



U.S. DEPARTMENT OF HOMELAND SECURITY

**FISCAL YEAR 2009**

**Assistance to Firefighters Grants**

**GUIDANCE AND APPLICATION KIT**

**APRIL 2009**



U.S. DEPARTMENT OF HOMELAND SECURITY

**Title of Opportunity:** Assistance to Firefighters Grants

**Federal Agency Name:** Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate (GPD)

**Announcement Type:** Annual

**Dates:** Completed applications must be submitted as early as Wednesday, April 15, 2009, but **no later than 5:00 p.m., eastern standard time on Wednesday, May 20, 2009.**

**Additional overview information:** *The American Recovery and Reinvestment Act of 2009* (Public Law 111-5) provided \$210 million in funding to DHS to construct new fire stations or modify existing fire stations. That funding opportunity will be announced in the near future and eligible applicants will be instructed on the application requirements at that time. Station construction will **NOT** be part of this offering. Interested parties should monitor [www.recovery.gov](http://www.recovery.gov) for updated information on this and other first responder funding opportunities.

The Fiscal Year (FY) 2009 Assistance to Firefighters Grants (AFG) remains largely unchanged from the previous year's program based upon input from members of America's fire services and other stakeholders. However, in FY 2009, we will shift the focus on the level of response provided in emergency medical services (EMS) from basic life support (BLS) to advanced life support (ALS). We will add "candidate physical agility assessments" as a high priority under the Wellness and Fitness Activities.

As in previous years, the AFG will fund only projects that do not alter the footprint or the profile of an existing structure. Under modifications to facilities, the criteria development panel recommended that we differentiate between systems that evacuate the vehicle exhaust directly from the vehicle to the exterior of the structure (without the exhaust entering habitable areas) from systems that do allow exhaust to enter habitable areas. They also recommended that we place a higher priority on the extraction systems. Additionally, the panel recommended that any structure built after 2003 be deemed ineligible for funding under modifications to facilities. While air quality had been an issue of concern in National Fire Protection Association (NFPA) 1500, *Standard on Fire Department Occupational Safety and Health Program*, since its adoption in 1987, the 2002 Edition of NFPA 1500 provided extensive guidance concerning exposures to potential carcinogens. DHS has adopted the 2007 Edition of NFPA 1500 and applicants should refer to this edition for further information if applying for modifications to facilities.

Finally, as a condition to receiving a vehicle award, vehicle grantees must certify that they will adopt and enforce standard operating procedures (SOPs) that comply with Chapter 6 of NFPA 1500 *Standard on Fire Department Occupational Safety and Health Program*. Specifically, the SOPs should require that all passengers/occupants wear seatbelts and that the drivers obey all traffic signals, signs, and laws.

## Emphasis for FY 2009 – Procurement Integrity

Through audits conducted by the Department of Homeland Security's Office of Inspector General (OIG) and through the Assistance to Firefighters Program Office grant monitoring, it has become apparent that some Assistance to Firefighters Grant (AFG) recipients have not adhered, or are not totally adhering, to the proper procurement requirements when spending grant funds. Anything less than full compliance with Federal procurement policies jeopardizes the integrity of the grant as well as the grant program. As such, in FY 2009 we will place a greater emphasis on oversight of grantees' procurement actions. Below, we have reiterated the Federal procurement requirements for fire departments and EMS organizations grantees when buying goods and services with Federal grant funds. DHS will include a review of grantees' procurement practices as part of the normal monitoring activities.

**Competition:** All procurement transactions shall be conducted in a manner that provides, to the maximum extent practical, open and free competition. Grantees are expected to promote competition and ensure advantageous pricing by soliciting bids from multiple vendors. Purchases shall be made from the vendor whose bid is responsive to the solicitation and is most advantageous to the grantee when price, quality, and other factors are considered. Grantees may use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal laws and standards. Grantees who fail to adhere to their own procurement policy, or otherwise fail to fully "compete" any purchase involving Federal funds, may find that their expenditures will be questioned and subsequently disallowed.

**Documentation:** Grantees are required to maintain and retain backup documentation such as bids, quotes, and cost/price analyses on file for review by Federal personnel. The required documentation for federally funded purchases should include specifications, solicitations, competitive quotes or proposals, basis for selection decisions, purchase orders or contracts, invoices, and cancelled checks. Grantees who fail to fully document their purchases may find that their expenditures will be questioned and subsequently disallowed.

**Specifications:** Specifications developed for solicitations shall clearly set forth all requirements that the bidder shall fulfill in order for the bid or offer to be evaluated by the recipient. However, those specifications may not be so narrowly constructed or contain features which unduly limit, restrict, or eliminate competition unnecessarily. Grantees may, when developing their solicitations, list factors that will be used in their evaluation of proposals that are submitted, as long as those evaluation factors are not found to limit competition. Finally, grantees cannot impose in-State or local geographical preferences in the evaluation of bids or proposals.

Applicants and grantees are encouraged to obtain product information from vendors in order to be more informed about the items they plan to purchase. However, grantees may not use specifications obtained from vendors for any solicitation with Federal grant

funds if the specifications would be found to be restrictive. It is the grantee's responsibility to assure that vendor specifications are not used in a manner which would result in restricting or limiting competition from other vendors of similar products. Additionally, if a vendor or manufacturer drafts, writes, edits, critiques, or provides any direct consultation on a grant application that vendor or manufacturer cannot submit a bid for that purchase. Likewise, if a vendor or manufacturer drafts, writes, edits, critiques, or provides any direct consultation on a specification to be used for the solicitation for the purchase of a specific product, that vendor or manufacturer cannot submit a bid for that purchase. See Conflicts of Interest below.

Grantees shall, on request, make available to DHS preaward review and procurement documents, such as requests for proposals or invitations for bids, independent cost estimates, *etc.*, if 1) the purchase specifies a "brand name" product or 2) the proposed award is to be awarded to other than the apparent low bidder under a sealed bid process. Grantees found to be using proprietary, or otherwise limiting specifications, may find their expenditures questioned and subsequently disallowed.

**Personal and Organizational Conflicts of interest:** In order to ensure objective vendor performance and eliminate a real or apparent unfair competitive advantage, anyone that develops or drafts specifications, requirements, statements of work (including the grant application), invitations for bids, and/or requests for proposals shall be excluded from competing for such procurements. Additionally, no employee, officer, or agent of the grantee shall participate in the selection, award, or administration of a procurement supported by Federal funds if a real or an apparent conflict of interest would be involved. A conflict of interest could arise when any of the following conditions exists:

- a) An officer, employee, or agent of the grantee has a financial or other interest in the vendor selected for the procurement.
- b) Any member of the grantee's officers', employees', or agents' immediate family has a financial or other interest in the vendor selected for the procurement.
- c) An organization which employs a grantee's officer, employee, or agent is a vendor or has a financial or other interest in the vendor selected for the procurement.

For the purposes of this program, we consider volunteers of an organization and grant writers to be employees, officers, and/or agents of the grantee. As such, no volunteer or member of an organization or anyone involved in the application for funding can participate in, or benefit from, the procurement if Federal funds are involved. Grantees that purchase items with grant funds from vendors who employ any of their volunteers/members will have to document how they avoided a conflict of interest during the procurement process (*i.e.*, specific details regarding how the members/volunteers removed themselves, or how they were prevented from participating in the process). Grantees who fail to fully document their purchases may find that their expenditures will be questioned and subsequently disallowed.

# CONTENTS

Overview.....	i
Procurement Integrity.....	ii
Contents.....	1
<b>Part I. FUNDING OPPORTUNITY DESCRIPTION.....</b>	<b>3</b>
A.    Federal Strategy.....	3
B.    Priority Development Process.....	4
C.    Funding Priorities.....	5
1.    Fire Department Priorities.....	5
2.    Nonaffiliated EMS Organization Priorities.....	15
<b>Part II. AWARD INFORMATION.....</b>	<b>24</b>
A.    Award Period of Performance.....	24
B.    Available Funding.....	24
C.    Specific Funding Parameters.....	24
D.    Awards.....	26
<b>Part III. ELIGIBILITY INFORMATION.....</b>	<b>27</b>
A.    Eligible Applicants.....	27
B.    Ineligible Applicants.....	28
C.    Cost Sharing.....	29
D.    Allowable Expenses and Cost Restrictions for Fire Departments....	30
E.    Allowable Expenses and Cost Restrictions for Nonaffiliated EMS Organizations.....	36
F.    Other Allowable Costs.....	40
G.    Reasonableness of a Request.....	43
<b>Part IV. APPLICATION AND SUBMISSION INFORMATION.....</b>	<b>44</b>
A.    Automated Grant Application.....	44
B.    Application Process.....	45
C.    DUNS Number.....	45
D.    Project Period.....	46
E.    Application Details.....	46
F.    Project Development.....	47
1.    Fire Department.....	47
2.    Nonaffiliated EMS Organization.....	49
3.    Regional Projects.....	50

**Part V. APPLICATION REVIEW INFORMATION ..... 53**  
    **A. Prescreening Process ..... 53**  
    **B. Peer Review Process..... 53**  
    **C. State Strategy and Communications Technical Review..... 55**  
    **D. Critical Infrastructure and Key Resources .....55**  
    **E. Anticipated Announcement and Award Dates ..... 55**

**Part VI. AWARD ADMINISTRATION INFORMATION ..... 56**  
    **A. Award Procedure ..... 56**  
    **B. Grantee Responsibility ..... 57**  
    **C. Monitoring ..... 61**  
    **D. Grant Closeout Process ..... 61**

**Part VII. FEMA CONTACTS..... 62**

**Part VIII. OTHER INFORMATION – Excess Funds ..... 63**

**Appendix. Other Administrative Information ..... 65**

## PART I.

# FUNDING OPPORTUNITY DESCRIPTION

Assistance to Firefighters Grants (AFG) provide financial assistance directly to fire departments and nonaffiliated EMS organizations to enhance their capabilities with respect to fire and fire-related hazards. The authority for AFG is derived from the *Federal Fire Prevention and Control Act of 1974* (15 U.S.C. §§ 2229 *et seq.*), as amended. Congress appropriated a total of \$565 million for the FY 2009 AFG (Public Law 110-329). Our primary goal is to help fire departments and nonaffiliated EMS organizations meet their firefighting and emergency response needs. AFG seeks to support organizations that lack the tools and resources necessary to more effectively protect the health and safety of the public and their emergency response personnel with respect to fire and all other hazards.

*The American Recovery and Reinvestment Act of 2009* provided \$210 million in funding to DHS to construct new fire stations or modify existing fire stations. That funding opportunity will be announced in the near future and will **NOT** be part of this offering. Under the funding opportunity presented in this guidance, the AFG will only fund projects that **do not** alter the footprint or the profile of an existing structure. Projects for modifications that involve altering the footprint or the profile of an existing structure or projects that involve construction of new facilities will fall under a different funding opportunity. Interested parties should monitor [www.recovery.gov](http://www.recovery.gov) for updated information on this and other first responder funding opportunities.

The purpose of this package is to provide an overview of the AFG, the formal grant guidance, and the application materials needed to apply for funding under this program. Also included is an explanation of DHS requirements for implementation of a successful application. Our job at DHS is to provide clear guidance and effective application tools to assist applicants. Our customers are entitled to effective assistance during the application process and transparent, disciplined management controls to support grant awards. We intend to be good stewards of precious Federal resources and common-sense partners with our first responder colleagues.

### **A. Federal Strategy**

The AFG Program is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness. Of particular significance are the National Preparedness Guidelines and their associated work products. The National Preparedness Guidelines are an all-hazards vision regarding the Nation's four core preparedness objectives: prevent, protect, respond and recover from both terrorist attacks and catastrophic natural disasters.

The National Preparedness Guidelines define a vision of what to accomplish and a set of tools to forge a unified national consensus about what to do and how to work together at all levels of government to effectively respond to all hazards. First responder participation is integral to the Guidelines' success. DHS expects its first responder partners to be familiar with these national preparedness guidelines and to consider these guidelines when assessing their needs and developing their grant requests.

## **B. Priority Development Process**

Each year, DHS brings together a panel of fire service professionals representing the nine major fire service organizations to recommend funding priorities and other implementation criteria for AFG. This criteria development panel is charged with making recommendations to DHS regarding the creation and/or modification of previously established funding priorities, as well as developing criteria for awarding grants. These nine organizations are:

- Congressional Fire Services Institute (CFSI);
- International Association of Arson Investigators (IAAI);
- International Association of Fire Chiefs (IAFC);
- International Association of Firefighters (IAFF);
- International Society of Fire Service Instructors (ISFSI);
- National Association of State Fire Marshals (NASFM);
- National Fire Protection Association (NFPA);
- National Volunteer Fire Council (NVFC); and
- North American Fire Training Directors (NAFTD).

This document reflects the Department's implementation of the criteria development panel's recommendations with respect to the priorities, direction, and criteria for awarding grants. All of the funding priorities for the FY 2009 AFG are designed to address the following: first responder safety, enhancing national capabilities, risk, and/or interoperability.

The AFG authorizing legislation requires DHS to take into account the benefit to be derived from the costs of the grant activity when considering each application for award. DHS has determined that a risk-based focus achieves this cost-benefit consideration and that the frequency of use and the level of population protected are both measures of risk as well as indicators of the benefit that could be derived from an award. Therefore, for each activity below, DHS will provide a higher level of consideration to applicants with significant levels of incidents and to applicants who protect large populations relative to other applicants, regardless of the type of community served.

The criteria development panel has recommended that DHS make a distinction between "new missions" and "new risks." A department or organization takes on a "new mission" when it expands services into areas not previously offered such as a fire department seeking funding to provide emergency medical services for the first time. A "new risk" presents itself when a department or organization must address risks that have

materialized in the department's area of responsibility, for example, the construction of a chemical plant. A department or organization taking on "new risks" will be afforded higher consideration than departments or organizations taking on a "new mission."

The specific criteria for our highest priorities for each of the funding areas are set forth in *Part I. Section C. Funding Priorities* of this guidance. No one funding area is considered a priority over the others; therefore, the lists are not in any particular order.

## **C. Funding Priorities**

AFG funding priorities differ for fire departments and nonaffiliated EMS organizations. Please read the guidance document with this in mind, and make sure that you are researching the appropriate sections for your organization.

