

Cal OES #	023-00000-00	FIPS #	023-00000	VS#		Subaward #	/ HMEP19
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CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES GRANT SUBAWARD FACE SHEET

The California Governor's Office of Emergency Services (Cal OES) hereby makes a Grant Subaward of funds to the following:

1. **Subrecipient:** Humboldt County 1a. DUNS#: _____

2. **Implementing Agency:** _____ 2a. DUNS#: _____

3. **Implementing Agency Address:** _____
(Street) (City) (Zip+4)

4. **Location of Project:** _____
(City) (County) (Zip+4)

5. **Disaster/Program Title:** 2019 Hazardous Materials Emergency Preparedness (HMEP) **6. Performance Period:** 10/15/19 to 09/15/20
(Start Date) (End Date)

7. **Indirect Cost Rate (please circle):** N/A 10% de Minimis **Federally Approved ICR (if applicable):** _____ %

Item Number	Grant Year	Fund Source	A. State	B. Federal	C. Total	D. Cash Match	E. In-Kind Match	F. Total Match	G. Total Cost
8.	2019	HMEP	\$0	\$43,490.64		\$0	\$0	\$0	\$43,490.64
9.									
10.									
11.									
12.									
Total Project Cost			\$0	\$43,490.64	\$43,490.64	\$0	\$0	\$0	\$43,490.64

13. Certification - This Grant Subaward consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurances/Certifications. I hereby certify I am vested with the authority to enter into this Grant Subaward, and have the approval of the City/County Financial Officer, City Manager, County Administrator, Governing Board Chair, or other Approving Body. The Subrecipient certifies that all funds received pursuant to this agreement will be spent exclusively on the purposes specified in the Grant Subaward. The Subrecipient accepts this Grant Subaward and agrees to administer the grant project in accordance with the Grant Subaward as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal OES policy and program guidance. The Subrecipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget.

14. CA Public Records Act - Grant applications are subject to the California Public Records Act, Government Code section 6250 et seq. Do not put any personally identifiable information or private information on this application. If you believe that any of the information you are putting on this application is exempt from the Public Records Act, please attach a statement that indicates what portions of the application and the basis for the exemption. Your statement that the information is not subject to the Public Records Act will not guarantee that the information will not be disclosed.

15. Official Authorized to Sign for Subrecipient:

Name: Michele Stephens Title: Public Health Branch Director

Payment Mailing Address: 100 H Street, Suite 100 City: Eureka Zip Code+4: 95501

Signature: _____ Date: _____

16. **Federal Employer ID Number:** _____

(FOR Cal OES USE ONLY)

I hereby certify upon my personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.

(Cal OES Fiscal Officer) (Date)

(Cal OES Director or Designee) (Date)

Grant Subaward Face Sheet Instructions

Cal OES Section: The top portion of the form contains blocks for four (4) important numbers. Please do not fill in these blocks. These numbers will be entered by Cal OES. Please print the Grant Subaward Face Sheet in portrait format.

