


**FILED**  
**OCT 03 2013**  
**MARY JO SPINO**  
**COUNTY CLERK**

Ord. 4571

 Office of Homeland Security, Division of Grants Local and State Assistance 301 W. High Street, Jefferson City, MO 65102 Telephone: 573-526-9011 FAX: 573-526-9012		<b>GRANT AWARD OF CONTRACT</b>	
		DATE August 29, 2013	
		Award Number EMW-2013-EP-00028-050-5565	Amendment No. N/A
GRANTEE NAME <b>Jackson County</b>		GRANTEE VENDOR NUMBER <b>44-6000524</b>	
GRANTEE ADDRESS 201 W. Lexington, Suite 201 Independence, MO 64050		ISSUING AGENCY MO State Emergency Management Agency PO Box 116 Jefferson City, MO 65102	
<b>PROJECT TITLE</b> FY 2013 Emergency Management Performance Grants			
CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO 97-042		PERFORMANCE PERIOD FROM: 1/1/2013 TO: 12/31/2013	
FEDERAL AMOUNT AWARDED		\$123,317.26	
LOCAL COST SHARE		\$123,317.26	
TOTAL PROJECT COST		\$246,634.52	
<b>EMPG GRANT SPECIALIST</b>		<b>GRANTEE PROJECT DIRECTOR</b>	
NAME <b>Randy Silvey</b>		NAME <b>Michael Curry, Emergency Management Director</b>	
E-MAIL ADDRESS <b>randy.silvey@dps.mo.gov</b>		E-MAIL ADDRESS <i>MCurry@jacksaugov.org</i>	
TELEPHONE <b>573-751-3401</b>		TELEPHONE <i>816-304-4634</i>	
SUMMARY DESCRIPTION OF PROJECT  The purpose of the EMPG Program is to make grants to States to assist State, local, and tribal governments in preparing for all hazards, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.). Title VI of the Stafford Act authorizes FEMA to make grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the Federal Government, States, and their political subdivisions. The Federal Government, through the EMPG Program, provides necessary direction, coordination, and guidance, and provides necessary assistance, as authorized in this title so that a comprehensive emergency preparedness system exists for all hazards.			
TYPED NAME AND TITLE OF OHS OFFICIAL <b>Bruce Clemonds, Administrator</b>		TYPED NAME AND TITLE OF GRANTEE AUTHORIZED OFFICIAL <b>Michael Sanders</b>	
SIGNATURE OF APPROVING OHS OFFICIAL <i>Bruce Clemonds</i>	DATE 08/29/13	SIGNATURE OF GRANTEE AUTHORIZED OFFICIAL <i>Michael Sanders</i>	DATE 9/9/2013
<b>THIS GRANT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS SET FORTH ON THE ATTACHED SPECIAL CONDITION(S). BY SIGNING THIS GRANT AGREEMENT, THE GRANTEE IS AGREEING TO READ AND COMPLY WITH ALL SPECIAL CONDITIONS.</b>			

APPROVED AS TO FORM

*W. Bruce Silvey*  
 County Counselor

ATTEST:

*Mary Jo Spino*  
 Clerk of the County Legislature

## SPECIAL CONDITIONS

DATE  
08/29/2013

AWARD NUMBER  
EMW-2013-EP-00028-050-5565

### **Article I - Program Income**

Program income shall be applied towards the cost match requirement of the grant agreement. The amount of the Federal grant award remains the same.

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

a. Sub-recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this form may not be applicable to your project or program, and the awarding agency may require applicants to certify to additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements that apply to OHS award sub-recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

b. The cost principles that apply to OHS award sub-recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State and Local sub-recipients of OHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

### **Article III - Acknowledgment of Federal Funding from DHS**

All sub-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 IV - Activities Conducted Abroad**

All sub-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 V - Best Practices for Collection and Use of Personally Identifiable Information (PII)**

All award sub-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 sub-recipients may also find as a useful resource the DHS Privacy Impact Assessments:

[http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_guidance\\_june2010.pdf](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf)

and

[http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_template.pdf](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf), respectively.

#### **Article VI - Copyright**

All sub-recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgment 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 VII - Debarment and Suspension**

All sub-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 VIII - Drug-Free Workplace Regulations**

All sub-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. These regulations are codified at 2 CFR 3001.

#### **Article IX - Duplication of Benefits**

State and Local Sub-recipients must comply with 2 CFR Part §225, Appendix A, paragraph

(C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

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

All sub-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 XI - Federal Debt Status**

All sub-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 dis-allowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

#### **Article XII - Fly America Act of 1974**

All sub-recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of 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 B138942.

#### **Article XIII - 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. §2225(a), all sub-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, 15 U.S.C. §2225.

#### **Article XIV - Lobbying Prohibitions**

All sub-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 XV - Non-supplanting Requirement**

All sub-recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award 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 XVI - Trafficking Victims Protection Act of 2000**

All sub-recipients of financial assistance will 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), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a sub-recipient —

- (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
- (b) Procures a commercial sex act during the period of time that the award is in effect; or
- (c) Uses forced labor in the performance of the award or sub-awards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

#### **Article XVII - USA Patriot Act of 2001**

All sub-recipients must comply with the 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 XVIII - Use of DHS Seal, Logo and Flags**

All sub-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 XIX - OHS Specific Acknowledgments and Assurances**

All sub-recipients of financial assistance must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to

comply with applicable provisions governing OHS access to records, accounts, documents, information, facilities, and staff.

1. Sub-recipients must cooperate with any compliance review or complaint investigation conducted by OHS.
2. Sub-recipients must give OHS 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 OHS regulations and other applicable laws or program guidance.
3. Sub-recipients must submit timely, complete, and accurate reports to the appropriate OHS officials and maintain appropriate backup documentation to support the reports. Future awards and fund draw downs may be withheld if these reports are delinquent.
4. Progress Reports and Reimbursement Requests for each billing period are due to OHS as follows:
  - Quarter 1 (January 1 to March 31) and Quarter 2 (April 1 to June 30): Due July 15, 2013\*
  - Quarter 3 (July 1 to September 30): Due October 15, 2013
  - Quarter 4 (October 1 to December 31): Due January 31, 2014
- \*Any delinquent progress reports or reimbursement requests from the 1st and 2nd Quarters must be submitted to OHS upon return of this signed award document.
5. Sub-recipients are required to use the Electronic Grants Management System (EGMS) to submit Quarterly Progress Reports and Reimbursement Requests. Sub-recipients are encouraged to submit Reimbursement Requests throughout the quarter to allow for more up-to-date tracking of grant progress and prevent reimbursement delays during
6. Sub-recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in federal or state program guidance.
7. If, during the past three years, the sub-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 sub-recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the OHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
8. 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 sub-recipient, or the sub-recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the OHS Component and/or awarding office.

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

**Article XX - Compliance with Funding Opportunity Announcement**

The sub-recipient agrees that all allocations and use of funds under this grant will be in accordance with the Funding Opportunity Announcement issued by the Department of Homeland Security.

**Article XXI - Acceptance of Post Award Changes**

In the event OHS 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 sub-recipient acceptance of the changes to the award. Please call the OHS at (573) 526-9011 or via e-mail to [bruce.clemonds@dps.mo.gov](mailto:bruce.clemonds@dps.mo.gov) if you have any questions.