### **1. Fire Department Priorities**

The AFG authorizing legislation requires DHS to take into account the benefit to be derived from the costs of the grant activity when considering each application for award. DHS has determined that the frequency of use and the size of population protected are both a measure of benefits that could be derived from an award. Therefore, for each activity below, DHS will provide a higher level of consideration to departments with significant levels of incidents and to departments that protect large populations relative to other applicants, regardless of the type of community served. Departments that have low call volume and/or that serve small communities will receive lower consideration.

The criteria development panel recommended that the AFG continue to emphasize the importance of training in the FY 2009 program with respect to fire departments. As such, the FY 2009 application for fire departments will contain questions regarding the applicant's current training level and interest in attaining higher levels of proficiency. The questions will not affect the preliminary screening of an application for the FY 2009 program, but the questions and answers will be available for consideration by the peer review panelists in their evaluation of the application.

Requests for Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) equipment and/or training will be evaluated by the peer review panelists relative to the critical infrastructure the applicant protects. Critical infrastructure includes any system or asset that, if attacked, would result in catastrophic loss of life or catastrophic economic loss. Critical infrastructure includes the following: public water and power systems, major business centers, chemical facilities, nuclear power plants, major rail and highway bridges, petroleum and/or natural gas transmission pipelines and storage facilities, telecommunications facilities, and facilities that support large public gatherings, such as sporting events or concerts.

Specific rating criteria and funding priorities for the FY 2009 AFG Grant activities are provided below following the descriptions of this year's eligible program areas. The rating criteria, in conjunction with the program area description, will provide you with an understanding of what information we are seeking about your proposed projects.

## **a. Fire Operations and Firefighter Safety**

Five different fundable activities are included in this program area: training, equipment, Personal Protective Equipment (PPE), wellness and fitness, and modifications to facilities. You may apply for as many of the activities within this program area as you deem necessary. There are no bonuses or penalties for applying for only one activity or for multiple activities; however, we believe that applicants requesting multitude activities have a more difficult time providing a succinct justification for all the projects. All fire department activities must be applied for under the Fire Department Operations and Safety program area, including fire-based EMS training or equipment. Fire-based EMS training and equipment are eligible under the appropriate activity, e.g., firefighter training, firefighter equipment, etc. – NOT under EMS.

Equipment requested under AFG must meet all mandatory regulatory requirements, as well as any national and/or DHS-adopted standards, in order to be eligible for purchase with grant funds. The Responder Knowledge Base (RKB), which can be accessed at <http://www.rkb.mipt.org/>, includes relevant information on first responder standards and allows “guest users” to ask any questions they may have on applicable standards.

Equipment/technology requests should have the goal of solving interoperability or compatibility problems. Therefore, applicants should describe in their narrative sections how the purchase of equipment would comply with standards and/or facilitate solving interoperability or compatibility problems.

### **i. Firefighter Training**

AFG Grants are available to train firefighting personnel. Examples of training activities include, but are not limited to the following: Firefighter I and II certifications; First Responder EMS; driver/operator; fire officer; HAZMAT (hazardous materials) response; alternative fuel firefighting; incident command; supervision and safety; CBRNE awareness, performance, planning and management; or train-the-trainer courses in any of these areas.

In implementing the fire service’s recommendations concerning AFG, DHS has determined that the most benefit is derived from training that is instructor-led and hands-on and/or that leads to a nationally sanctioned or State certification. Therefore, applications focused on national or State certification training, including train-the-trainer initiatives, will receive a higher competitive rating. Training that involves instructors, that requires the students to demonstrate their grasp of knowledge of the training material via testing, and that is integral to a certification, will receive a high competitive rating. Instructor-led training that does not lead to a certification and any self-taught courses are of lower benefit and, therefore, will not be a high priority.

A high competitive advantage is provided to proposed training projects that benefit the highest percentage of applicable personnel within a fire department or that will be open to

other departments in the region. Large departments with a high number of active firefighters will receive additional consideration when applying under the Training Activity.

Training that brings the department into statutory or Occupational Safety and Health Administration (OSHA) compliance or compliance with federally mandated initiatives (such as knowledge and understanding of the National Incident Management System (NIMS) and/or Incident Command Systems (ICS)) or training that would bring an applicant into compliance with national standards would provide the highest benefit relative to training that is not required. Therefore, requests to meet federally mandated or national standard compliance would receive the highest consideration. Training that is meant to address a local risk is secondary to training that leads to departments meeting statutory compliance or compliance with national standards. Training that does not have statutory compliance or meet a national standard will receive a low competitive rating. Training designated to enhance multi-jurisdictional capabilities will receive a higher rating.

Due to the inherent differences among urban, suburban, and rural firefighting conventions, there are different priorities under the Training Activity for departments servicing the different types of communities. However, CBRNE awareness training and Improvised Explosive Device (IED) response awareness training have a high benefit and will receive the highest consideration regardless of the type of community served.

For departments serving rural communities, requests for basic operational-level firefighting training; safety officer training; operational-level rescue; driver training; or first responder EMS, Emergency Medical Technician-Basic (EMT-B), and Emergency Medical Technician-Intermediate (EMT-I) (*i.e.*, training in basic firefighting or EMS duties) has greater benefit than funding officer training, airport rescue and firefighting (ARFF), or other specialized training. In rural communities, after basic training, officer training and ARFF will receive a lower cost-benefit rating. The lowest consideration will be provided to departments that serve rural communities but are seeking assistance for other specialized types of training, such as mass-casualty, HAZMAT, advance rescue and EMT, or inspector training.

With respect to AFG training priorities for departments serving urban or suburban communities, the criteria development panel recommended that any training requested by an urban or suburban department should be given the highest level of consideration. When considering the relative merit of applications for training from departments serving urban and suburban communities, DHS will give higher priority to training proposals that improve coordination capabilities across first responder disciplines (fire, EMS, and law enforcement) and jurisdictions (local, State, and Federal). Training such as NIMS and ICS related to coordinated incident response (*e.g.*, weapons of mass destruction (WMD) awareness and incident operations, chemical or biological operations, or bomb threats), tactical emergency communications procedures, or similar types of inter-disciplinary, inter-jurisdictional training will receive the highest competitive rating.

## **ii. Firefighting Equipment Acquisition**

AFG funds are available for equipment to enhance the safety or effectiveness of firefighting, rescue, and fire-based EMS functions. Grants also are available for equipment necessary for response to CBRNE incidents.

DHS has determined that the greatest benefits of AFG funding will be achieved by enabling fire departments to purchase firefighting equipment (including rescue, EMS, and CBRNE) that supports a department's existing mission or that replaces used or obsolete firefighting equipment. Our second priority will be to fund departments seeking to expand their functional capabilities within their existing mission areas or to appropriately equip themselves to meet a new risk. The lowest priority is funding equipment to increase a department's reserve supply or to expand a department's services into new mission areas. For departments replacing old or damaged equipment, departments with the oldest equipment will receive the highest priority, and departments with the newest equipment will receive a low priority.

For the FY 2009 AFG, the purchase of equipment that brings the department into compliance with nationally recommended standards (such as the NFPA) or statutory compliance (such as OSHA) will provide the highest benefit to the applicant and, therefore, will receive the highest consideration. The purchase of equipment that brings a department into voluntary compliance with OSHA standards will also receive a high competitive rating but secondary to equipment that leads to a department's statutory compliance. Equipment that brings a department up to a State or local standard or that does not have an effect on statutory compliance or voluntary compliance with a national standard will receive a lower competitive rating. Applicants should designate which compliance standards would be achieved with this activity.

Training is of critical importance to any first responder organization. DHS believes that equipment is of no use if the operator is not trained to use it. As such, applicants must demonstrate that users of equipment purchased with the grant either are, or will be, sufficiently trained to use the equipment. Inability to demonstrate and fulfill this training requirement will result in ineligibility for equipment funding.

AFG's purpose is to protect the health and safety of the public and firefighters from fire and fire-related hazards; therefore, equipment that has a direct effect on firefighters' health and safety will receive a higher competitive rating over equipment that has no such effect. Equipment promoting interoperability with neighboring jurisdictions will receive additional consideration in the cost-benefit assessment.

## **iii. Firefighter Personal Protective Equipment (PPE)**

AFG funds are available to acquire primarily OSHA-required PPE for firefighting personnel. The primary purpose of AFG is to protect the health and safety of the public

and of firefighters. To achieve this goal and maximize the benefit to the firefighting community, the FY 2009 AFG will give higher priority to funding applicants who need to purchase PPE for the first time (*i.e.*, for new firefighters) over departments replacing old, obsolete, or substandard equipment (*e.g.*, equipment not meeting current NFPA and OSHA standards). In applications that request funding to replace equipment, the age and condition of the PPE that is to be replaced will be the primary consideration with the replacement of older or worn-out equipment receiving higher consideration than requests for replacement of newer equipment.

For departments replacing equipment such as “turnout gear,” the condition of the equipment to be replaced will be factored into the score with a higher priority given to replacing equipment that is damaged, torn, or contaminated over equipment that is worn but usable. For departments replacing old or damaged equipment, departments with the oldest equipment will receive the highest priority, and departments with the newest equipment will receive a low priority.

For departments replacing Self Contained Breathing Apparatus (SCBA), the specific Edition of NFPA 1981 to which the existing equipment is compliant (2007 Edition, 2002 Edition, 1997 Edition, *etc.*) will be factored into the score with a higher priority given to replacing equipment that is older. For departments replacing old or damaged equipment, departments with the oldest or most worn-out equipment will receive the highest priority, and departments with the newest most functional equipment will receive a low priority.

The criteria development panel recommended that DHS only consider replacing old, inoperable SCBA and/or upgrading older SCBAs to the new standard within a region if proper justification was provided. Specifically, they recommended that DHS not consider replacement of SCBA that is compliant to the 1997 Edition of NFPA 1981 nor the 2002 Edition of NFPA 1981. The criteria development panel also recommended, and DHS agreed, that due to the limited funding available for grants and the recent change in SCBA standards (the 2007 Edition of NFPA 1981), DHS will not consider requests for regional projects that involve wholesale replacement of SCBA within a region.

In concurrence with the recommendations of the criteria development panel, large departments with a high number of firefighters will receive additional consideration. We will also give a high competitive rating to departments that want to purchase enough PPE to bring their compliance up to 100 percent. If the request is for SCBA, the percentage of compliance should be determined from the number of seated positions rather than the number of firefighters. Departments seeking to purchase PPE for a new mission will receive a low rating. Departments seeking to purchase PPE to have for an extra reserve supply will receive the lowest priority.

DHS believes that training is of critical importance to any first responder organization. Applicants who are not, or will not be, sufficiently trained to use the equipment requested under this activity will be ineligible for funding.

#### **iv. Firefighter Wellness and Fitness**

For the FY 2009 AFG, fire department wellness/fitness activities must offer periodic health screenings, entry physical examinations, and immunizations. Applicants for grants in this activity must currently offer, or plan to use grant funds to provide **all three benefits** in order to receive consideration for funding for any other initiatives under this activity.

In accordance with the recommendations of the criteria development panel, the greatest benefit will be realized by supporting applications for new wellness/fitness programs. Therefore, higher competitive ratings will be given to applicants who lack wellness/fitness programs. Applicants who already provide the three requisite benefits and wish to expand their wellness/fitness program will receive lower consideration than departments who are seeking to initiate a wellness/fitness activity. Because participation is critical to achieving any benefits from a wellness/fitness activity, we will give higher competitive ratings to departments whose wellness/fitness activities mandate participation and are open to all personnel.

After the provision of the three requisite benefits, the criteria development panel recommended providing the highest consideration to candidate physical agility evaluations. Lower priority is given to formal fitness and injury prevention projects, behavioral health management, injury/illness rehabilitation, and employee assistance.

#### **v. Modifications to Fire Stations and Facilities**

*The American Recovery and Reinvestment Act of 2009* (Public Law 111-5) provided \$210 million in funding to DHS to construct new fire stations or modify existing fire stations. That funding opportunity will be announced in the near future and will **NOT** be part of this offering. Interested parties should monitor [www.recovery.gov](http://www.recovery.gov) for updated information on this and other first responder funding opportunities.

FY 2009 AFG Grants may be used to modify fire stations and other facilities to protect the health and safety of firefighting personnel. Activities involving modifications to facilities are subject to all applicable environmental and historic preservation requirements. Applicants seeking assistance to modify their facilities may undergo additional screening. DHS is required to ascertain to what degree the proposed modifications to fire stations or facilities might affect an applicant's structures relative to the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. No project can proceed – except for project planning – prior to formal DHS approval. Noncompliance with this provision may jeopardize an applicant's award and subsequent funding.

Eligible projects under this activity must have a direct effect on the health and safety of firefighters. Therefore, eligible activities focus on improving firefighter safety in fire stations and other facilities.

We will NOT fund any requests for modifications other than the initiatives listed below:

- 1) Installation of sprinkler systems;
- 2) Installation of smoke and fire alarm notification systems;
- 3) Installation of vehicle exhaust evacuation systems;
- 4) Installation of vehicle mounted exhaust filtration systems;
- 5) Installation of air improvement systems; and/or
- 6) Installation of emergency power generators.

The highest priority has been assigned to sprinkler systems, exhaust evacuation systems, and fire/smoke alarm systems. Lower priority has been assigned to generators, vehicle mounted exhaust filtration systems and air-quality systems. Grant funds are to be used only to retrofit existing structures that do not have the eligible safety features or to upgrade facilities whose features are outdated. Grant funds under this funding opportunity may not be used for new construction. When requesting funds for modifications to facilities, older structures will receive the highest consideration for funding.

More benefit would be derived from modifying fire stations than from modifying dispatch centers, fire training facilities, or other fire department facilities. The frequency of use would have a direct bearing on the benefits to be derived from grant funds. In addition, the frequency and duration of a facility's occupancy have a direct relationship to the benefits to be realized from awards made under this activity. As such, facilities occupied or otherwise in use, 24-hours-per-day and 7-days-per-week will receive the highest competitive rating. Requests involving facilities that have sleeping quarters will receive a higher competitive rating. Facilities that do not have sleeping quarters and facilities that are used less than full time will receive lower consideration. Facilities used only occasionally, or on an irregular or part-time basis, will receive the lowest consideration.

#### **b. Firefighting Vehicle Acquisition**

AFG provides grants for new firefighting vehicles, used fire apparatus originally designed for firefighting, or refurbished apparatus originally designed for firefighting. Funds may also be used to refurbish a vehicle the department currently owns, but only if it is a vehicle originally designed for firefighting. Converted vehicles not originally designed for firefighting are not eligible for refurbishment. New vehicles purchased with AFG funds must be compliant with NFPA 1901 or 1906 standards. Used apparatus must be compliant with NFPA 1901 or 1906 standards for the year the vehicle was manufactured. Refurbished apparatus must meet NFPA 1912 standards.