1. Subrecipient
The Subrecipient is the unit of government or community based organization (CBO) that will have legal responsibility for these grant funds (e.g. County of Alameda, City of Fresno or Women's Place of Merced). Enter the legal name of the Subrecipient that is registered with the Internal Revenue Service (IRS). PLEASE NOTE: that all CBOs must be registered, active, and current with the IRS, Department of Justice (DOJ), and Secretary of State (SOS) websites. Failure to be current will result in funds being withheld from Cal OES.
- 1a. Federal DUNS Number (Subrecipient)
Enter the full nine digit Federal Data Universal Numbering System (DUNS) ID number for the Subrecipient. If the Subrecipient does not yet have a DUNS number assigned, one may be obtained by contacting Dun & Bradstreet at 866-705-5711 or at www.dnb.com. This requirement applies to federally funded grants only. Your DUNS # must be current and active in the System for Award Management (SAM) at the time of your Award.
2. Implementing Agency
Enter the complete name of the agency responsible for the day-to-day operation of the grant (e.g. Sheriff, Police Department, or Department of Public Works). If the Implementing Agency is the same as the Subrecipient, enter the same title again.
- 2a. Federal DUNS Number (Implementing Agency)
Enter the full nine digit Federal Data Universal Numbering System (DUNS) ID number for the Implementing Agency. If the Implementing Agency does not yet have a DUNS number assigned, one may be obtained by contacting Dun & Bradstreet at 866-705-5711 or at www.dnb.com. This applies to federally funded grants only. Your DUNS # must be current and active in the System for Award Management at the time of your Award.
3. Implementing Agency Address
Enter the address of the Implementing Agency. Provide the complete nine digit zip code (Zip+4).
4. Location of Project
Enter the City and County/Operational Area where the project is located. Provide the complete nine digit zip code (Zip+4).
5. Disaster/Program Title
Enter the name of the Disaster or Program providing the funds for this Grant Subaward. A disaster may be referred by the federal declaration number. Program titles should be complete without the use of acronyms.
6. Performance Period
Enter beginning and ending dates of the performance period for the Grant Subaward. (mm/dd/yy)
7. Indirect Cost Rate
Indicate whether you are using the 10% de Minimis rate based on Modified Total Direct Costs (MTDC) or your current cognizant agency approved indirect cost rate agreement. A copy of the approved ICR Negotiating Agreement must be enclosed with your application. Indicate N/A if you will not be claiming indirect costs under the award.
Indirect costs may or may not be allowable under all Federal fund sources .
- 8A. - 12G. Fund Allocations and Total Project Cost
For each fund source used in the program, select the correct grant year and acronym from the drop down lists, the amount of state or federal funds requested, the amount of cash and/or in-kind match contributed and the resulting totals. Please do not enter both state and federal on the same line. The Total project cost row should correspond to the total project cost specified in the budget.
13. Certification Paragraph
Please review the Certification Paragraph.
14. CA Public Records Act
Please review, and if applicable, provide the necessary documentation.
15. Official Authorized to sign for the Subrecipient
Provide the name and title of the person who is the Official Authorized to enter into the Grant Subaward for the Subrecipient, listed on #1 of the Grant Subaward Face Sheet (Cal OES 2-101). Enter the Payment Mailing Address where grant reimbursements will be mailed and provide the complete nine digit zip code (Zip+4).
16. Federal Employer ID Number
Enter the nine digit Federal Employer Identification Number for the Implementing Agency.

Provide the signature of the authorized official. The use of white out or tape is prohibited and will invalidate the signature on the Grant Subaward Face Sheet.



APPLICATION FORM

for the

HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



Applicant / Project Information

Applicant: Humboldt County Date: 6/6/2019

Project Title: Humboldt County Hazardous Materials Multi-Agency Exercise - Parts A&B

Project Start Date: October 15, 2019 Project End Date: September 15, 2020

Project Manager Name: Maje Hoyos

Title: Supervising Environmental Health Specialist

Mailing Address: 100 H Street, Suite 100, Eureka CA 95501

Phone #: (707) 268-2212 E-mail Address: MHoyos@co.humboldt.ca.us

Estimated Budget

HMEP Share: \$43,490.64
(Total Project Cost)

Cal OES Use Only

LEPC Region: _____

Project #: _____

Certification

I certify that I have read and understand the Cal OES Grant Assurances contained in this HMEP Planning Subgrant Application Package, and that to the best of my knowledge the information contained in this application and supplemental information is correct and complete.

Michele Stephens *Michele Stephens* 6/27/19
Print Name / Signature of Authorized Agent Date

Administrative Approvals

Tasha A. Johnson *Tasha A. Johnson* 8/14/19
Print Name / Signature of LEPC Region Chair Date

[Signature] 8/12/2019
Print Name / Signature of Cal OES LEPC Support Staff Date

Erika Olsen *Erika Olsen* 8/21/19
Print Name / Signature of Cal OES HMEP Grant Administrator Date

LARRY CONRAD *Larry Conrad* 8/21/19
Print Name / Signature of Cal OES Hazardous Materials Section Manager Date



