

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: May 19, 2009

☒ [X]

☐ Consent Workshop []

☐ Regular Public Hearing

Submitted by: FIRE RESCUE

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to:

- A) **approve** a grant application to the U.S. Department of Homeland Security's (DHS) 2009 Assistance to Firefighters Grant program in the amount of \$400,000, with a local match of \$100,000, for a total project cost of \$500,000.
- B) **authorize** the County Administrator, or his designee (Battalion Chief Thomas Tolbert), to act as the County's representative for the purpose of electronically signing and submitting the Grant Application via the DHS/FEMA website.

Summary: The 2009 Assistance to Firefighters Grant (AFG) Program is a competitive grant program designed to assist local fire departments in protecting citizens and firefighters against the effects of fire and fire-related incidents. This grant program funds activities such as purchasing firefighting equipment, personal protection equipment, training, firefighting vehicles, and firefighter/first responder safety projects. If awarded this grant, Fire-Rescue will use the funds to purchase a site license for the National Fire Incident Report System (NFIRS) 5.0 system software for forty-eight fire stations. The network compatible software will allow the Department to comply with the State of Florida mandate to submit NFIRS data in a 5.0 format to the State Fire Marshal's office. The acquisition of this new software will provide a regional benefit since it will be available to the municipalities for which the Department provides dispatches services. Grant rules require submission of grant applications by electronic format in order to assure an efficient review and competitive scoring of all funding requests submitted under this program. The deadline for submission of this grant application to the grantor agency is 5:00 p.m. on May 20, 2009.

Countywide (SB)

Background and Justification: The State of Florida Fire Marshal's office mandates fire departments to report NFIRS data on a monthly basis utilizing current NFIRS software. The Department's currently using a 4.1 version that is more than fourteen years old. The older version requires a conversion application which translates the old data fields into the format recognized by the State. Unfortunately, the conversion cannot accurately transfer all of the necessary data fields from 4.1 to the 5.0 format resulting in transmission errors to the State. For the calendar year 2008, the Department experienced approximately 520 errors each month in the NFIRS data transfer to the State. If this grant application is successful, the Department will use the funding to purchase network compatible NFIRS 5.0 software to ensure compliance with the State mandate. The acquisition of the new software will result in more accurate entry, collection and analysis of incident reports. Due to the population of Palm Beach County, the Grant Rules require the County to fund 20% of the total grant project amount. In the event of an award, the \$100,000 matching requirement will be funded from Fire Rescue's contingency reserve.

**Agenda item is more than 50 pages;
may be viewed in Minutes.**

Attachments:

1. Grant Application to the US Department of Homeland Security and Related Documentation

Recommended By:

Deputy Chief

Date

Approved By:

Fire-Rescue Administrator

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

	Fiscal Years 2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* See below	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes ___ No ___

Budget Account No.: Fund ___ Dept ___ Unit ___ Object ___

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* The submission of this grant application does not have a fiscal impact; however, the grant requires a 20% match in the event of an award. If the application is successful, the match requirement in the amount of \$100,000 will be funded from the Fire Rescue Main MSTU contingency reserve.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Jim Oml 5-9-09 Sharon Burrows 5/11/09
5/6/09 OFMB CN 5/4/9 Contract Dev. and Control

B. Legal Sufficiency:

Sharon Burrows 5/12-09
Assistant County Attorney

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

Overview

***Did you attend one of the workshops conducted by DHS's regional fire program specialist?**

No, I have not attended workshop

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

Yes, I am a member/officer of this applicant

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

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

Preparer Information

* Preparer's Name

* Address 1

Address 2

* City

* State

* Zip

Contact Information

Alternate Contact Information Number 1

* Title	Mr
Prefix	N/A
* First Name	Thomas
Middle Initial	
* Last Name	Tolbert
* Business Phone	561-498-3334 Ext.
* Home Phone	561-498-3334 Ext.
Mobile Phone/Pager	
Fax	561-865-0758
* Email	ttolbert@pbcgov.org

Alternate Contact Information Number 2

* Title	Chief
Prefix	N/A
* First Name	Herman
Middle Initial	W
* Last Name	Brice
* Business Phone	561-616-7000 Ext.
* Home Phone	561-616-7000 Ext.
Mobile Phone/Pager	
Fax	561-616-7080
* Email	hbrice@pbcgov.org