In FY 2009, applicants who serve urban or suburban communities may apply for more than one vehicle. However, awards will be limited to only one vehicle per station.

Applicants who serve rural communities are limited to one vehicle per application. If a rural applicant submits an application requesting more than one vehicle, the application will be deemed ineligible. Applicants awarded vehicle grants under AFG in previous years are eligible for another vehicle award this program year.

As required in the two previous grant years, FY 2009 AFG vehicle awardees are required to obtain a bond if the grantee advances funds to a manufacturer. Also, the grantee must include in their vehicle purchase contract specific performance requirements and penalties for noncompliance with the requirements. Extensions to a grant's period of performance may not be considered if the requisite bond is not obtained or if the performance penalties are not included in the purchase contract.

Due to inherent differences among urban, suburban, and rural firefighting conventions, AFG has different priorities in the vehicle program area for departments that serve different types of communities. As stated above, applications from departments that serve urban and suburban communities may submit an application for multiple vehicles. The urban or suburban application may include requests for vehicles from any or all of the three priorities; however, applications that include lower priority vehicles will receive lower consideration. The following table lists the funding priorities for this program area by each type of community.

<b>Firefighting Vehicle Program Priorities</b>			
<b>Priority</b>	<b>Urban Communities</b>	<b>Suburban Communities</b>	<b>Rural Communities</b>
<b>Priority One</b>	Pumper Aerial Quint (Aerial < 76') Quint (Aerial > 76') Rescue	Pumper Aerial Quint (Aerial < 76') Quint (Aerial >76')	Pumper Brush/Attack Tanker/Tender Quint (Aerial < 76')
<b>Priority Two</b>	Command HAZMAT Light/Air Rehab Foam Truck	Command HAZMAT Rescue Tanker/Tender Brush/Attack Foam Truck	HAZMAT Rescue Aerial Quint (Aerial > 76')
<b>Priority Three</b>	ARFFV <sup>1</sup> Brush/Attack Fire Boat Tanker/Tender Ambulance	ARFFV <sup>1</sup> Rehab Light/Air Fire Boat Ambulance	Foam Truck ARFFV <sup>1</sup> Command Rehab Fire Boat Ambulance Light/Air

<sup>1</sup> ARFFV is an Airport Rescue Firefighting Vehicle.

The vehicles listed in this matrix will appear on a dropdown menu in the automated application. Included in the menu is an option “other” which is to be used if the type of vehicle to be requested is not on the list. All vehicles requested under “other” will receive the lowest priority.

As with other eligible AFG activities, one of the goals in the vehicle acquisition program is firefighter safety. Applicants seeking to replace or refurbish unsafe vehicles will receive higher consideration than applicants seeking to replace vehicles with safety features. The highest consideration is provided to applicants wanting to replace vehicles that have been converted for use as firefighting vehicles, but were not originally designed for firefighting. However, replacement of an unsafe vehicle will still have to be justified in the narrative. Converted vehicles not originally used, nor intended to be used, in emergency operations will not be favorably reviewed merely because they are converted. We will give high consideration to applicants with firefighting vehicles that had an “open-cab” configuration in their original design.

Applicants wanting to benefit from this consideration must certify that the unsafe vehicle will be permanently removed from emergency service if awarded a grant. “Permanently removed from emergency service” means that the grantee cannot use the vehicle for emergency service, nor may the grantee sell or otherwise transfer title to any individual or organization that will use the unsafe vehicle for emergency service. The grantee may NOT sell an unsafe vehicle to another fire department under any circumstances. A grantee who certifies that they will remove the unsafe vehicle from service but then sells the unsafe vehicle to another fire department, or otherwise does not remove the unsafe vehicle from service, is considered to be in default of the grant agreement. Acceptable uses of unsafe vehicles include farm or nursery use, scrap metal, salvage, construction, *etc.*

DHS believes that a greater benefit will be derived from funding an additional vehicle(s) to departments that own few vehicles like the type requested. As such, DHS assigns a higher competitive rating in the apparatus category to fire departments that own fewer firefighting vehicles relative to other departments serving similar types of communities (*i.e.*, urban, suburban, and rural). DHS assesses all vehicles with similar functions when assessing the number of vehicles a department possesses within a particular type. For example, the “pumper” category includes: pumpers, engines, pumper/tankers (apparatus that carries a minimum of 300 gallons of water and has a pump with a capacity to pump a minimum of 750 gallons per minute), rescue-pumpers, quints (with aerials less than 76 feet in length), and urban interface vehicles (Type I). Apparatus that has water capacity in excess of 1,000 gallons and a pump with pumping capacity of less than 750 gallons per minute are considered to be a tanker/tender.

DHS will evaluate the marginal value derived from an additional vehicle of any given type on the basis of call volume. As a result, departments with fewer vehicles of a given type than other departments that service comparable call volumes are more likely to score

competitively than departments with more vehicles of that type and comparable call volume unless the need for an additional vehicle of similar type is made apparent in the application.

Urban and suburban applicants may submit requests for more than one vehicle; however, application requests are limited to one vehicle per station as well as by the statutory funding limits. Applicants must supply sufficient justification for each vehicle included in the request. For those applications with multiple vehicles, the panelists will be instructed to evaluate the marginal benefit to be derived from funding the additional vehicle(s) given the potential use and the population protected. DHS anticipates that the panels will only recommend an award for a multiple vehicles application when the cost-benefit justification is adequately compelling.

DHS assigns a higher competitive rating to departments possessing an aged fleet of firefighting vehicles. In evaluating the age of an applicant's fleet, DHS will take into account the oldest vehicle in the class requested as well as the youngest vehicle in the class requested. DHS will also take into account the average age of the applicants' fleet. In each of these instances, applicants with older vehicles or with an aging fleet will receive higher consideration than applicants with relatively younger vehicles.

DHS will also assign a higher competitive rating to departments that respond to a high volume of incidents. DHS will give higher priority to departments that are seeking vehicles to support existing missions. Conversely, a lower priority will be given to departments that are seeking apparatus with the goal of expanding into new mission areas.

No competitive advantage will be given for the purchase of standard model commercial vehicles relative to custom vehicles or the purchase of used vehicles relative to new vehicles in the preliminary evaluation of applications. DHS has noted that given the size of the department and the size of the community that the department serves, the peer review panelists often prefer low-cost vehicles when evaluating the cost-benefit section of the project narratives. DHS also reserves the right to consider current vehicle costs within the fire service vehicle manufacturing industry when determining the level of funding that will be offered to the potential grantee, particularly if those current costs indicate that the applicant's proposed purchase costs are excessive.

Departments that have formal automatic aid agreements with neighboring departments will receive additional consideration. Departments with formal mutual aid agreements will receive more consideration than departments without formal agreements, but not as much consideration as departments with automatic aid agreements.

Finally, due to the inherent safety benefits to be realized in departments using a comprehensive driver training program meeting NFPA standard 1002 or its equivalent, we will provide a competitive advantage to requests where the applicant has a comprehensive driver training program. Applicants seeking driver training with their vehicle request will receive a slightly lower competitive rating than departments with a

driver training program already in place. Applicants without a comprehensive driver training program who will not implement appropriate driver training in conjunction with their AFG award or through other resources will **NOT** be considered for a vehicle award.

For the FY 2009 program year, vehicle grantees will be required to certify that they have in place, or that they will adopt policies and procedures that comply with Chapter 6 of NFPA 1500 *Standard on Fire Department Occupational Safety and Health Program*. Specifically, the SOPs should require at a minimum: 1) all occupants of the grantee's apparatus to use seatbelts or restraints and 2) all drivers of the grantee's apparatus adhere to all traffic signs, signals, and laws.

## **2. Nonaffiliated EMS Organization Priorities**

AFG funding priorities differ for fire departments and nonaffiliated EMS organizations. Please read the guidance document with this in mind and make sure you are researching the appropriate sections for your organization. Equipment requested under AFG must meet all mandatory regulatory requirements, as well as any national and/or DHS-adopted standards in order to be eligible for purchase with grant funds. The RKB, which can be accessed at <http://www.rkb.mipt.org/>, includes relevant information on first responder standards and allows "guest users" to ask any questions they may have regarding applicable standards.

AFG Grants may be used to enhance emergency medical services provided by nonaffiliated EMS organizations. EMS funding is limited to no more than 2 percent of the AFG appropriation.

The AFG authorizing legislation requires DHS to take into account the benefit to be derived from the costs of the grant activity when considering each application for award. DHS has determined that the frequency of use and the size of population protected are both a measure of benefit that could be derived from an award. Therefore, for each activity below, DHS will provide a higher level of consideration to organizations with significant levels of incidents and to organizations that protect large populations relative to other applicants, regardless of the type of community served. Organizations with low call volume and/or that serve small communities will receive lower consideration.

The criteria development panel recommended that it is more cost-effective to enhance or expand an existing EMS organization by providing training or equipment than it would be to create a new service. As such, communities that are attempting to initiate EMS services will receive the lowest competitive rating.

Equipment/technology requests should have the goal of solving interoperability or compatibility problems. Therefore, applicants should describe in their narrative sections how the purchase of equipment would comply with standards and/or facilitate solving interoperability or compatibility problems.

Requests for equipment and training to prepare for response to incidents involving CBRNE are available under the applicable equipment and training activities. Applications that include requests for CBRNE equipment or training will be evaluated by the peer review panelists relative to the critical infrastructure the applicant protects. Critical infrastructure includes any system or asset that, if attacked, would result in catastrophic loss of life or catastrophic economic loss. Critical infrastructure includes the following: public water and power systems, major business centers, chemical facilities, nuclear power plants, major rail and highway bridges, petroleum and/or natural gas transmission pipelines and storage facilities, telecommunications facilities, and facilities that support large public gatherings, such as sporting events or concerts.

Specific rating criteria and funding priorities for AFG FY 2009 grant activities are provided below following the descriptions of eligible program areas. The rating criteria, in conjunction with the program area description, will provide you with an understanding of what information we are seeking about your proposed projects.

#### **a. EMS Operations and Safety**

Five different activities are available for funding under this program area: EMS training, EMS equipment, PPE, wellness and fitness, and modifications to facilities. You may apply for as many of the activities within this program area as you deem necessary. There are no bonuses or penalties for applying for only one activity or for multiple activities; however, we believe that applicants requesting multiple activities have a more difficult time providing a succinct justification for all the projects. If you are a fire-based EMS, you are not eligible to apply as a nonaffiliated EMS organization.

Applicants should ensure that all projects applied for under the grant program are consistent with national standards and address the goals of interoperable communications and equipment compatibility.

#### **i. EMS Training**

AFG provides grants to train EMS personnel. Examples of training activities include, but are not limited to, first responder, BLS, ALS, Paramedic, HAZMAT Operations, or Rescue Operations.

Because training is a prerequisite to the effective use of EMS equipment, organizations whose requests are more focused on training activities will receive a higher competitive rating than organizations whose requests are more focused on equipment. A higher competitive rating will be given to nonaffiliated EMS organizations that are planning to upgrade services to ALS level of response. Specifically, organizations that are seeking to elevate their response level from EMT-B to EMT-I will receive the highest priority and organizations that are seeking to elevate their response level from EMT-I to Emergency Medical Technician-Paramedic (EMT-P) will receive a high priority. Our second priority is to elevate emergency responders' capabilities from first responder to a BLS level of response (*i.e.* EMT-B). Due to the time and cost, upgrading an organization's response

level from EMT-B to EMT-P is a lower priority. Organizations seeking training in rescue or HAZMAT operations will receive lower consideration than organizations seeking training for medical services. Our lowest priority is to fund first responder training. Organizations that are seeking to train a high percentage of their active first responders will receive additional consideration when applying under the Training Activity.

## **ii. EMS Equipment Acquisition**

Because training is a prerequisite to the effective use of EMS equipment, organizations whose requests are more focused on training activities will receive a higher competitive rating than organizations whose requests are more focused on equipment. Training is of critical importance to any first responder organization. DHS believes that equipment is of no use if the operator is not trained to use it. As such, applicants must demonstrate that users of equipment purchased with the grant either are, or will be, sufficiently trained to use the equipment. Inability to demonstrate and fulfill this training requirement will result in ineligibility for equipment funding.

Organizations that request training to the ALS level of response, along with basic support equipment, will receive a higher priority. Requests seeking assistance to purchase equipment to support BLS level of response are a secondary priority. Organizations seeking equipment for rescue or HAZMAT operations will receive lower consideration than organizations seeking equipment used to provide medical services. Our lowest priority is to fund first responder training.

DHS makes a distinction between “new missions” and “new risks.” According to the criteria development panel, an organization takes on a “new mission” when it expands services into areas not previously offered, such as an EMS organization seeking funding to provide water rescue capability for the first time. A “new risk” is when an organization is forced to address risks that have materialized in the organization’s area of responsibility; for example, construction of a chemical plant could constitute a “new risk.”

Organizations upgrading their equipment for existing services will receive the highest consideration. Organizations taking on “new risks” will be considered the second priority. Organizations taking on a “new mission” will receive a lower priority, due to the risk that an applicant will not be able to financially support and sustain the “new mission” beyond the grant performance period. Organizations that are replacing used or obsolete equipment will receive lower consideration compared to organizations that are upgrading their equipment for existing services. This is because the criteria development group believes that an organization that is merely replacing equipment is not improving their services when compared to organizations that are upgrading their equipment. The lowest priority is funding equipment to increase an applicant’s available supply (reserve equipment) or to expand an applicant’s services into new mission areas. Finally, equipment that will bring an organization into compliance with State or Federal regulations will receive higher consideration than equipment that has no statutory basis.

### iii. EMS Personal Protective Equipment

AFG allows grant funds to be used to acquire PPE for active EMS first responder personnel, particularly PPE required by OSHA. One of AFG's goals is to protect the health and safety of the public and first responders. To achieve this goal and to maximize the benefit to the EMS community, in FY 2009 AFG will prioritize funding for organizations needing to purchase PPE for the first time. We also will give very high consideration to organizations replacing obsolete or substandard equipment. In these cases, the condition of the equipment to be replaced will be factored into the score, with a higher priority given to replacing equipment that is damaged, torn, or contaminated over equipment that is worn but usable. For organizations replacing old or damaged equipment, those organizations with the oldest equipment will receive the highest priority, and organizations with the newest equipment will receive the lowest priority. In addition, we will give a high competitive rating to EMS organizations with a large percentage of active staff without compliant EMS PPE. However, large organizations with a high number of first responders will receive additional consideration irrespective of their percentage of noncompliant PPE. We will also give a high competitive rating to organizations that want to purchase enough PPE to bring their compliance up to 100 percent. Organizations seeking to purchase PPE for a new mission or to have equipment for a reserve supply will receive the lowest funding priority.