DESIGNATION STATEMENT

for the

HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



Applicant: Humboldt County Division of Environmental Health

Project Title: Humboldt County Hazardous Materials Multi-Agency Exercise - Part A&B

Project Manager: Maje Hoyos Phone #: (707) 268-2212

Title: Supervising Environmental Health Specialist

Email Address: MHoyos@co.humboldt.ca.us

Financial Officer*: Dwight Wieman Phone #: (707) 268-2229

Title: Administrative Analyst

Email Address: DWieman@co.humboldt.ca.us

*** FINANCIAL OFFICER CANNOT BE THE PROJECT MANAGER OR AUTHORIZED AGENT**

AUTHORIZED AGENT CERTIFICATION

I certify that I have the legal authority to make a commitment to the project on behalf of the applicant and that the Project Manager indicated above has the responsibility for the daily implementation of the proposed project.

I certify that I am duly authorized to act on behalf of the Applicant, and the Applicant agrees with the requirements of the Assurances Certification, Terms and Conditions, Regulations, and Guidance associated with the HMEP Grant Program.

I certify that the Financial Manager indicated above has the responsibility for the fiscal management of the grant and has the legal authority to certify all financial status reports, invoices, and requests for payments that will be submitted.

I certify that the information in the attached application is correct and complete to the best of my knowledge. By submitting this application, I am making a commitment to the proposed project, budget, and scope of work.

Michele Stephens Public Health Branch Director

Printed Name Title

(707) 268-2233 mstephens@co.humboldt.ca.us

Phone # FAX # Email Address

100 H Street, Suite 100

Mailing Address

Eureka CA 95501

City State Zip Code

Michele Sw 4/27/19

Signature Date



PROJECT NARRATIVE

for the

HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



Applicant: **Humboldt County, Department of Health and Human Services, Division of Environmental Health**

Project Title: **Humboldt County Hazardous Materials Multi - Agency Exercise-Parts A & B**

Narrative:

PART A:

Humboldt County Department of Health and Human Services (DHHS) Division of Environmental Health (HCDEH) Certified Unified Program Agency (CUPA) will be updating the 2013 Humboldt County Area Plan. No updates were needed in 2016. The CUPA must update the Plan to meet the required three year update time-line.

PART B:

The HCDEH CUPA will conduct a multi-agency exercise to test the established protocol of the updated Area Plan. The purpose of the exercise is to practice the response procedures outlined in the Plan. The exercise will help clarify agency roles and responsibilities, identify planning strengths and weaknesses and test the incident command system (ICS).

Humboldt County's transportation routes include: Highways 101, 299, 255 and 36; waterways of the Pacific Ocean and Humboldt Bay; and commercial aviation routes. These routes present the largest spill vulnerabilities due to the multitude of chemicals and hazardous substances transported. Large quantities of chlorine, ammonia, sulfur dioxide and flammable fuels are routinely transported to and through Humboldt County.

In Humboldt County there are over 100 agencies that may be called upon to respond to a hazardous materials incident. It is imperative that first responders know and have practiced the proper protocols for approaching a hazardous materials spill and are able to initiate the ICS. This exercise will help strengthen that understanding. The project objective is to plan and implement a full scale, multi-agency hazardous materials exercise by September, 2020.

In summary, the CUPA intends to both update (Part A) and execute (Part B) the Area Plan. The CUPA would prefer to execute Part A and B during the same grant cycle.



BUDGET SHEET

for the

HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



Applicant: Humboldt County, DHHS, Division of Environmental Health

Project Title: Humboldt County Area Plan Update - PART A

CATEGORIES	HMEP SHARE
a. Personnel	\$5,400.58
b. Fringe Benefits	\$5,811.22
c. Travel	\$0.00
d. Equipment	\$0.00
e. Supplies	\$200.00
f. Contractual	\$0.00
g. Construction	
h. Other	\$2,799.00
i. Direct Charges <i>(Sum of a - h)</i>	\$14,210.80
j. Indirect Charges	\$2,802.95
k. TOTAL <i>(Sum of i - j)</i>	\$17,013.75

Budget Narrative

Applicant: Humboldt County Division of Environmental health

Project Title: Humboldt County Area Plan Update-Part A

The personnel costs were determined through an estimation of the time and personnel that will be required to complete the project. The fringe rate is calculated on an individual basis and includes employer contributions for taxes and employee benefits.