Applicant Information

* Organization Name	Palm Beach County Fire Rescue
* Type of Applicant	Fire Department/Fire District
* Type of Jurisdiction Served	County
If other, please enter the type of Jurisdiction	
* <u>Employer Identification Number</u>	59-6000785
* What is your organization's <u>DUNS Number</u> ?	078470481 (call 1-866-705-5711 to get a DUNS number)
Headquarters or Main Station Physical Address	
* Physical Address 1	405 Pike Road
Physical Address 2	
* City	West Palm Beach
* State	Florida
* Zip	33411 - 3815 Need help for ZIP+4?
Mailing Address	
* Mailing Address 1	405 Pike Road
Mailing Address 2	
* City	West Palm Beach
* State	Florida
* Zip	33411 - 3815 Need help for ZIP+4?
Account Information	
* Type of bank account	Checking
* Bank routing number - 9 digit number on the bottom left hand corner of your check	067006432
* Your account number	2155001070034
Additional Information	
* For this fiscal year (Federal) is your organization receiving Federal funding from any other grant program that may duplicate the purpose and/or scope of this grant request?	No
* If awarded the AFG grant, will your organization expend more than \$500,000 in Federal funds during your organization's fiscal year in which this AFG grant was awarded?	No
* Is the applicant <u>delinquent on any Federal debt</u> ?	No
If you answered yes to any of the additional questions above, please provide an explanation in the space provided below:	

Department Characteristics (Part I)

* Are you a member of a Federal Fire Department or contracted by the Federal government and solely responsible for suppression of fires on Federal property?	No	
* What kind of organization do you represent?	All Paid/Career	
If you answered combination, above, what is the percentage of career members in your organization?	%	
If you answered volunteer or combination or paid on-call, how many of your volunteer Firefighters are paid members from another career department?		
* What type of community does your organization serve?	Suburban	
* What is the square mileage of your first-due response area?	1813	
* What percentage of your response area is protected by hydrants?	50 %	
* In what county/parish is your organization physically located? If you have more than one station, in what county/parish is your main station located?	Palm Beach County	
* Does your organization protect critical infrastructure of the state?	Yes	
* How much of your jurisdiction's land use is for agriculture, wild land, open space, or undeveloped properties?	88 %	
* What percentage of your jurisdiction's land use is for commercial, industrial, or institutional purposes?	3 %	
* What percentage of your jurisdiction's land is used for residential purposes?	9 %	
* How many occupied structures (commercial, industrial, residential, or institutional) in your jurisdiction are more than four stories tall?	491	
* What is the permanent resident population of your <u>Primary/First-Due Response Area or jurisdiction served?</u>	760578	
* How many active firefighters does your department have who perform firefighting duties?	1340	
* How many stations are operated by your organization?	48	
* Do you currently report to the National Fire Incident Reporting System (NFIRS)?	Yes	
If you answered yes above, please enter your <u>FDIN/FDID</u>	06301	
* What services does your organization provide?		
Structural Fire Suppression		Hazmat Operational Level
Wildland Fire Suppression	Basic Life Support	Hazmat Technical Level

Airport Rescue Firefighting (ARFF)

Advanced Life Support

Rescue Operational Level

Formal/Year-Round Fire Prevention Program Rescue Technical Level

Department Characteristics (Part II)

	2008	2007	2006
* What is the total number of fire-related civilian fatalities in your jurisdiction over the last three years?	0	2	9
* What is the total number of fire-related civilian injuries in your jurisdiction over the last three years?	17	3	18
* What is the total number of line of duty member fatalities in your jurisdiction over the last three years?	0	0	1
* What is the total number of line of duty member injuries in your jurisdiction over the last three years?	243	141	102
* Over the last three years, what was your organization's average operating budget?	223651450		
* What percentage of your TOTAL budget is dedicated to personnel costs (salary, overtime and fringe benefits)?	83 %		
* What percentage of your annual operating budget is derived from: Enter numbers only, percentages must sum up to 100%			
Taxes?	88 %		
Grants?	0 %		
Donations?	0 %		
Fund drives?	0 %		
Fee for Service?	9.8 %		
Other?	2.2 %		
If you entered a value into Other field (other than 0), please explain	Licensing and permits, interest income, sale of fixed assets, and miscellaneous revenues.		
* How many vehicles does your organization have in each of the types or class of vehicle listed below? You must include vehicles that are leased or on long-term loan as well as any vehicles that have been ordered or otherwise currently under contract for purchase or lease by your organization but not yet in your possession. Enter numbers only and enter 0 if you do not have any of the vehicles below.			