DHS believes that training is of critical importance to any first responder organization, and that equipment is of no use if the operator is not trained to use it. As such, applicants who are not, or will not be, sufficiently trained to use the equipment requested under this activity will not be eligible for funding.

### iv. EMS Wellness and Fitness

For the FY 2009 AFG, effective EMS wellness/fitness activities must offer periodic health screenings, entry-level physical examinations, and immunizations. Applicants for grants in this activity must currently offer, or plan to use grant funds to provide, **all three benefits** in order to receive consideration and funding for any other initiatives under this activity.

After the provision of the three requisite benefits, the criteria development panel recommended providing the highest consideration to candidate physical agility evaluations. Lower priority is given to formal fitness and injury prevention projects, behavioral health management, injury/illness rehabilitation, and employee assistance.

We will afford higher competitive ratings to applicants lacking wellness/fitness programs over applicants who already employ a wellness/fitness program. Applicants already providing the three requisite benefits that wish to expand their wellness/fitness program will receive a slightly lower consideration than applicants seeking to initiate a wellness/fitness program. Finally, since participation is critical to achieving any benefits from a wellness/fitness program, we will give higher competitive ratings to organizations whose wellness/fitness programs mandate participation and are open to all personnel.

## **v. Modifications to EMS Stations and Facilities**

FY 2009 AFG Grants may be used to modify EMS stations, EMS training facilities, and other facilities to protect the health and safety of first responder personnel. Activities involving modifications to facilities are subject to all applicable environmental and historic preservation requirements. Applicants seeking assistance to modify their facilities may undergo additional screening. DHS is required to ascertain to what degree the proposed modifications to EMS stations or facilities might affect an applicant's structures relative to the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. No project can proceed – except for project planning – prior to formal DHS approval. Noncompliance with this provision may jeopardize an applicant's award and subsequent funding.

Eligible projects under this activity must have a direct effect on the health and safety of personnel. Therefore, eligible activities focus on improving personnel safety in EMS stations and other facilities.

We will NOT fund any requests for modifications other than the initiatives listed below:

- 1) Installation of sprinkler systems;
- 2) Installation of smoke and fire alarm notification systems;
- 3) Installation of vehicle exhaust evacuation systems;
- 4) Installation of vehicle mounted exhaust filtration systems;
- 5) Installation of air improvement systems; and/or
- 6) Installation of emergency power generators.

The highest priority has been assigned to sprinkler systems, exhaust evacuation systems, and fire/smoke alarm systems. Lower priority has been assigned to generators, vehicle mounted exhaust filtration systems and air-quality systems.

Grant funds are to be used only to retrofit existing structures that do not have the eligible safety features or to upgrade facilities whose features are outdated. Grant funds under this funding opportunity may not be used for new construction. When requesting funds for modifications to facilities, older structures will receive the highest consideration for funding. NFPA 1500, *Standard on Fire Department Occupational Safety and Health Program*, was first adopted in 1987. In the 2002 Edition of NFPA 1500 (1500 §§ A.9.1.6), NFPA provided extensive guidance concerning exposures to potential carcinogens. Therefore, it is the position of the criteria development panel that first responder organizations should have taken the standard into consideration when planning the construction of new facilities; as such they recommend that requests to upgrade any structures that were built subsequent to 2003 receive the lowest consideration. Again, under no circumstances may grant funds be used to supplement new construction.

More benefit would be derived from modifying EMS stations than from modifying dispatch centers, training facilities, or other EMS facilities. The frequency of use would have a direct bearing on the benefits to be derived from grant funds. In addition, the frequency and duration of a facility's occupancy have a direct relationship to the benefits to be realized from awards under this activity. As such, facilities occupied or otherwise in use, 24-hours-per-day and 7-days-per-week will receive the highest competitive rating. Requests involving facilities that have sleeping quarters will receive a higher competitive rating. Facilities used less than full time will receive lower consideration. Facilities used only occasionally, or on an irregular or part-time basis, will receive the lowest consideration.

#### **b. EMS Vehicle Acquisition**

FY 2009 AFG Grants may be used to acquire new, used, or refurbished EMS vehicles. Funds may also be used to refurbish a vehicle the organization currently owns. New vehicles purchased with AFG funds must be compliant with current General Services Administration standards, specifically KKK-A-1822E, found at <http://apps.fss.gsa.gov/vehiclestandards/assocDocs.cfm#>.

Used apparatus must be compliant with Federal or industry standards for the year the vehicle was manufactured. Refurbished apparatus must also meet applicable standards.

In FY 2009, applicants who serve urban or suburban communities may apply for more than one vehicle. However, awards will be limited to only one vehicle per station. Applicants serving rural communities are limited to one vehicle per application. If a rural applicant submits an application requesting more than one vehicle, we will deem the application ineligible. Applicants awarded vehicle grants under AFG in previous years are eligible for another vehicle award this program year.

Due to the inherent benefits of an ambulance, or any transport vehicle, to an EMS service provider, these types of vehicles are the highest priority compared to non-transport vehicles. Due to the costs associated with obtaining and outfitting non-transport rescue vehicles, non-transport rescue vehicles will receive a lower competitive rating than transport vehicles. Because of the very limited funding for EMS vehicle awards, we anticipate that this program will be very competitive. Therefore, it is unlikely we would fund any vehicles not listed as a "Priority One" this year. Priorities in this year's EMS vehicle program are the same for all communities. The following chart lists priorities in this program area.

<b>EMS Vehicle Program Priorities</b>		
<b>Priority One</b>	<b>Priority Two</b>	<b>Priority Three</b>
<ul style="list-style-type: none"> <li>• Ambulances or transport units to support EMS functions</li> </ul>	<ul style="list-style-type: none"> <li>• First responder non transport vehicles</li> <li>• Operations vehicles (HAZMAT, rescue)</li> </ul>	<ul style="list-style-type: none"> <li>• Command vehicles</li> <li>• Hovercraft</li> <li>• Other specialty vehicles</li> </ul>

As with any request, DHS reserves the right to reduce any vehicle request for assistance, in whole or in part, that DHS deems to be excessive or otherwise contrary to the best interests of this program. AFG funding is meant to supplement, rather than replace, an organization's funding. Grantees must maintain their level of operating expenditures during the grant period at a level equal to, or greater than, the average of their operating expenditures in the two years preceding the year in which assistance is received. (See *Part VI. Section B. Grantee Responsibilities.*) This means that if an organization has a vehicle replacement program where it purchases three new vehicles every year, and that organization is awarded a vehicle grant, that organization will have to maintain its practice of purchasing three new vehicles in the year of the grant in addition to the vehicle(s) awarded under the grant. The vehicle grantee CANNOT use AFG funding as a substitute for their vehicle replacement budget. In order to assure that this requirement is met, DHS may require detailed documentation regarding an applicant's or grantee's vehicle purchasing practices and policies.

As with other eligible AFG activities, one priority of the vehicle acquisition program is the safety of first responders. Therefore, we will give the highest consideration to applicants wanting to replace vehicles that have been converted to use as EMS vehicles, but were not originally designed for EMS and to replace vehicles that did not include seatbelts in their original design. Applicants with these unsafe vehicle characteristics will receive higher consideration over applicants seeking to replace vehicles having these safety features.

Applicants wanting to benefit from this consideration must certify that the unsafe vehicle will be permanently removed from emergency service if awarded a grant. By "permanently removed from emergency service," we mean that the grantee cannot use the vehicle for emergency service, nor may the grantee sell or otherwise transfer title to any individual or organization that will use the unsafe vehicle for emergency service. The grantee may NOT sell an unsafe vehicle to another first responder organization under any circumstances. A grantee who certifies that they will remove the unsafe vehicle from service but then sells the unsafe vehicle to another response organization or otherwise

does not remove the unsafe vehicle from service, is considered to be in default of the grant agreement. Acceptable uses of unsafe vehicles include farm or nursery use, scrap metal, salvage, construction, *etc.*

In addition, more benefit will be realized by funding applicants owning few or no vehicles of the type they are seeking than there would be by providing vehicle funding to an organization with numerous vehicles of the type they are seeking. In assessing the number of vehicles an organization has within a particular class, we will include all vehicles with similar functions. For example, we would include transport vehicles in the same class as ambulances. We will also give a higher competitive rating to applicants who have an aged fleet of emergency vehicles. DHS also reserves the right to consider current vehicle costs within the fire service vehicle manufacturing industry when determining the level of funding that will be offered to the potential grantee, particularly if those current costs indicate that the applicant's proposed purchase costs are excessive.

This grant program will achieve the greatest benefits if we provide vehicles to EMS organizations purchasing basic response vehicles (categorized above in priority order) to meet their existing missions. The highest consideration will be given to EMS organizations that have never owned the vehicles they are requesting or to organizations seeking to replace used or obsolete vehicles. A secondary priority will be to fund EMS organizations seeking to add more vehicles to their existing fleet within their existing mission areas. The lowest priority is funding new apparatus to expand an applicant's services into "new mission" areas. An organization takes on a "new mission" when it expands its services into areas not previously offered, such as an EMS organization seeking funding to create a HAZMAT response team for the first time.

A higher competitive rating will be given to an EMS organization owning few or no response vehicles relative to other organizations serving similar types of communities. A higher competitive rating is also given to organizations that have an aged fleet of vehicles and to organizations with high-mileage vehicles. Organizations with a newer fleet of vehicles, or with vehicles that are not driven extensively, will receive lower consideration. EMS organizations that have formal automatic aid agreements with neighboring departments will receive additional consideration. Organizations with formal mutual aid agreements will receive more consideration than organizations without such arrangements, but not as much consideration as organizations with automatic aid agreements.

Finally, due to the inherent safety benefits to be realized in organizations that utilize a comprehensive driver training program meeting NFPA 1002 or equivalent, we provide a high competitive advantage for applicants who have an established comprehensive driver training program. Applicants seeking driver training with their vehicle request will receive a slightly lower competitive rating. Applicants without a comprehensive driver training program who are not seeking funding for driver training in this application or through other resources will **NOT** be considered for a vehicle award.

No competitive advantage has been assigned to the purchase of standard model commercial vehicles versus custom vehicles, or the purchase of used vehicles versus new vehicles in the preliminary evaluation of applications. The peer review panelists often prefer low-cost vehicles when evaluating the cost-benefit section of the project narratives. We also reserve the right to impose funding limits on requests for vehicles whose costs we deem excessive or otherwise not in the best interest of the program.

## PART II.

# AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the FY 2009 Assistance to Firefighters Grants (AFG), describes the basic distribution method used to determine final grants awards, and identifies all eligible applicants for FY 2009 funding.

### **A. Award Period of Performance**

The period of performance of AFG Grants is 12 months from the date of award. Extensions to the period of performance will be considered only through formal requests to DHS with specific and compelling justifications regarding why an extension is required. Extensions will be considered on a case-by-case basis.

### **B. Available Funding**

This section describes departments and organizations that are eligible to apply for funding under the FY 2009 AFG, the total available funding in FY 2009, and how those funds are allocated. The authority for AFG is derived from the *Federal Fire Prevention and Control Act of 1974* (15 U.S.C. §§ 2229 *et seq.*), as amended. Congress appropriated a total of \$565 million for the FY 2009 AFG. Funds appropriated for the FY 2009 AFG are available for obligation and award until September 30, 2010.

### **C. Specific Funding Parameters**

Congress appropriated a total of \$565 million to carry out the activities of the FY 2009 AFG Program. Congress directed DHS to administer these funds as indicated below.

- Up to 5 percent of appropriated funds may be used for program administration; however, the Executive Branch has limited our use of appropriated funds to 4 percent for administration (\$22.6 million).
- Up to 2 percent of appropriated funds (\$11.3 million) may be used for awards to nonaffiliated EMS organizations.
- No more than 25 percent of appropriated funds (\$141.25 million) may be used for vehicle awards.
- No less than 3.5 percent of appropriated funds (\$19.775 million) must be awarded for equipment and training grants for both fire-based EMS and nonaffiliated EMS.

- No less than 5 percent of appropriated funds (\$28.25 million) must be made available to make grants for fire prevention activities (Fire Prevention and Safety (FP&S) Grants). However, due to the importance of mitigation activities, the FY 2009 FP&S will be allocated \$35 million for grants.
- No less than \$3 million must be awarded for foam and foam-related equipment.

When making awards, DHS must assure that the combined percentage of awards to combination and volunteer departments is equal to, or greater than, the percentage of the Nation's population that these types of departments serve. The National Fire Protection Association has reported (*U.S. Department Profile Through 2007*, issued October 2008<sup>2</sup>) that combination departments protect 34 percent of the Nation's population and volunteer departments protect 21 percent. As such,

- No more than 45 percent of the \$507.4 million available for AFG awards (\$228,330,000) may be granted to career organizations and departments.
- No less than 34 percent of the \$507.4 million available for AFG awards (\$172,516,000) must be granted to combination organizations (organizations and departments with both paid career and volunteer active duty members).
- No less than 21 percent of the \$507.4 million available for AFG awards (\$106,554,000) must be granted to all-volunteer organizations (organizations and departments with no active duty paid career members).

Congress also limited award amounts based on population protected by the applicant, as indicated below.

- Applicants who serve a jurisdiction with a population of 500,000 people or less may not receive grant funds in excess of \$1,000,000 for any fiscal year.
- Applicants who serve a jurisdiction with more than 500,000, but not more than 1,000,000, people may not receive grant funds in excess of \$1,750,000 for any fiscal year.
- Applicants who serve a jurisdiction of more than 1,000,000 people may not receive grant funds in excess of \$2,750,000 for any fiscal year.

The cumulative total of the Federal share of awards in Operations and Safety, Vehicle Acquisition, and Fire Prevention and Safety will be factored when assessing award amounts and any limitations thereto. Applicants may request funding up to the statutory limit on each of their applications (*i.e.*, an applicant who serves a population of less than 500,000 may request up to \$1,000,000 on their Operations and Safety application and up to \$1,000,000 on their vehicle request); however, the applicant would have to choose

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<sup>2</sup> At the time of this writing, the 2008 figures were not available from NFPA.

which application to accept, if the cumulative value of both applications exceeds the statutory limits if awarded.