The indirect charges are dependent on the indirect cost rate (ICR). ICR is based on the negotiated rate approved for fiscal year 2019-2020. This rate is 25% calculated based on salaries, wages and fringe benefits.



BUDGET SHEET

for the

HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



Applicant: Humboldt County, DHHS, Division of Environmental Health

Project Title: Humboldt County Hazardous Materials Multi-Agency Exercise - PART B

CATEGORIES	HMEP SHARE
a. Personnel	\$4,319.06
b. Fringe Benefits	\$3,662.45
c. Travel	\$0.00
d. Equipment	\$0.00
e. Supplies	\$0.00
f. Contractual	\$16,500.00
g. Construction	
h. Other	\$0.00
i. Direct Charges <i>(Sum of a - h)</i>	\$24,481.51
j. Indirect Charges	\$1,995.38
k. TOTAL <i>(Sum of i - j)</i>	\$26,476.89

Budget Narrative

Applicant: Humboldt County Division of Environmental health

Project Title: Humboldt County Hazardous Materials Multi-Agency Exercise-Part B

The personnel costs were determined through estimation of the time and personnel that will be required to complete the project. The fringe rate is calculated on an individual basis and includes employer contributions for taxes and employee benefits.

The contractual costs are based on information provided by our proposed subcontractor, Northern California Safety Consortium.

The indirect charges are dependent on the indirect cost rate (ICR). ICR is based on the negotiated rate approved for fiscal year 2019-2020. This rate is 25% calculated based on salaries, wages and fringe benefits.

WORK SCHEDULE AND DELIVERABLES

Applicant: **Humboldt County, DHHS, Division of Environmental Health**

Project Title: **Humboldt County Hazardous Materials Multi-Agency Exercise-PART B**

Project Activities, Tasks & Deliverables / Major Milestones	MONTHLY PROGRESS SCHEDULE											
	1	2	3	4	5	6	7	8	9	10	11	12
Email to other agencies to ask for participation in the exercise		X										
Initial Planning meeting with other interested agencies to select exercise design team		X										
1st exercise plan meeting			X									
-Develop exercise goals, objectives and purpose			X									
-Develop scenario			X	X								
-Prepare draft exercise plan & set exercise date			X	X								
Send exercise announcement to all participating agencies					X							
Develop logistical materials-maps, handouts					X	X	X	X				
Determine news media release and public education efforts					X	X	X	X	X	X		
Exercise design meeting				X								
-Develop draft control & evaluation plan					X	X	X					
-Assign evaluation and control personnel					X	X	X					
-Develop player's handbook					X	X	X					
Train control and evaluation personnel								X				
Publish complete exercise, control and evaluation plan & player's handbook							X	X	X			
Final exercise meeting										X		
Conduct exercise and compile evaluations											X	
Develop after action report											X	X
Publish and send out after action report											X	X

List significant activities above that will take place during the performance period, along with project tasks and deliverables or major milestones within each activity. The expected progress of each activity is indicated by placing and "X" in the appropriate "monthly progress schedule" box, where "1" represents October and "12" represents September. Changes to the activity schedule as actual progress occurs will be identified in the Quarterly Performance Report.



California Governor's Office of Emergency Services (Cal OES) - Hazardous Materials Section
GRANT ASSURANCES - (NON-CONSTRUCTION PROGRAMS)
 for the
HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



Applicant: Humboldt County, DHHS, Division of Environmental Health

Project Title: Humboldt County Hazardous Materials Multi - Agency Exercise - Parts A&B

Note: Certain of these assurances may not be applicable to your project. If you have questions, please contact the Cal OES HMEP Grant Administrator.