Type or Class of Vehicle	Total Number	Total Number of Riding Positions
Engines or Pumpers (pumping capacity of 750 gpm or greater and water capacity of 300 gallons or more): Pumper, Pumper/Tanker, Rescue/Pumper, Foam Pumper, CAFS Pumper, Quint (Aerial device of less than 76 feet), Type I Engine, Type II Engine, Type II/III Wildland/Urban Interface	58	232
Tankers (pumping capacity of less than 750 gallons per minute (gpm) and water capacity of 1,000 gallons or more): Tanker, Tender, Tanker/Tender	5	10
Aerial Apparatus: Aerial Ladder Truck, Telescoping, Articulating, Ladder Towers, Platform, Tiller Ladder Truck, Quint (Aerial device of 76 feet or greater)	6	24
Brush/Quick attack (pumping capacity of less than 750 gpm and water carrying capacity of at least 300 gallons): Brush Truck, Patrol Unit (Pick up w/ Skid Unit), Quick Attack Unit, Mini-Pumper, Type III Engine, Type IV Engine, Type V Engine, Type VI Engine, Type VII Engine	22	44

Rescue Vehicles:

Rescue Squad, Rescue (Light, Medium, Heavy), Technical Rescue Vehicle, Hazardous Materials Unit	60	240
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Other:

EMS Chase Vehicle, Air/Light Unit, Rehab Units, Bomb Unit, Technical Support (Command, Operational Support/Supply), Hose Tender, Salvage Truck, ARFF (Aircraft Rescue Firefighting), Command/Mobile Communications Vehicle, Other Vehicle	20	40
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Department Call Volume

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	2008	2007	2006
* How many responses per year by category? (Enter whole numbers only. If you have no calls for any of the categories, enter 0)			
Working Structural Fires	469	482	436
False Alarms/Good Intent Calls	6466	6352	6300
Vehicle Fires	391	488	465
Vegetation Fires	509	608	665
EMS-BLS Response Calls	49797	49551	39004
EMS-ALS Response Calls	33198	33035	29018
EMS-BLS Scheduled Transports	0	0	0
EMS-ALS Scheduled Transports	0	0	0
Vehicle Accidents w/o Extrication	3369	4236	3940
Vehicle Extrications	168	199	192
Other Rescue	0	0	0
Hazardous Condition/Materials Calls	1103	976	1376
Service Calls	5010	4924	5214
Other Calls and Incidents	9067	9665	9020
Total	109547	110516	95630
What is the total acreage of all vegetation fires?	52	45	36
In a particular year, how many times does your organization receive mutual/automatic aid?	5	4	0
In a particular year, how many times does your organization provide mutual/automatic aid? (Please indicate the number of times your department provides or receives mutual aid. Do not include first-due responses claimed above.)	64	44	89

Request Information

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

Program Name

Operations and Safety

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

Yes

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

Palm Beach County Fire Rescue provides fire suppression and emergency medical services by contract agreement to 16 area municipalities.

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

\$0

Request Details

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

Activity	Number of Entries	Total Cost	Additional Funding	Action
Equipment	1	\$ 500,000	\$ 0	View Details View Additional Funding
Modify Facilities	0	\$ 0	\$ 0	View Details
Personal Protective Equipment	0	\$ 0	\$ 0	View Details View Additional Funding
Training	0	\$ 0	\$ 0	View Details
Wellness and Fitness Programs	0	\$ 0	\$ 0	View Details
Grant-writing fee associated with the preparation of this request.			\$0	

BudgetBudget Object Class

a. Personnel	\$ 0
b. Fringe Benefits	\$ 0
c. Travel	\$ 0
d. Equipment	\$ 500,000
e. Supplies	\$ 0
f. Contractual	\$ 0
g. Construction	\$ 0
h. Other	\$ 0
i. Indirect Charges	\$ 0

Federal and Applicant Share

Federal Share	\$ 400,000
Applicant Share	\$ 100,000
Federal Rate Sharing (%)	80/20

*** Non-Federal Resources** *(The combined Non-Federal Resources must equal the Applicant Share of \$ 100,000)*

a. Applicant	\$ 100000
b. State	\$ 0
c. Local	\$ 0
d. Other Sources	\$ 0

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

Total Budget **\$ 500,000**

Project Description

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

Communications

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

Our system has determined that you are a Rural community while you have entered that you are a Suburban community. In addition to your narrative statement, please explain why you feel that you are a Suburban community.