For the purposes of this program, applications for regional projects will not be included in the host applicant's funding limitations detailed above. Regional applications will be considered independent of, and unrelated to, any other applications that the host applicant may submit and thus will not be included when assessing the host applicant's Federal funding limits. Regional applications, however, will be subject to their own limitation based on the total population that the regional project will serve. For example, a regional project that serves a population of fewer than 500,000 people will be limited to \$1,000,000.

DHS will also continue to separate FP&S Grants from AFG, and will have a separate application period devoted solely to FP&S Grants. The FP&S application period is planned for fall 2009.

In addition, Congress appropriated \$210 million for Staffing for Adequate Fire and Emergency Response (SAFER) Grants in FY 2009. The goal of the SAFER Grants is to help fire departments increase the number of frontline firefighters in order to establish a safer response to fire-related incidents. We anticipate that the application period will be open in the summer of 2009. When available, information about the FY 2009 SAFER Grants will be announced on the USFA Website at [www.usfa.dhs.gov](http://www.usfa.dhs.gov).

#### **D. Awards**

DHS anticipates that between 20,000 and 22,000 applications for assistance will be received during the FY 2009 AFG application period. DHS also anticipates that it will receive over \$3.0 billion in requests. Finally, DHS anticipates that it will award approximately 5,000 grants with the funding available for grants.

## PART III.

# ELIGIBILITY INFORMATION

### A. Eligible Applicants

Eligible applicants for AFG are limited to fire departments and nonaffiliated EMS organizations. Fire departments or nonaffiliated EMS organizations operating in any of the 50 States plus the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and Puerto Rico are eligible for funding.

A “fire department” is defined as an agency or organization that has a formally recognized arrangement with a State, territory, local, or tribal authority (city, county, parish, fire district, township, town, or other governing body) to provide fire suppression to a population within a fixed geographical area on a first-due basis.

A “nonaffiliated EMS organization” is defined as a public or private nonprofit emergency medical services organization that provides direct emergency medical services, including medical transport, to a specific geographic area on a first-due basis but is not affiliated with a hospital and does not serve a geographic area where emergency medical services are adequately provided by a fire department.

In making the determination regarding “adequately provided,” DHS will conclude that any nonaffiliated EMS organization would be eligible if it is “adequately providing” direct emergency medical services at the time of application submission and is in good standing with the community, (*i.e.*, licensed and/or chartered to provide EMS services to the community). Rescue squads that provide direct emergency medical services, including medical transport, to the community they serve are eligible to apply as a nonaffiliated EMS organization.

By “affiliated” we mean receiving any kind of direct support from a hospital in the form of funding, facilities, staff, equipment, or apparatus. Contracting with a hospital on a fee-for-service basis would not constitute an “affiliation” in the context of AFG. Also, for the purpose of these grants, a “hospital” is defined as an organization, clinic, medical center, medical college or university, infirmary, surgery center, or any other institution, association, or foundation that provides medical, surgical, or psychiatric care and/or treatment for the sick or injured.

A municipality (such as a fire district) may submit an application on behalf of a fire or EMS organization when the organization, defined as a fire department or nonaffiliated EMS organization, lacks the legal status to do so, (*e.g.*, when the organization falls within the auspices of the municipality or district). The Alaska Village Initiative, a nonprofit

organization incorporated in the State of Alaska, will also be considered eligible for purposes of receiving assistance under this program on behalf of any Alaskan Native village.

For the FY 2009 program year, each eligible applicant may submit one application for each of the program areas, (*i.e.*, one application for the Vehicle Acquisition program area, one application for Operations and Safety program area, and one application for a regional project). However, if an eligible applicant submits multiple applications in a single program area (for example two regional project applications for which they are a host or two Operations and Safety applications) we will deem all of the applications in that same program area to be ineligible.

For the purposes of these grants, we consider two or more separate fire departments or nonaffiliated EMS organizations that share facilities as being one organization. This determination is designed to avoid duplication of benefits. For example, it would not be cost-beneficial to purchase two firefighting vehicles for two fire departments that share a facility to serve the same community when so many other communities need new apparatus; nor would it be cost-beneficial to buy two sets of equipment for the same firefighters. We believe that two or more organizations that share facilities should be able to satisfy all of their operational needs with one program area application. Thus, if two or more organizations that share facilities each submit an application in the same program area, we will deem all of those program area applications as ineligible.

A fire department can apply for assistance for its EMS unit, provided the unit falls organizationally under the auspices of the fire department. Fire departments may NOT apply for assistance as a “nonaffiliated EMS organization” under the AFG Program. Fire departments that apply as a nonaffiliated EMS organization will have their application deemed ineligible. Likewise, a nonaffiliated EMS organization may NOT apply for assistance as a fire department. If a nonaffiliated EMS organization submits an application as a fire department, we will deem that application to be ineligible.

Non-Federal airport and/or port authority fire or EMS organizations are eligible only if they have a formally recognized arrangement with the local jurisdiction to provide fire suppression or emergency medical services on a first-due basis outside the confines of the airport or port facilities. Airport or port authority fire and EMS organizations whose sole responsibility is suppression of fires or EMS response on the airport grounds or port facilities are not eligible for funding under AFG.

## **B. Ineligible Applicants**

- Fire departments that are Federal, or contracted by the Federal Government, and are solely responsible under a formally recognized agreement for suppression of fires on Federal installations or land are ineligible for funding.

- Fire stations that are not independent entities, but are part of, controlled by, or under the day-to-day operational direction of a larger fire department or agency are not eligible for funding.
- Fire departments that are for-profit departments (*i.e.*, do not have specific nonprofit status or are not municipally based) are not eligible for funding.
- Auxiliaries, fire service organizations or associations, and State/local agencies such as a forest service, fire marshals, hospitals, and training offices are not eligible for funding.
- Dive teams and search and rescue teams, or any similar organizations that do not provide medical transport, are not eligible for assistance as nonaffiliated EMS organizations.

### **C. Cost Sharing**

Cost sharing under AFG is based on the population protected by the grantee. The cost-share breakdown is as follows:

- Fire departments and nonaffiliated EMS organizations serving populations of over 50,000 or more must match the Federal grant funds with an amount of non-Federal funds equal to 20 percent of the total project cost.
- Fire departments and nonaffiliated EMS organizations serving populations between 20,000 and 50,000 must agree to match the Federal grant funds with an amount of non-Federal funds equal to 10 percent of the total project cost.
- Fire departments and nonaffiliated EMS organizations serving areas with a population of 20,000 or fewer must match the Federal grant funds with an amount of non-Federal funds equal to 5 percent of the total project cost.

Regional projects' cost-share will be based on the total population and demographics of the entire region – not the population of the host applicant. All non-Federal match funds must be in cash; in-kind contributions are not acceptable. No waivers of this requirement will be granted except for applicants located in Insular Areas as provided for in 48 U.S.C. § 1469a (which limits the waiver to grants under \$200,000).

The grantee is not required to have the cash match in hand at the time of application, nor at the time of award. But, before a grant is awarded, DHS will contact potential awardees to determine whether the grantee has the funding in hand or if the grantee has a viable plan to obtain the funding necessary to fulfill the matching requirement.

## **D. Allowable Expenses and Cost Restrictions for Fire Departments**

### **1. Firefighter Training**

For FY 2009, eligible uses of training funds include, but are not limited to, tuition, exam and course fees, certification and/or recertification expenses, purchase of training curricula, training equipment (including training trailers and other mobile simulators), training props, and training services (such as instructors). Tow vehicles may be eligible as an expense under this activity if adequately justified; however, we will limit such expenses to \$6,000 per year per application. Compensation to volunteer firefighters for wages lost due to attending training under this activity is an eligible expense if reasonable and justified in the narrative. Overtime expenses paid to career firefighters to attend training, or overtime expenses paid to career firefighters to cover for colleagues who are in training, are eligible expenses if reasonable and justified in the narrative. Although compensation and overtime/backfill expenses are eligible, proposals that contain these costs may be scored less favorably than similar proposals without compensation expenses, due to the cost-benefit element in the evaluation process. Applicants are encouraged to take this into account when formulating their application budget, as it may be better to have a more competitive application than to cover every last expense.

Ineligible activities in this area include the following:

- Construction of facilities, such as classrooms, buildings, towers *etc.*;
- Video-conferencing equipment;
- Firefighting equipment or PPE such as SCBA (for use in training exercises);
- Modular training units that are not trailer-mounted or are otherwise immobile;
- Site preparation to accommodate any training activity, facility, or prop;
- Purchase or lease of real estate; or
- Remodeling that is not directly related to other grant activities.

The necessary remodeling or renovation of an existing facility to accomplish training activities is allowable, if the remodeling or renovation is minor in nature (*e.g.*, limited to minor interior alterations costing less than \$10,000), justified in the narrative, and integral to the completion of the training activities funded by the grant. Remodeling or renovation expenses should be included in the application as an “Other” line-item expense and clearly explained in the narrative.

DHS funds the direct delivery of a variety of classes that can be requested through the State to meet first responders’ training needs. These classes are listed in the course catalog found at [http://www.firstrespondertraining.gov/odp\\_webforms](http://www.firstrespondertraining.gov/odp_webforms).

### **2. Firefighting Equipment Acquisition**

Eligible expenses include expenses necessary to acquire, assemble, and install the requested equipment. Foam and associated equipment used to fight conventional fuel and alternative fuel fires are eligible. Hazardous materials response equipment is eligible.

The cost of training department personnel on the use of the new equipment is eligible, but should be requested under the Training Activity. Compressor systems, cascade systems, or similar SCBA refill systems are eligible expenditures in this area. Remodeling or renovation to an existing facility to accommodate equipment purchased with grant funds are allowable if justified in the narrative, and if the remodeling or renovation is minor in nature (*i.e.*, limited to minor interior alterations costing less than \$10,000). Remodeling that is not directly related to other grant activities is not eligible. Traffic signal preemption systems are eligible. The costs of shipping equipment purchased under this program and applicable sales taxes are also eligible expenses.

Individual communications equipment (portable radios) and mobile communications equipment (including mobile repeaters) are eligible, but telephones and cell phones are not eligible. Under the AFG, DHS will limit funding for portable radios to the number of seated positions based on the applicant's firefighting vehicle fleet unless otherwise justified in the narrative, and will only fund the number of mobile radios required to equip the vehicle inventory listed in the application. We will not fund mobile radios for personally owned vehicles, with the exception of the chief fire officer's personal vehicle if adequately justified in the application. Mobile data systems (MDTs) are eligible. Integrated communications systems such as base stations, computer-aided dispatch, fixed-site repeaters, and wireless and broadband mobile data systems are eligible under this activity.

The purchase of any communications systems or equipment under this activity should have the intent or goal of solving interoperability problems, as applicable. Each State will have the opportunity to review requests for communications equipment, with respect to conformity with the State Communications Interoperability Plan (SCIP). The State representative will certify that such requests are consistent with the State Homeland Security Strategy and do not duplicate or conflict with assistance already provided or imminent. If a State representative determines that an application is either inconsistent with the State strategy or duplicates the State's assistance, that portion of the AFG application will not be funded. Further, applicants within States that have not submitted their SCIP to DHS for review and approval will not be eligible for interoperable communications funding. Any applicant seeking funding for eligible equipment should provide details in the narrative section of the application regarding their local plan to enable or enhance interoperable communications within their jurisdiction as well as their efforts to ensure consistency with their State's interoperability plan.

Equipment used in response to CBRNE incidents is also eligible. Equipment exclusively designed for use in CBRNE incidents is eligible this year and includes special monitoring equipment (biological, radioactive, *etc.*) and CBRNE-related pharmaceuticals for first responders, such as auto-injectors.

Requests for EMS equipment are eligible under this Equipment Acquisition Activity. Eligible expenses for EMS equipment in this activity may include, but are not limited to, defibrillators, basic and advanced life support equipment, universal precaution supplies

(*i.e.*, personal protective equipment), computers, and infectious disease control and decontamination systems.

Items NOT eligible for funding under Firefighter Equipment Acquisition include the following:

- Construction of facilities, such as buildings, sheds to house communications, towers, or other equipment;
- Repeaters that will not be installed or attached to existing infrastructure;
- Warranties and maintenance agreements;
- Sirens or other outdoor warning devices;
- Signage of any kind;
- Telephones, satellite phones, and cell phones;
- Video-conferencing equipment;
- Bomb disposal equipment and robots;
- Vehicles;
- Vehicle exhaust extraction systems (These systems are only eligible when applied for under Modifications to Fire Stations and Facilities below.);
- ATVs;
- Boats that do not have firefighting capability;
- Personal watercraft;
- Medication, and disposable or otherwise expendable supplies (such as gloves, syringes, and cervical collars); or
- PPE, including clothing for structural and wildland fire suppression, such as “turnout gear” or “bunker gear” (including boots, pants, coats, gloves, hoods, goggles, vests, helmets, coveralls, and fire shelters), SCBAs, spare cylinders, and Personal Alert Safety Systems (PASS).

The purchase of PPE is not eligible under Firefighting Equipment Acquisition. The purchase of Personal Protective Equipment is an eligible grant expense, but only when requested under the Personal Protective Equipment Activity. See below.

### **3. Firefighter Personal Protective Equipment**

Application requests for PASS devices will only be considered, if the equipment requested meets current national standards, *i.e.*, integrated and/or automatic or auto-on PASS. This is because of the safety benefits automated PASS devices provide firefighters. Eligible PPE includes clothing for structural or wildland fire suppression, such as “turnout gear” or “bunker gear” (including boots, pants, coats, gloves, hoods, goggles, retro-reflective highway apparel, vests, helmets, coveralls, and fire shelters), SCBAs, spare cylinders, and PASS (within the limits noted above).

If awarded, SCBA replacement will be based on the number of seated positions in the applicant’s fleet (unless the applicant can adequately justify more than one ensemble per seat) and the age of the applicant’s SCBA inventory. Specifically, the criteria development panel recommended that DHS not consider replacement of SCBA that is

compliant to the 1997 Edition of NFPA 1981 nor the 2002 Edition of NFPA 1981. Applicants requesting replacement of newer SCBA will have to provide justification for such a request. If awarded, DHS will limit the number of spare cylinders funded to one spare cylinder for each SCBA requested, unless the applicant can adequately justify more than one spare per unit.