As the duly authorized representative of the Applicant, I certify that the Applicant named above:

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 cost) 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 or organizational conflict of interest, or 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. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 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. §§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. §794), which prohibits discrimination on the basis of disability;
 - d. the Age Discrimination Act of 1975, as amended (42 U.S.C. §§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. §§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 Act of 1968 (42 U.S.C. §§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 Titles II and III of the Uniform Relocation Assistance

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GRANT ASSURANCES - (NON-CONSTRUCTION PROGRAMS)

for the

HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



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 interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
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 floodplains 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. §§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. §§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. §§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. §§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 Amendments of 1996 and Office of Management and Budget (OMB) Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or

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California Governor's Office of Emergency Services (Cal OES) - Hazardous Materials Section
GRANT ASSURANCES - (NON-CONSTRUCTION PROGRAMS)
for the
HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



subawards under the award.

20. Will provide to the Cal OES HMEP Grant Administrator, upon acceptance of a subaward in the amount equal to or over \$25,000, the executive compensation information as required by the Federal Funding Accountability and Transparency Act1 ("Transparency Act" or "FFATA") and subsequent OMB guidance, which requires that information on the first-tier subawards related to Federal contracts and grants and the executive compensation of awardees must be made publicly available.

The applicant must provide the names and total compensation of the five most highly compensated officers of their organization if:

- a. the entity in the preceding fiscal year received 80 percent or more of its annual gross revenues in Federal awards and
 - b. \$25,000,000 or more in annual gross revenues from Federal awards; and
 - c. if the public does not have access to this information about the compensation of the senior executives of the entity 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.
21. Agrees that, as required by Section 1352, title 31 of the U.S. Code, and implemented by the U.S. Department of Transportation (US DOT) at 49 CFR 20, New Restrictions on Lobbying:
- a. No appropriated funds may be expended by the recipient of a Federal contract, grant, loan, or cooperative agreement to pay 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 any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - b. Each person who requests or receives from an agency a Federal contract, grant, loan, or cooperative agreement shall file with that agency a certification, set forth in appendix A, that the person has not made, and will not make, any payment prohibited by paragraph (a) of this section.
 - c. Each person who requests or receives from an agency a Federal contract, grant, loan, or a cooperative agreement shall file with that agency a disclosure form, set forth in appendix B, if such person has made or has agreed to make any payment using non-appropriated funds (to include profits from any covered Federal action), which would be prohibited under paragraph (a) of this section if paid for with appropriated funds.
 - d. Each person who requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan shall file with that agency a statement, set forth in appendix A, whether that person has made or has agreed to make any payment 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 that loan insurance or guarantee.
 - e. Each person who requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan shall file with that agency a disclosure form, set forth in appendix B, if that person has made or has agreed to make any payment 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 that loan insurance or guarantee.
 - f. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.
22. Will comply with subpart C of the OMB guidance in 2 CFR 180, OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-Procurement) as supplemented by the US DOT in 2 CFR 1200, Non-Procurement

Initials: MS



GRANT ASSURANCES - (NON-CONSTRUCTION PROGRAMS)

for the

HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT



Suspension and Debarment, and certifies that it and its principles:

- a. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension;"
 - b. 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, as defined at 2 CFR 180.220 and supplemented at 2 CFR 1200.220, by any Federal department or agency;
 - c. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for any of the offenses listed in 2 CFR 180.800(a);
 - d. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in 2 CFR 180.800(a); or
 - e. Have not had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default; and
 - f. Will pass the requirement to comply with subpart C of the OMB guidance in 2 CFR 180, as supplemented by the US DOT in 2 CFR 1200, to each person with whom the applicant enters into a covered transaction at the next lower tier; and
 - g. Will attach an explanation to this application if the applicant is unable to certify to any of the statements in this certification.
23. Will comply with the Drug-Free Workplace Act of 1988, and implemented by the US DOT at 49 CFR 32, Government Requirements for Drug-Free Workplace (Financial Assistance), which requires, in part, that the applicant:
- a. Must make a good faith effort, on a continuing basis, to maintain a drug-free workplace. You must agree to do so as a condition for receiving any award covered by this part. The specific measures that you must take in this regard are described in more detail in subsequent sections of 49 CFR 32. Briefly, those measures are to—
 - i. Publish a drug-free workplace statement and establish a drug-free awareness program for your employees (see §§ 32.205 through 32.220); and
 - ii. Take actions concerning employees who are convicted of violating drug statutes in the workplace (see § 32.225).
 - b. Must identify all known workplaces under your Federal awards (see § 32.230).
 - c. Must apply the requirements of Subpart C to recipients who are individuals.