PROJECT JUSTIFICATION

Details Regarding the Project To Be Funded

Palm Beach County Fire Rescue (PBCFR) is requesting funding from the Assistance to Firefighters Grant Program under the Operations and Firefighter Safety Program. The associated activity under this program is the acquisition of a site license for the NFIRS 5.0 reporting system software for all 48 PBCFR fire stations. In addition, the acquisition of this reporting system will have a regional impact as it will be available to the other four municipalities that our Department dispatches for. The network compatible NFIRS 5.0 system will allow Palm Beach County Fire Rescue to comply with the State of Florida mandate to submit NFIRS data in a 5.0 format to the State Fire Marshal's Office.

The State of Florida Fire Marshal's Office mandates fire departments to report NFIRS data on a monthly basis utilizing current NFIRS software. PBCFR's existing software is a 4.1 version that is over 14 years old. Due to our antiquated software, a conversion program was written specifically to translate the old data fields into the format recognized by the State of Florida. However, this conversion program is incapable of transferring all data fields from 4.1 to the 5.0 version accurately and therefore results in numerous errors. For the calendar year ending in 2008, an average of 520 errors occurred every month in the NFIRS data transfer that was reported by Palm Beach County Fire Rescue to the State Fire Marshal's Office. Due to the inaccurate data, Palm Beach County Fire Rescue needs to purchase NFIRS 5.0 software to ensure compliance with the State of Florida mandate. The acquisition of network compatible NFIRS 5.0 software will result in the accurate entry, collection, and analysis of incident reports.

With the availability of grant funds, Palm Beach County Fire Rescue will purchase the network compatible NFIRS 5.0 version or greater to enable all its fire stations to enter accurate incident data. The advantage of a network compatible NFIRS is the ability to link the data collection program to ensure consistent standardized data entry as well as provide statistical information for reporting purposes. This collected database information will be compiled and then submitted to the State Fire Marshalls Office to comply with state and federal reporting requirements. The project will expand our existing mission of incident data collection as well as meet our new need for interoperability between multiple users and agencies.

The Department's current Fire, Inspection, and Property Records information are stored on an isolated Oracle database and cannot be integrated into the current 4.1 NFIRS system. The purchase of version NFIRS 5.0 will allow the interface of inspection and building premise files with the incident data. This will assist firefighters at the station level in developing pre-fire plans, reviewing critical building features, and fixed fire protection systems.

Benefits to be Derived from the Project

Palm Beach County Fire Rescue provides Fire and EMS services to a population in excess of 760,000 people, and provides dispatch services to fire departments that serve an additional 227,000. Our 1340 firefighters work out of 48 fire stations and cover a response area of 1813 square miles which include portions of Martin County and the cities of Belle Glade, Pahokee, South Bay, Cloud Lake, Glen Ridge, Haverhill, Jupiter, Juno Beach,

Lake Clarke Shores, Lantana, Royal Palm Beach, Lake Park, Manalapan, South Palm Beach, and Wellington. Two additional cities (Lake Worth and Palm Springs) are scheduled for merger into PBCFR on October 1, 2009 which will increase the Department to over 1450 personnel and 51 stations. Services provided include fire protection, emergency medical services, ALS transport, hazardous materials mitigation, special operations, aircraft firefighting, 9-1-1 dispatching, public education, inspections, investigations, and plans review. PBCFR also provides emergency dispatching for the cities of Palm Beach Gardens, North Palm Beach, Tequesta, and West Palm Beach.

Palm Beach County has within its scope of responsibility several infrastructures that are critical in the daily lives of its citizens. These include an international airport and three regional airports that provide both passenger and cargo services; Lake Okeechobee and its numerous connected waterways that provide both drinking water and flood control; a large State college; a scientific research center that employs and instructs thousands daily; a seaport and pipelines that provide oil and gas to the population.

These infrastructures require the development of pre-fire plans listing building features, fire protection systems, and mitigation strategies. The acquisition of network compatible NFIRS 5.0 will allow this information to be interfaced with incident response data to assist firefighters in their response to these locations.

Incident records developed from emergency responses are collected and stored in electronic format. NFPA 1 Chapter 1.11.3.2 requires agencies to report its incident record data to the state agency responsible for collecting such data. In the State of Florida that agency is the State Fire Marshalls Office. This agency requires data to be transferred via NFIRS version 5.0 or higher. Currently Palm Beach County Fire Rescue does not comply with this state mandate. Acquisition of NFIRS 5.0 will fulfill this requirement.