In addition to “turnout gear” and SCBA, protective clothing for response to hazardous materials incidents and other specialized incidents is eligible under this activity. Protective clothing designed for EMS activities or for response to CBRNE incidents is also eligible in this activity. Eligible PPE for EMS activities includes PPE ensembles (coats and trousers) that afford universal precautions against exposure to infectious diseases, *etc.*

Ineligible expenditures under the PPE Activity include the following:

- Three-quarter length rubber boots;
- Bomb disposal suits;
- Uniforms (formal/parade or station/duty) and uniform items (hats, badges, *etc.*); or
- Firefighting equipment or personal communications equipment such as radios, cell phones, and pagers (See Firefighting Equipment Acquisition above).

#### **4. Firefighter Wellness and Fitness**

Eligible expenditures in the firefighter Wellness and Fitness Activity include the following:

- Procurement of medical services from trained medical professionals (MDs or RNs); to ensure the firefighting personnel are physically able to carry out their duties
- Medical examinations that meet NFPA 1582 as adopted by DHS or that meet the IAFC/IAFF wellness and fitness initiative;
- Implementation of IAFC/IAFF peer fitness trainer programs; or
- Costs for personnel, medical physicals, physical fitness equipment (including shipping charges and sales tax as applicable), and supplies directly related to performance of physicals or physical fitness activities.

Ineligible expenditures include the following:

- Transportation expenses;
- Contractual services with anyone other than medical professionals listed above (*e.g.*, health-care consultants, trainers, and nutritionists);
- Fitness club memberships for firefighters or their families;
- Cash incentives;
- Non-cash incentives (t-shirts or hats of nominal value, vouchers to local businesses, or time-off);
- Purchase of medical equipment;
- Purchase of medical examinations that do not meet NFPA 1582 requirements or the IAFC/IAFF wellness and fitness initiative;

- Construction of facilities to house a fitness activity, such as exercise or fitness rooms, showers, *etc.*; or
- Purchase of real estate.

Minor remodeling or renovation to an existing facility are allowable if justified in the narrative, if minor in nature (*i.e.*, limited to minor interior alterations costing less than \$10,000), and integral to the completion of the Wellness and Fitness Activity (*See Part III, Section F. Other Allowable Costs* for more details). Remodeling that is not directly related to other grant activities is not eligible. Remodeling expenses should be included in the budget as an “Other” line-item expense and explained in the narrative.

## 5. Modifications to Fire Stations and Facilities

Grant funds are to be used only to retrofit existing structures that do not have the eligible safety features or to upgrade facilities whose features are outdated. Under no circumstances may grant funds be used to supplement new construction. Additionally, no modification may change the footprint or the profile of a structure.

The American Recovery and Reinvestment Act of 2009 provided \$210 million in funding to DHS to construct new fire stations or modify existing fire stations. That funding opportunity will be announced in the near future and will **NOT** be part of this offering. Under the funding opportunity presented in this guidance, the AFG will only fund projects that **do not** alter the footprint or the profile of an existing structure. Projects for modifications that involve altering the footprint or the profile of an existing structure or projects that involve construction of new facilities will fall under a different funding opportunity. Interested parties should monitor the ARRA Website (at [www.recovery.gov](http://www.recovery.gov)) for updated information on this and other first responder funding opportunities.

When requesting funds for modifications to facilities, older structures will receive the highest consideration for funding. NFPA 1500, *Standard on Fire Department Occupational Safety and Health Program*, was first adopted in 1987. In the 2002 Edition of NFPA 1500 (1500 §§ A.9.1.6), NFPA provided extensive guidance concerning exposures to potential carcinogens. Therefore, it is the position of the criteria development panel that fire departments should have taken the standard into consideration when planning the construction of new facilities; as such they recommend that requests to upgrade any structures that were built subsequent to 2003 receive the lowest consideration. Under no circumstances may grant funds be used to supplement new construction.

When requesting funding for emergency power generators, it is the AFG Program’s expectation that departments will request generators sufficient to provide power for **only** those functions that are operationally imperative (*i.e.*, bay doors, communications equipment, emergency lighting, heat, *etc.*) and no more (*i.e.*, banquet facilities).

There are no monetary limits on the individual initiatives under this activity, but no applicant can request more than \$100,000 per fire station under their authority.

Applicants may request funding for modifications for each station if they have multiple stations, up to the \$100,000 per station limit, as long as the entire request does not exceed the Federal share limit.

The necessary remodeling or renovation of an existing facility to accomplish modification activities is allowable if the remodeling or renovation is minor in nature (*i.e.*, limited to minor interior alterations costing less than \$10,000 and/or requisite activities associated with installation of equipment when 1) occurring immediately adjacent to the facility and 2) the project area has been previously disturbed), justified in the narrative, and integral to the completion of the requested activities. Remodeling or renovation expenses should be included in the application as an “Other” line-item expense and clearly explained in the narrative. Maintenance expenditures such as cleaning or painting of apparatus bays are not eligible under the AFG.

## **6. Firefighting Vehicle Acquisition**

Eligible expenditures under this program include the cost of the vehicle and associated equipment necessary to conform to applicable national standards (NFPA 1901 or 1906). New, used, or refurbished vehicles are eligible; however, any used or refurbished vehicles must conform to the national standards that were in effect the year the vehicle was manufactured. DHS also reserves the right to consider current vehicle costs within the fire service vehicle manufacturing industry when determining the level of funding that will be offered to the potential grantee, particularly if those current costs indicate that the applicant’s proposed purchase costs are excessive.

An allowance for transportation to inspect a vehicle under consideration or during a vehicle’s production would be eligible if reasonable and justified in the grant narrative. Any additional costs associated with the purchase and installation of a vehicle-mounted exhaust filtration system for any vehicle purchased with grant funds would also be eligible. The costs associated with driver-operator training may be eligible for any vehicle award if justified in the narrative.

Applicants will NOT be allowed to modify the scope of work of a vehicle award (*i.e.*, change the type of vehicle to be purchased after the application is submitted). Vehicles contracted for or otherwise purchased prior to the end of the established application period are not eligible for funding. Vehicles contracted for prior to award are not eligible; however, vehicles purchased and *placed into service* prior to award may be eligible if the purchase meets all the conditions of a pre-award expense (See the section on Preaward Costs under “Other Allowable Costs” on page 40 below). ATVs and other specialty access vehicles are eligible, but must be requested as an “other” vehicle in the application’s drop-down menu. Aircraft, bulldozers, and construction-related equipment are not eligible for purchase with AFG funds.

## **E. Allowable Expenses and Cost Restrictions for Nonaffiliated EMS Organizations**

### **1. EMS Training**

Eligible uses of EMS training funds include, but are not limited to:

- Tuition, exam, and course fees;
- Certification or recertification expenses;
- Purchase of training curricula, training equipment, training props, and training services (such as instructors); and
- Attendance at formal training forums or conferences that provide continuing-education credits.

Compensation to volunteer emergency responders for wages lost due to attending training under this activity is an eligible expense if reasonable and justified in the grant narrative. Overtime expenses paid to emergency responders to enable them to attend training, or overtime expenses paid to emergency responders to cover for colleagues in training, are eligible expenses if reasonable and justified in the grant narrative. Although compensation and overtime/backfill are eligible expenses, proposals containing this type of compensation expense may be scored less favorably than similar proposals without compensation expenses due to the cost-benefit element in the evaluation process.

Ineligible activities in this area include the following:

- Construction of facilities, such as classrooms, buildings, and towers;
- Site preparation to accommodate any training activity, facility, or prop; or
- Purchase or lease of real estate.

The necessary remodeling or renovation of an existing facility to accomplish training activities funded by the grant is allowable if the remodeling or renovation is minor in nature (*e.g.*, limited to minor interior alterations costing less than \$10,000), justified in the narrative, and integral to the completion of the training activities funded by the grant. Remodeling that is not directly related to other grant activities is not eligible under this program (See *Part III, Section F. Other Allowable Costs*). Remodeling expenses should be included in the application as an “Other” line-item expense and clearly explained in the narrative.

DHS funds the direct delivery of a variety of classes that can be requested through the State to meet first responders’ training needs. These classes are listed in the course catalog found at [http://www.firstrespondertraining.gov/odp\\_webforms](http://www.firstrespondertraining.gov/odp_webforms).

### **2. EMS Equipment Acquisition**

Eligible expenses for equipment acquisition include basic and advanced life support equipment (ALS) to support first responders through paramedics, with higher priority

given to organizations requesting equipment to support service at the advance life support level. Examples of eligible items available under this section include, but are not limited to the following:

- Basic life-support equipment;
- Advanced life-support equipment;
- Rescue tools;
- Communications equipment (mobile and portable radios);
- HAZMAT and decontamination equipment;
- Computers;
- Automated external defibrillators; or
- Infectious disease control and decontamination systems.

Items that are eligible for funding, but a lower priority, include tents, shelters, generators, lights, and heating and cooling units.

Protective clothing is NOT eligible under this equipment category, but is eligible under the PPE Activity below.

For FY 2009, individual communications equipment (portable radios) and/or mobile communications equipment (including mobile repeaters) are eligible; but, telephones, cell phones, satellite phones, repeaters that will not be installed or attached to existing infrastructure are not eligible. Sirens or other outdoor warning devices are not eligible. Signage of any kind is not eligible.

We will only fund the number of mobile radios required to equip the vehicle inventory listed in the application. We will not fund mobile radios for personally owned vehicles under EMS. Mobile data systems are eligible. Integrated communications systems such as base stations, computer-aided dispatch, fixed-site repeaters, and wireless and broadband mobile data systems are eligible under this activity. The purchase of any communications systems or equipment under this activity should have the intent or goal of solving interoperability problems. Each State will have the opportunity to review requests for communication systems to ensure compliance with statewide interoperable communications plans and the State Homeland Security Strategy. Applicants seeking funding for EMS equipment should provide details in the application's narrative section regarding their local plan to enable jurisdiction-wide interoperable communications.

Any equipment requested under this section, particularly decontamination and HAZMAT equipment, is fundable to the current level of your capabilities (*i.e.*, we will not fund level-A equipment for organizations only trained to the HAZMAT operation level, unless the application also includes a request for training compatible with the equipment request). The costs of shipping any equipment purchased under this program and applicable sales taxes are also eligible expenses. However, warranties and maintenance agreements are NOT eligible.

Other items that are not eligible under the EMS Equipment Acquisition Activity include: vehicles (such as ambulances), vehicle exhaust extraction systems (these systems are only eligible when applied for under Modifications to Fire Stations and Facilities below), ATVs, boats, personal watercraft, equipment used for firefighting, medications, disposable or otherwise expendable supplies (such as gloves, syringes, and cervical collars), body armor, uniforms, and new construction such as communications towers or facilities. The purchase of Personal Protective Equipment is not eligible under EMS Equipment Acquisition. The purchase of PPE is an eligible grant expense, but only when requested under the Personal Protective Equipment Activity. See below.

### **3. EMS Personal Protective Equipment**

Examples of eligible clothing include EMS “turnout gear,” non disposable universal precautionary supplies (*i.e.*, medical PPE), extrication jumpsuits, rescue helmets, gloves, and boots. Protective clothing must meet national standards or local EMS protocols. The purchase of SCBA may also be eligible if the EMS organization has a formally adopted standard operating procedure that requires SCBA availability and adequately justifies the request. If you apply for funding for SCBA, you may be required to submit documentation to support the eligibility of SCBA.

Any equipment requested under this section, particularly decontamination and HAZMAT suits, are fundable to the current level of your training (*i.e.*, we will not fund level-A suits for organizations only trained to the HAZMAT operation level unless the application also includes a request for training compatible with the equipment request). Uniforms (formal/parade or station/duty) and uniform items (hats, badges, *etc.*) are not eligible expenses under this activity. In addition, nonaffiliated EMS organizations may not apply for non-EMS PPE such as body armor, wildland firefighting gear, and firefighting “turnout gear.” Personal communications equipment, such as radios and pagers, are not eligible under this activity, but are eligible under the EMS Equipment Acquisition Activity.

### **4. EMS Wellness and Fitness**

Eligible expenditures in the Wellness and Fitness Activity for EMS personnel may include the procurement of medical services from trained medical professionals (MDs or RNs) to ensure that EMS personnel are physically able to carry out their duties. The purchase of medical equipment is not an eligible expenditure under this category. Eligible expenditures to carry out wellness/fitness activities may include costs for personnel physicals, physical fitness equipment (including shipping charges and sales tax, as applicable), and supplies directly related to the performance of physicals or physical fitness activities.

Ineligible expenses include the following:

- Transportation expenses;
- Contractual services with anyone other than medical professionals listed above (*e.g.*, health care consultants, trainers, and nutritionists);

- Fitness club memberships for EMS personnel and their families;
- Cash incentives;
- Non-cash incentives (t-shirts or hats of nominal value, vouchers to local businesses, or time-off);
- Construction of facilities to house a fitness program (exercise or fitness rooms, showers, *etc.*); or
- Purchase of real estate.

Minor remodeling or renovation to an existing facility are allowable if justified in the narrative if the remodeling or renovation is minor in nature (*i.e.*, limited to minor interior alterations costing less than \$10,000), and if the remodeling is integral to the completion of the wellness and fitness activities funded by the grant. Remodeling that is not directly related to other grant activities is not eligible. Remodeling expenses should be included in the budget as an “Other” line-item expense and explained in the narrative.

## 5. Modification to EMS Stations and Facilities

*The American Recovery and Reinvestment Act of 2009* (Act) provided \$210 million in funding to DHS to construct new fire stations or modify existing fire stations. That funding opportunity will be announced in the near future and will **NOT** be part of this offering. However, the funding provided under the Act may not be available to EMS organizations. Interested parties should monitor the ARRA website (at [www.recovery.gov](http://www.recovery.gov)) for updated information on this and other first responder funding opportunities.

When requesting funding for emergency power generators, it is the AFG Program’s expectation that EMS organizations will request generators sufficient to provide power for **only** those functions that are operationally imperative (*i.e.*, bay doors, communications equipment, emergency lighting, heat, *etc.*) and no more (*i.e.*, banquet facilities).

There are no monetary limits on individual initiatives under this activity. However, no applicant may request more than \$100,000 in modifications per station under their authority. If you have multiple stations, you may request funding for modifications for each station up to this \$100,000 per station limit, as long as the entire request does not exceed the Federal share limit.