As defined in 49 CFR 32.635, Drug-free workplace means a site for the performance of work done in connection with a specific award at which employees of the recipient are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance.

24. Part I

Agrees that as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, and hereby gives assurance that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

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More specifically and without limiting the above general assurance, the Applicant hereby gives the following specific assurance with respect to the project:

- a. That the Applicant agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
- b. That the Applicant shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and, in adapted form in all proposals for negotiated agreements:
 The Applicant, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-4 and Title 49 Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.
- c. That the Applicant shall insert the clauses of item 23.g. of this assurance in every contract subject to the Act and the Regulations.
- d. That this assurance obligates the Applicant for the period during which Federal financial assistance is extended to the project.
- e. The Applicant shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
- f. The Applicant agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, and Regulations, and this assurance.

Full compliance with the provisions in the United States Department of Transportation (US DOT) Standard Title VI/ Non-Discrimination Assurances contained in DOT Order No. 1050.2A is required. The full document is included by reference and located at <http://www.caloes.ca.gov/FireRescueSite/Pages/HazMat-Emergency-Preparedness-Grant.aspx>

Part II

- g. During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:
 - i. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
 - ii. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
 - iii. Solicitation for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under

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this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.

- iv. Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State of California or the Pipeline and Hazardous Materials Safety Administration (PHMSA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the State of California or the Pipeline and Hazardous Materials Safety Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- v. Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the State of California shall impose contract sanctions as it or the Pipeline and Hazardous Materials Safety Administration may determine to be appropriate, including, but not limited to:
 1. Withholding of payments to the contractor under the contract until the contractor complies; and/or
 2. Cancellation, termination, or suspension of the contract, in whole or in part.
- vi. Incorporation of Provisions: The contractor shall include the provisions of paragraph 23. Subsections (g)(i) through (g)(vi) of this assurance are in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurements as the State of California or the Pipeline and Hazardous Materials Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontract or supplier as a result of such direction, the contractor may request the State of California to enter into such litigation to protect the interests of the State of California, and, in addition the contractor may request the United States to enter into such litigation to protect the interest of the United States.

This item includes compliance with requirements outlined in the provisions of the United States Department of Transportation (US DOT) Standard Title VI/Non-Discrimination Assurances contained in the DOT Order No. 1050.2A, included by reference and located at <http://www.caloes.ca.gov/FireRescueSite/Pages/HazMat-Emergency-Preparedness-Grant.aspx>

25. Will comply with all provisions of 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
26. For procurement activities, will comply with 2 CFR 200.317, Procurement Standards, which states that all non-Federal entities, including subrecipients of a state, will follow Parts 200.318 General procurement standards through 200.326 Contract provisions, and which are as follows:
 - .318 General procurement standards.
 - .319 Competition.
 - .320 Methods of procurement to be followed.
 - .321 Contracting with small and minority firms, women's business enterprise and labor surplus area firms.
 - .322 Procurement of recovered materials.
 - .323 Contract cost and price.
 - .324 Federal awarding agency or pass-through entity review.

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.325 Bonding requirements.

.326 Contract Provisions – refers to Appendix II of Part 200

Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$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.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a con-

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tract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

- 27. Will assure that grant funds are used for allowable, fair, and reasonable costs only, as detailed in 2 CFR 225, Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87), 2 CFR 220, Cost Principles for Educational Institutions (OMB Circular A-21), or 2 CFR 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122), as applicable.
- 28. Will comply with all provisions of 48 CFR 31.2, Federal Acquisition Regulations (FAR), Contracts with Commercial Organizations, as applicable.
- 29. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19 Sections 2445, 2446, 2447, and 2448.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature: Michele Stephens Date: 4/27/19
(Authorized Agent)

Print Name: Michele Stephens

Title: Public Health Branch Director