Collected information from the network compatible NFIRS 5.0 will be analyzed for trends in fire cause, areas of fire origin, and extent of fire damage to assist this agency in its fire prevention and inspection programs. By identifying the types of calls received and the location of these calls, the need for future station locations can be assessed. The collected information will have the added benefit of capturing the relationship between firefighter and civilian injuries and their contributing factors. The resulting data will be used in developing risk-reduction programs for community education.

For the four area fire departments that are served by our Dispatch Center, the 5.0 NFIRS software will allow them the ability to enter their own data and retrieve data specific to their department. This is a regional advantage that the 4.1 software will not provide.

The additional objectives of enhancing our data collection abilities through the purchase of the NFIRS 5.0 or greater system will be the following:

- Improve health and safety of personnel by analyzing firefighter injuries, tracking trends, and implementing risk-reduction programs
- Improve accuracy and completeness of data
- Improve the ability to customize data collected
- Eliminate or reduce the storage of paper documents
- Improve efficiency by reducing time spent entering data
- Enable the four area fire departments on our Dispatch system to enter data, retrieve their own incident data, and generate their own statistical analysis

The new system will be able to accept data from PBCFR's existing Computer Aided Dispatch (CAD) Intergraph System and Patient Care Reporting system. This will improve report writing efficiency by automatically entering pertinent information in applicable fields, eliminating the need for manual entry. The system will also ensure that only the required information specific to the type of call is entered. This should significantly improve the accuracy of submitted statistical data.

FINANCIAL NEED

Applicable Financial Need

Palm Beach County Fire Rescue is primarily funded with ad valorem taxes. With tax reform initiatives mandated by State legislation, the amount of new funding is limited to the taxes generated from new construction plus a

percentage equal to the increase in "Average Per Capita Income". In FY 2010 the Department will again be impacted by a state constitutional amendment doubling the homestead exemption which will result in lower property tax assessments. These tax reform initiatives together with a downturn in the economy severely limit the availability of new funding for program improvements.

The total grant requested is in the amount of \$500,000. As a suburban community with a population above 50,000 people, Palm Beach County Fire Rescue will be responsible for 20% of the grant request. That portion will be in the amount of \$100,000. The timeline for implementation of this program will be within one year of receiving the grant award. This timeline takes into account the issuance of a contract with the selected vendor, the installation of the program in all fire stations, and the successful completion of an acceptance test.

Palm Beach County Fire Rescue is grateful for the generosity of citizens and the Assistance to Firefighting Grant Program for aiding in the purchase of this essential reporting and data collection system.

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

2004 AFG for TIC and hazardous materials chemical detector
2005 SCBA communications
2007 TIC for engines

Assurances and Certifications

Form 20-16A

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

Note: Fields marked with an * are required.

Assurances Non-Construction Programs

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

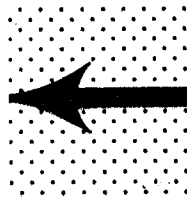
As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328), which limit

4/23/2009

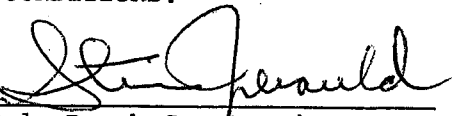
the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for Federally assisted construction sub agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.
19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.



Signed by Thomas Tolbert on 04/23/2009

APPROVED AS TO TERMS
AND CONDITIONS:

By: 
Palm Beach County Fire-Rescue

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Assistant County Attorney

4/23/2009

Form 20-16C

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

Note: Fields marked with an * are required.

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

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

1. Lobbying

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

- (a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement and extension, continuation, renewal amendment or modification of any Federal grant or cooperative agreement.
- (b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all the sub awards at all tiers (including sub grants, contracts under grants and cooperative agreements and sub contract(s)) and that all sub recipients shall certify and disclose accordingly.

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

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

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
- (b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification: and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

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

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explanation to this application.

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

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

- (A) The applicant certifies that it will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

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

(1) The dangers of drug abuse in the workplace;

(2) The grantees policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

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

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

(1) Abide by the terms of the statement and

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

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

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

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.

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

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

Place of Performance				
Street	City	State	Zip	Action

If your place of performance is different from the physical address provided by you in the Applicant Information, press *Add Place of Performance* button above to ensure that the correct place of performance has been specified. You can add

multiple addresses by repeating this process multiple times.

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

Signed by **Thomas Tolbert** on **04/23/2009**

APPROVED AS TO TERMS
AND CONDITIONS:

By: 
Palm Beach County Fire-Rescue

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Assistant County Attorney

4/23/2009

FEMA Standard Form LLL

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

This form is not applicable

4/23/2009