The necessary remodeling or renovation of an existing facility to accomplish modification activities is allowable, if the remodeling or renovation is minor in nature (*i.e.*, limited to minor interior alterations costing less than \$10,000 and/or requisite activities associated with installation of equipment when 1) occurring immediately adjacent to the facility and 2) the project area has been previously disturbed); justified in the narrative; and integral to the completion of the requested activities. Remodeling or renovation expenses should be included in the application as an “Other” line-item expense and clearly explained in the narrative. Maintenance expenditures such as cleaning or painting of apparatus bays are not eligible under the AFG.

## 6. EMS Vehicle Acquisition

EMS vehicle awardees will be required to obtain a bond if funds are advanced to the manufacturer and include specific performance requirements and penalties for noncompliance with the requirements as part of the contract with the vehicle manufacturer. Extensions to a grant's period of performance may not be considered if the requisite bond is not included in the purchase contract.

Eligible expenses under this program area would include ONLY the cost of the vehicle and requested driver training. We will NOT provide funding for associated equipment. New, used, or refurbished vehicles are eligible; however, all used or refurbished vehicles must conform to the national standards that were in effect the year the vehicle was manufactured. ATVs, Gators™, and similar equipment are NOT vehicles and are not eligible under this category. DHS also reserves the right to consider current vehicle costs within the fire service vehicle manufacturing industry when determining the level of funding that will be offered to the potential grantee, particularly if those current costs indicate that the applicant's proposed purchase costs are excessive.

An allowance for transportation to inspect a vehicle under consideration, or during a vehicle's production, would be eligible if reasonable and justified in the grant narrative. Additionally, operator training may be eligible for any vehicle award if reasonable and justified in the narrative.

Applicants will not be allowed to modify the scope of work of a vehicle award, (*i.e.*, change the type of vehicle requested after award). Vehicles contracted for, or otherwise purchased, prior to the end of the established application period are not eligible for funding. Vehicles contracted for prior to award are not eligible; however, vehicles purchased and *placed into service* prior to award may be eligible if the purchase meets all the conditions of a pre-award expense (See the section on Preaward Costs under "Other Allowable Costs" on page 39 below). Aircraft, bulldozers, and construction-related equipment are not eligible.

## F. Other Allowable Costs

This section describes additional costs that may be paid using AFG Grant funds.

**1. Administrative Costs:** Administrative costs are allowable under any of the program areas listed above in accordance with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments, or OMB Circular A-122, Cost Principles for Non-Profit Organizations, as applicable. (For more information about Circulars, go to [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).) Applicants may apply for administrative costs if the costs are directly related to the implementation of the program for which they are applying. Administrative costs are identifiable costs directly

associated with the implementation and management of the grant and cannot exceed 3 percent of the award.

If you are requesting administrative expenses, you must list the costs under the “Other” category in the budget, and explain the purpose for the administrative costs in your project narrative. Administrative costs should be based on actual expenses, not a percentage of the overall grant. We will reimburse actual expenses only. Examples of eligible administrative costs include shipping, office supplies, and computers associated with the National Fire Incident Reporting System (NFIRS) reporting requirements. Grant funds may not be used for maintenance agreements, product warranties, insurance, Internet service provider fees, or any similar monthly service fees. The cost of a grant writer (if specifically listed on your application) is eligible and can be charged to the grant as administrative costs in accordance with the provisions outlined in Item 7. below. We will assess the reasonableness of the administrative costs requested in each application and determine if they are reasonable and in the best interest of the program.

**2. Indirect Costs:** Indirect costs are those incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. A cost may not be allocated to an award as an indirect cost, if any other cost incurred for the same purpose, in like circumstances, has been assigned to an award as a direct cost. Typical examples of indirect costs include depreciation or use allowances on buildings and equipment; the costs of operating and maintaining facilities; general administration; and other general expenses, such as the salaries and expenses of executive officers, personnel administration, and accounting.

If you have an approved indirect cost rate, you may charge indirect costs to the grant. If you are charging indirect costs to the grant, you must submit documentation supporting the indirect cost rate to us for review prior to submitting any claims for reimbursement of indirect costs. Appropriate documentation for an approved indirect rate is a federally approved indirect cost rate agreement. We will allow the rate to be applied as long as it is consistent with its established terms. For example, some indirect cost rates may not apply to capital procurements; in these cases, indirect cost rates would not be applicable for an equipment or vehicle grant.

**3. Audit Costs:** Grantees must comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, which states that recipients of Federal funding that expend more than \$500,000 in Federal funds (from all Federal sources) in their fiscal year are required to have a single audit. (For more information about OMB Circulars, go to [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).) If a single audit is required, a portion of the audit cost would be allowable, if included in the application budget. We will allow you to charge a prorated share of the costs of the single audit to the grant. For example, if you expend \$100,000 from the AFG and \$400,000 from the Forestry Service during your fiscal year, we will allow you to charge one-fifth of the audit cost to the AFG Grant. We do not require any other audits; therefore, you cannot charge any other audit expenses to the grant.

**4. Remodeling or Renovation Costs:** Remodeling or renovation to an existing facility are allowable only if minor in nature (*i.e.*, limited to minor interior alterations costing less than \$10,000 and/or requisite activities associated with installation of equipment when 1) occurring immediately adjacent to the facility and 2) the project area has been previously disturbed). To be eligible, the remodeling must be essential to the successful completion of the grant's scope of work. The purchase of real estate and construction costs are not eligible. Construction includes major alterations to a building and/or changes to the profile or footprint of the structure. Enhancements to existing structures such as the installation of apparatus bay ventilation systems and retrofitting fire stations with sprinkler systems are eligible for application under the appropriate fire department or EMS organization Modification to Facilities Activity.

**5. Preaward Costs:** Generally, grantees cannot use grant funds to pay for products and services contracted for or purchased prior to the effective date of the grant. However, expenses incurred after the application deadline, but prior to award, may be eligible for reimbursement if the expenses were justified, unavoidable, consistent with the grant's scope of work, and specifically approved by DHS. We will consider requests for reimbursement for preaward costs on a case-by-case basis.

**6. Pre-application Costs:** Expenses, obligations, commitments, or contracts incurred or entered into prior to the application deadline are not eligible to be included as a grant expense with the exception of grant preparation costs [See G. below].

**7. Grant Writer Fees:** Fees for grant writers may be included as a preaward or pre-application expenditure. Fees payable on a contingency basis are not an eligible expense. For grant writer fees to be eligible as a preaward expenditure, the fees must be specifically identified and listed in the "Request Details" section of the application. In addition, the fees must have been paid prior to any contact with grants management staff or an award (*i.e.*, paid within 30 days of the end of the application period). Applicants may be required to provide documentation to support these preaward expenditures.

Hiring a grant writer, or use of any other third party in preparing the application, does not eliminate the applicant's responsibility for ensuring that information contained in the application is true and correct. Applicants who submit false information with their applications, or misrepresent their organizations in any material manner, will have their applications deemed ineligible by the AFG Program Office and referred to DHS OIG for further action, as appropriate.

**8. Prepayments:** A grantee may not use grant funds to prepay for any products or services in advance of delivery of the products or rendering of services. A down payment for the purchase of a vehicle is allowable if required in the purchase contract, but we will only allow up to 25 percent of the Federal share to be drawn for this purpose. No additional funds beyond the down payment will be provided in advance of the delivery of the vehicle. Any costs over-and-above the 25 percent limit such as the cost of a chassis or any other fees or services must be borne by the grantee or deferred until final payment is drawn. Federal funds may not be used for any other periodic or progress payments,

except the final payment, which should not be requested until after the vehicle is received, inspected, and accepted by the grantee.

#### **G. Reasonableness of a Request**

The peer review panelists will review all of the applications in the competitive range and judge each application on its own merits. The panelists will consider all expenses budgeted, including administrative and indirect costs, as part of the cost-benefit determination, and may recommend appropriate adjustments. Regardless of the eligibility of any costs requested, DHS reserves the right to reduce any requests for assistance, in whole or in part, that DHS deems to be excessive or otherwise contrary to the best interests of this program.

Applicants who submit false information with their applications, or misrepresent their organizations in any material manner, will have their applications deemed ineligible by the AFG Program Office and referred to the DHS OIG for further action, as appropriate.

## PART IV.

# APPLICATION AND SUBMISSION INFORMATION

This section summarized the process for applying for the FY 2009 AFG Grant.

### **A. Automated Grant Application**

Applications under the FY 2009 AFG will be accessible at <https://portal.fema.gov>. The application will also be accessible from the U.S. Fire Administration's (USFA) Website ([www.usfa.fema.gov](http://www.usfa.fema.gov)), and grants.gov Website ([www.grants.gov](http://www.grants.gov)). We have designed the automated application with many built-in "help screens" and "drop-down menus" to assist applicants throughout the application process. The application can be saved and retrieved as many times as needed to complete it - up to the application deadline or the submittal of the application.

***However, once you have submitted your application, you cannot change it.*** You will not be allowed to update your application to correct errors discovered after submission or to reflect changes in your organization's circumstances regardless of severity. You will be automatically notified via e-mail once we have received your application.

An applicant tutorial will be available by the program office. The tutorial explains the grant program, helps applicants with the online grant application, provides tips for navigating the application screens, and summarizes FY 2009 program changes. The tutorial also provides a review of lessons learned during previous grant periods.

You may decide to hire or engage a grant writer to assist you in the application process. However, as the applicant, you are responsible not only for the cost associated with using outside assistance but also for all information contained in your application. By submitting the application, you are certifying that all of the information contained therein is true and is an accurate reflection of your organization. Therefore, prior to submission, please review all work produced by grant writers, or other third parties, on your behalf. Applicants who falsify their applications or misrepresent their organizations in any material manner will have their applications deemed ineligible by the AFG Program Office and referred to the DHS OIG for further action, as appropriate.

Paper applications will be accepted, but are discouraged due to the inherent delays associated with processing them. Also, successful applicants who submitted paper applications must continue to manage their grants via paper, including payment requests, requests for modifications, reporting, *etc.*; whereas, applicants who apply online can perform all of these functions online. In addition, paper applications do not provide the

built-in help that is available to online applicants. Finally, there is no assurance that your paper application is complete when submitted. If you do not have access to the Internet, contact us at (1-866-274-0960) to request a paper copy of the application via regular mail. We will not send paper applications via overnight delivery, fax, or e-mail.

The only eligible paper application is the application that we send you. Do not use any paper application that you did not receive directly from us. Do not print the screens from this year's online application and submit them as a paper application. Do not use a previous year's application. Any paper application that is not in the correct format will be deemed ineligible.

Applications for the FY 2009 AFG will be accepted starting on or about Wednesday, April 15, 2009, at 8:00 a.m. e.d.t. Up-to-date application information will be posted on the AFG and USFA Websites. Completed applications must be received by 5:00 p.m. e.d.t. on Wednesday, May 20, 2009. Applications submitted by mail must be postmarked by May 18, 2009. Applications not submitted electronically must be mailed to:

Fire Grant Program Technical Assistance Center  
U.S. Fire Administration, Room I-207  
16825 South Seton Avenue  
Emmitsburg, Maryland 21727-8998

We will not be responsible for applications mailed to any address other than the address listed above. Late, incomplete, or faxed applications will NOT be accepted. No electronically submitted applications other than those submitted online via the automated grant application system will be accepted.

## **B. Application Process**

Eligible applicants can apply for AFG funding online via the "e-grants" application. The system will allow an authorized representative of an applicant to log in and create a username and password for the applicant. The selection of the authorized representative is at the discretion of each applicant. If your organization submitted an application in previous years, we advise you to use the same username and password used for previous applications. If your organization is submitting more than one FY 2009 application, you must use the same username and password used for prior year applications, as well as for each FY 2009 application.

## **C. DUNS Number**

Effective October 1, 2003, all Federal grant applicants must contain a Dun & Bradstreet Data Universal Numbering System (DUNS) number. The DUNS number helps the Federal Government identify organizations that receive Federal funding and ensures consistent name and address data for electronic grant applications. Additional information about DUNS numbers can be found on the Dun & Bradstreet Website at <http://fedgov.dnb.com/webform/displayHomePage.do;jsessionid=B9E740A165>.

There is no charge to obtain a DUNS number, and it is the applicant's responsibility to obtain one. Extensions may not be granted for applicants who were unable to obtain a DUNS number prior to the end of the application period. Applicants are encouraged to apply for a DUNS number as soon as possible by calling 1-866-705-5711; as it may take several weeks to obtain the number online. The DUNS number must be entered in a special data field on the AFG application.

#### **D. Project Period**

The project period for any award under AFG will be 12 months from the date of the award.

#### **E. Application Details**

As in previous years, the AFG application includes general questions about your organization and community, as well as specific questions about the proposed project. The answers to these questions will be used to evaluate your application and to determine whether your organization serves an urban, suburban, or rural community. Characteristics such as population, water supply, land use, number of stations, call volume, and the number of inhabitable structures over four-stories tall in the jurisdiction indicates the type of community served. For the purpose of AFG Grants, a “story” is the habitable or occupiable space between a floor and a ceiling of a structure. We will allow you to self-declare the type of community you serve; however, we will also use these characteristics to assist us in determining the type of community you serve. If your declaration and our determination differ, you will be prompted to justify your declaration in the narrative section of the application.

The designation of community type is important because we have established different funding priorities in some of the activity areas, depending on the type of community served. These funding priorities are delineated in each program area below, if applicable. The community designation (*i.e.*, urban, suburban, or rural) may also affect the ranking of your application, depending on the program area or activity for which you are applying. This is why you must justify your designation in the narrative of the application if your designation is different from ours.

After completing the general questions, you will be asked a series of activity-specific questions relative to the program area selected and the activities for which you plan to apply. Answer the questions for each of the activities that support your project. Lastly, you will be required to provide a written narrative describing the planned project. The narrative portion of the application should provide details of the activities for which you are seeking funding, including budget details for each activity. The narrative should also describe your organization’s financial need and elaborate on the benefits your community and/or organization will gain from the expenditure of the grant funds. Applications should particularly note how the grant would enhance your department’s ability to protect critical infrastructure. Finally, the narrative should explain the extent to which the grant would

enhance your daily operations and/or how the grant will positively impact your ability to protect life and property.

