Award Management(SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.
3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A Governmental organization, which is a State, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. *Subaward*:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. *Subrecipient* means an entity that:
  - a. Receives a subaward from you under this award; and
  - b. Is accountable to you for the use of the Federal funds provided by the subaward.

## **Article XXIX - 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](#). Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

## **Article XXX - Use of DHS Seal, Logo and Flags**

All recipients must obtain DHS's approval 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 XXXI - 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](#).

#### **Article XXXII - DHS Specific Acknowledgements and Assurances**

All recipients must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees 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 review or complaint investigation 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 grant 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, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

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

#### **Article XXXIII - 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 XXXIV - 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 XXXV - Cooperative Agreement**

Program authority and responsibility under this cooperative agreement resides with FEMA. FEMA will work with the recipient to review and refine work plans to ensure program goals and objectives can be effectively accomplished.

The recipient shall not develop or engage in the development of tasks not approved in recipient's application without post-award approval from the program office, and the issuance of a Grant Amendment from FEMA. FEMA will monitor the project

on a continual basis by maintaining ongoing contact with the recipient and will provide input to the program's direction, in consultation with the recipient, as needed.

#### **Article XXXVI - Program Income**

Per 2 CFR Part 200.307, Grantees are encouraged to earn income to defray program costs where appropriate. Program income includes income from fees for services performed, from the use or rental of real or personal property acquired with grant funds, from the sale of commodities or items fabricated under a grant agreement, and from payments of principal and interest on loans made with grant funds. Program Income does not include interest on grant funds, rebates, credits, discounts, refunds, etc. and interest earned on any of them. When the grantee earns program income under this cooperative agreement, this program income may be added to the funds committed to the grant agreement by the Federal agency and the grantee (as defined in 2 CFR Part 200.307(e)(2)). The program income shall be used for the purposes and under the conditions of the cooperative agreement.

#### **Article XXXVII - Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov) if you have any questions.

#### **Article XXXVIII - Rehabilitation Act of 1973**

All recipients of must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended, which provides that no otherwise qualified handicapped individual 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. These requirements pertain to the provision of benefits or services as well as to employment.

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

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

|                     |         |
|---------------------|---------|
| Personnel           | 352814  |
| Unallocated Charges | 0       |
| Fringe Benefits     | 210846  |
| Travel              | 55121   |
| Equipment           | 126000  |
| Supplies            | 154801  |
| Contractual         | 186500  |
| Construction        | 0       |
| Indirect Charges    | 0       |
| Other               | 200000  |
| Total               | 1286082 |

**Obligating Document for Award/Amendment**

1a. **AGREEMENT NO.** EMW-2015-CA-00008-S01  
 2. **AMENDMENT NO.** AMENDMENT956000927A  
 \*\*\*  
 3. **RECIPIENT NO.** 956000927A  
 4. **TYPE OF ACTION** AWARD  
 5. **CONTROL NO.** WX03236N2015TA

|  |   |   |
|--|---|---|
| 6. <b>RECIPIENT NAME AND ADDRESS</b><br>LOS ANGELES, COUNTY OF FIRE DEPARTMENT<br>5801 South Eastern Avenue<br>Commerce, CA, 90040 | 7. <b>ISSUING FEMA OFFICE AND ADDRESS</b><br>Grant Operations<br>245 Murray Lane - Building 410, SW<br>Washington DC, 20528-7000<br>POC: 866-927-5646 | 8. <b>PAYMENT OFFICE AND ADDRESS</b><br>Financial Services Branch<br>500 C Street, S.W., Room 723<br>Washington DC, 20472 |
|--|---|---|

|  |                                |   |
|--|--------------------------------|---|
| 9. <b>NAME OF RECIPIENT PROJECT OFFICER</b><br>Marcela Falcon-Gallegos | PHONE NO.<br>(818)<br>890-5700 | 10. <b>NAME OF FEMA PROJECT COORDINATOR</b><br>Central Scheduling and Information Desk<br>Phone: 800-368-6498<br>Email: Askcsid@dhs.gov |
|--|--------------------------------|---|

|  |                                   |   |  |
|--|-----------------------------------|---|--|
| 11. <b>EFFECTIVE DATE OF THIS ACTION</b><br>10/01/2015 | 12. <b>METHOD OF PAYMENT PARS</b> | 13. <b>ASSISTANCE ARRANGEMENT</b><br>Cost Reimbursement | 14. <b>PERFORMANCE PERIOD</b><br><b>From:</b> 10/01/2015<br><b>To:</b> 09/30/2018<br><b>Budget Period</b><br>10/01/2015 09/30/2018 |
|--|-----------------------------------|---|--|

15. **DESCRIPTION OF ACTION**  
a. (Indicate funding data for awards or financial changes)

| PROGRAM NAME ACRONYM  | CFDA NO. | ACCOUNTING DATA (ACCS CODE)<br>XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X | PRIOR TOTAL AWARD | AMOUNT AWARDED THIS ACTION + OR (-) | CURRENT TOTAL AWARD   | CUMULATIVE NON-FEDERAL COMMITMENT |
|---|----------|---|-------------------|-------------------------------------|-----------------------|-----------------------------------|
| National Urban Search & Rescue (US&R) Response System Readiness Cooperative Agreement | 97.025   | 2015-90-A312-D650- -4101-D:WX03236N2015TA \$ 1,286,082.00       | \$0.00            | \$1,286,082.00                      | \$1,286,082.00        | \$0.00                            |
| <b>TOTALS</b>   |          |   | <b>\$0.00</b>     | <b>\$1,286,082.00</b>               | <b>\$1,286,082.00</b> | <b>\$0.00</b>                     |

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

16 a. **FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)**  
National Urban Search & Rescue (US&R) Response System Readiness Cooperative Agreement 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. <b>RECIPIENT SIGNATORY OFFICIAL (Name and Title)</b><br>N/A | <b>DATE</b><br>N/A |
|---|--------------------|

|   |                           |
|---|---------------------------|
| 18. <b>FEMA SIGNATORY OFFICIAL (Name and Title)</b> | <b>DATE</b><br>09/14/2015 |
|---|---------------------------|



A handwritten signature in black ink, appearing to read "Nikole Duppins". The signature is fluid and cursive, with the first name "Nikole" written in a smaller, more compact script than the last name "Duppins".

NIKOLE DUPPINS , Assistance Officer