We recommend that you type your narrative offline in any word processing software, such as Word, Word Perfect, or Notepad. Once the narrative is complete, you can copy it or “cut-and-paste” it from the word processing document into the narrative block of the application. Space for the narrative is limited and cannot exceed five pages. Any narrative beyond the five-page limit will be cut off by the electronic system and will not be a part of your application submission. Do **NOT** type the narrative using only capital letters. For more specific information regarding the application and the narrative section, we advise you to review the applicant tutorial.

## **F. Project Development**

As in previous years, the AFG Program allows applicants to formulate a very comprehensive grant proposal. Depending on the program area for which you apply, your grant proposal may include a number of related “activities” to address all of your needs within a programmatic or functional area. This approach provides you with the opportunity to develop a more comprehensive grant project that addresses a broader range of your organization’s needs. Be advised that your application should include only activities that can be completed within a 1-year period of performance.

In FY 2009, ***you may submit one application per application period in each of the program areas***, (i.e., one application under Operations and Safety, one under Vehicle Acquisition, and/or a separate application as a regional host). If multiple applications are submitted on behalf of one organization within one of these program areas, either intentionally or unintentionally, we will deem all of that organization’s applications in that program area to be ineligible. For example, if any applicant submits two applications for Operations and Safety, both applications will be deemed ineligible.

When formulating your grant proposal(s), keep in mind the legislative funding limits (See Part II.). If an applicant receives awards under both the Operations and Safety and Vehicle Acquisition program areas, the total of both awards cannot exceed the legislatively established funding limit.

### **1. Fire Department Projects**

Fire departments may submit applications for either or both of the following program areas. AFG awards are subject to the statutory funding limitations discussed above. Under Operations and Safety, you may include as many activities within the program area as necessary to meet your needs. The eligible program areas and associated activities for the FY 2009 AFG are listed below.

- ***Firefighter Operations and Safety.*** Eligible activities for fire departments under this program area are limited to training, equipment, PPE, wellness and fitness, and modifications to fire stations and facilities. If an EMS unit

- **Firefighter Vehicle Acquisition.** Eligible apparatus available to fire departments under this program area include, but are not limited to, pumpers, brush trucks, tankers/tenders, rescue vehicles, ambulances, quints, aerials, foam units, and fire boats. Urban and suburban departments may apply for multiple vehicles on one application; however, urban and suburban applications will be limited to one vehicle per station (at the time of the application). Rural fire departments may apply for only **one** vehicle per year. Applications from fire departments that serve rural communities and are requesting more than one vehicle will be deemed ineligible. For FY 2009, there is no restriction on vehicle requests based on previous AFG vehicle awards. Applicants who received vehicles under prior year AFG awards are eligible to receive a vehicle grant in FY 2009. Activities related to a vehicle grant such as driver/operator training and equipment for a vehicle should be included in the vehicle request, not as part of an Operations and Safety request.

As stated above, for FY 2009 you may submit one application for assistance in each of these two program areas. Within your selected program area (Operations and Safety or Vehicle Acquisition), you may develop a comprehensive project to address all of your needs by applying for as many of the eligible activities that you determine are necessary. For example, if you determine that your needs are in the Operations and Safety program area, you could apply for any one of the activities under that program area, any combination of activities, or all of the activities listed within that area. If you need a vehicle, you must apply under the Vehicle Acquisition program area. You may not apply for a vehicle under the Operations and Safety program area. Any equipment or training requested in a vehicle application must be specifically relevant to the requested vehicle and consistent with applicable NFPA standards (1002, 1901, 1961, *etc.*).

## 2. Nonaffiliated EMS Organizations

Nonaffiliated EMS organizations are eligible to apply for assistance during the FY 2009 AFG application period. The nonaffiliated EMS portion of AFG mirrors what is available to fire departments. EMS applicants may apply for assistance under either the Operations and Safety program area or the Vehicle Acquisition program area, or both using separate applications. EMS awards are subject to the statutory funding limitations, as discussed in Part 1 of this guidance. The EMS Operations and Safety program area provides a range of eligible activities that enables applicants to formulate a very comprehensive grant proposal to meet all operational needs. The EMS Vehicle Acquisition area allows applicants to apply for a vehicle to enhance emergency response capabilities and may include operator training, as necessary.

For the FY 2009 application period, you may submit **one application per program area**; however, you are limited to only **one** application in each of the two program areas listed below. Your application should include only activities that can be completed within the 1-year period of performance. EMS program areas and associated activities eligible under the FY 2009 AFG are listed below.

- **EMS Operations and Safety.** Eligible activities available to nonaffiliated EMS organizations under this program area are limited to EMS training, EMS equipment, including PPE, wellness and fitness, and modifications to stations and facilities. Requests for equipment, PPE, and training to prepare for responding to incidents involving CBRNE are eligible for funding under the appropriate activities in this program area. Applicants should ensure that all projects applied for under the grant program are consistent with national standards and address interoperable communications and equipment compatibility.
- **EMS Vehicle Acquisition.** Eligible apparatus available to nonaffiliated EMS organizations under this area include, but are not limited to, ambulances, transport units, and rescue squads. Small specialty access equipment such as ATVs, snowmobiles, and Gators™, or other similar vehicles are not eligible under the vehicles acquisition category or under the EMS Operations and Safety program area. Urban and suburban organizations may apply for multiple EMS vehicles on one application; however, urban and suburban applications will be limited to one vehicle per station in operation (at the time of the application). Rural organizations may apply for only **one** vehicle per year. You may not include equipment for your EMS vehicle in your request; however, your request may include driver/operator training. Applications from EMS organizations that serve rural communities that request more than one vehicle will be deemed ineligible. Previous AFG vehicle grant recipients are eligible to receive a vehicle grant in FY 2009.

### 3. Regional Projects

Any eligible applicant, whether a fire department or a nonaffiliated EMS organization, may act as a “host applicant” and apply for large-scale or regional projects on behalf of itself and any number of organizations in neighboring jurisdictions. A regional project is one in which multiple organizations serving more than one local jurisdiction benefit directly from the activities implemented with the grant funds. A county fire department applying for a countywide communications system is NOT a regional project because it does not benefit multiple “seats-of-government.” Regional projects are designed to facilitate interoperability and efficiency among the participating jurisdictions. As such, the only activities available for application under a regional project are training and equipment acquisition (such as communications equipment) that positively affect interoperability between jurisdictions. Purchase of turnouts, SCBA, wellness and fitness, modification to facilities, and vehicle acquisition activities are not eligible as regional projects.

Regional projects require one eligible applicant to act as the “host” for the project. Regional applications may only include activities that are meant to address the identified regional risk. Regional applications cannot include the purchase of resources or any activities meant solely for the host applicant. As in last year’s program, host applicants in FY 2009 may apply for funding to address their own needs beyond the scope of the regional project in a separate application(s). The “host” will be responsible for fulfilling all grant requirements such as reporting to NFIRS, control of and accounting for the funds, and distribution and control of the property. Additionally, the host is responsible for assuring that the cost share is met. The cost share for regional projects is based on the total population and demographics of the entire region.

DHS has the discretion to waive the legislatively established funding limits under AFG. In order to encourage interest and participation in this critical strategy to address interoperability, DHS may exercise that discretion if the funding of a regional application is at risk of exceeding statutory funding caps, (*i.e.*, the funding of the regional request combined with other AFG awards would cause the host applicant to exceed the legislatively established funding limits).

In general, equipment purchased as a result of a regional project will be physically distributed to all the departments that are beneficiaries of the project. This physical distribution of the equipment to other first responder organizations is the single characteristic that distinguishes eligible regional projects from projects that are not regional in nature but may have an impact on a region via mutual aid. For example, a project that would not be considered to have an affect on interoperability (and thus would not be considered a regional project) would be an application for an air compressor or a hazardous materials (HAZMAT) response vehicle. In this example, the assets would be shared with neighboring departments under mutual or automatic aid agreements, but physically located in

the awardee's department and not disseminated among the participants; as such, this project would not qualify as a regional project.

Examples of viable regional projects would be a multi-jurisdictional communications system or standardization of training. As stated above, regional projects should be designed to address issues of communications or equipment interoperability among multiple jurisdictions.

In order to apply for a regional project, the host organization must:

- 1) be an eligible applicant, (*i.e.*, either a fire department or a nonaffiliated EMS organization – a county, county association, city, or an emergency management organization is **not** eligible and could not apply for a regional project), and
- 2) agree, if awarded, to be responsible for all aspects of the grant including, but not limited to, accountability for the assets and all reporting requirements.

In the regional application, the host organization will be required to describe the characteristics of the entire region that will be affected by the project (*i.e.*, the population of the affected region, not the applicant's "first-due" population). The applicant must provide detailed information in the project narrative describing the nature of the project including the project's budget, the effect the project will have on the region, and the need for the project. This includes a detailed description of the following:

- The proposed project and the project budget.
- The financial need for the project.
- The benefits that would result.
- The extent to which the grant would enhance daily operations.
- How the grant will positively impact the regional ability to protect life and property.

In addition, the applicant must include a list of all the participating organizations that will benefit from the regional project, if the project is approved. Fire departments or nonaffiliated EMS organizations that will benefit from a regional project may also apply for funding under AFG, as long as they are not requesting the same items as the host applicant for the regional project. For example, if a host applicant applies for a multi-jurisdictional communications project, a participating organization that will receive some of the communications equipment can apply for other needs as long as it does not apply for duplicative communications equipment. Host applicants MAY NOT apply for items to address

other needs beyond the regional project on the regional application; but, as indicated above, a host applicant may submit a request to meet its own, non-regional needs in a separate application.

When evaluating the benefits of any regional project, we will take into account the other partners that will be involved in the project, whether they are other fire departments, nonaffiliated EMS organizations, or other public service organizations. We will also take into consideration the extent to which the non-fire/EMS partners will contribute to the overall costs of the regional project.

## PART V.

# APPLICATION REVIEW AND EVALUATION PROCESS INFORMATION

This section summarizes the multi-level review and evaluation process used to select applications for AFG funding.

### **A. Prescreening Process**

As explained earlier, funding priorities and criteria for evaluating AFG applications are established based on recommendations from the criteria development panel. We will rank all submitted applications based on the substance of the application relative to the established funding priorities for the type of community served. Answers to the application's activity-specific questions provide information used to determine each application's ranking relative to the stated priorities.

If you apply for more than one activity in your selected project, each activity will be scored separately. Then the scores will be prorated based on each individual activity's funding level, compared to the total requested funding in your application. For example, under the Operations and Safety program area, if you apply for \$9,000 in training and \$1,000 in equipment, the training portion of the proposal will represent 90 percent of the score and the equipment will represent 10 percent of the score. The number of activities included in the application will not affect the application - negatively or positively.

### **B. Peer Review Process**

Applications that best address the grant funding priorities (as outlined below) will score higher than applications that are inconsistent with the priorities. Applications scoring the highest will be determined to be within the "competitive range" and will undergo further evaluation through a peer review process. It has been DHS practice to review a sufficient number of applications to assure that the AFG Program's goals and objectives will be met. To achieve this, the number of applications reviewed each year is the number of applications whose cumulative requests total 200 percent of the appropriated funding for AFG. As such, with \$565 million appropriated for AFG in FY 2009, DHS will consider approximately \$1.1 billion in applications to be in the competitive range and reviewed by a panel of peers.

A panel of at least three peer review panelists will evaluate each application in the competitive range using the project narrative, along with answers to the general questions and the activity-specific questions. During the panel review process, panelists will provide a subjective but qualitative judgment on the merits of each request.

Applications that include requests for equipment and/or training will be evaluated by the panelists relative to the critical infrastructure within the applicant's area of first-due

response. Critical infrastructure includes any system or asset that, if attacked or impacted by a hazardous event, would result in catastrophic loss of life or catastrophic economic loss. Critical infrastructure includes the following: public water or power systems, major business centers, chemical facilities, nuclear power plants, major rail and highway bridges, petroleum and natural gas transmission pipelines or storage facilities, telecommunications facilities, or facilities that support large public gatherings, such as sporting events or concerts. Panelists will assess such infrastructure and the hazards confronting the community, as explained in the narrative, to determine the benefits that will be realized from a grant to the applicant.

Panelists will evaluate and score the following project elements:

- 1) The clarity of your proposed project, including the project's budget detail.
- 2) The organization's financial need.
- 3) The benefits that would result from an award relative to the cost.
- 4) The extent to which the grant would enhance daily operations.

Each of these four elements carries equal weight when factored into the panelists' scores (*i.e.*, one-fourth).

Each application will be judged on its own merits, not compared to other applications. The panelists will consider all expenses budgeted, including administrative and/or indirect costs, as part of the cost-benefit review. Panelists will review each application in its entirety and rate the application according to the established evaluation criteria.

Keep in mind that we will use the answers to the activity-specific questions when conducting our initial assessment. The answers to these questions are the primary basis for determining whether an application warrants further evaluation through peer review. Applicants whose answers indicate that their project is consistent with the established priorities (as outlined below) will have a better chance of reaching the competitive range and the second level, *e.g.*, the peer review, than those applicants whose projects do not reflect the established priorities. Applicants who submit false information with their applications or misrepresent their organizations in any material manner will have their applications deemed ineligible by the AFG Program Office and referred to the DHS OIG for further action, as appropriate.

Each application that scores high under the peer review process will be deemed in the fundable range. Applications that are in the fundable range will undergo both a Technical Review by a subject matter specialist as well as a Program Office review prior to being recommended for award. In the Technical Review, the subject matter specialists will assess the technical feasibility of the application addressing the needs of the applicant. After the Technical Review, the Program Office will conduct an additional review to

assess the request with respect to costs and quantities and eligibility prior to recommending the application for award.

### **C. State Strategy and Communications Technical Review**

Each State will provide a representative to the AFG Program Office to conduct a technical review of peer-reviewed applications from the State's perspective. This State review will focus on requests for CBRNE-related equipment or training and/or interoperable communications equipment or training. After the panel review process is complete, the designated State homeland security official will review the application to ensure that requests for communications systems conform to the State's SCIP. The State representative will further certify that such requests are consistent with the State Homeland Security Strategy and do not duplicate or conflict with assistance already provided or imminent. If a State representative determines that an application is either inconsistent with the State strategy or duplicates the State's assistance, that portion of the AFG application will not be funded.

### **D. Critical Infrastructure and Key Resources**

DHS maintains a classified list of the Nation's critical infrastructure and key resources. Once the competitive range is established (please refer to the definition of this process in Section B. above), DHS will review the list of applicants who are not included in the competitive range to determine if any those applicants are responsible for protecting critical infrastructure or key resources on this classified list. If it is determined that an applicant has responsibility for protecting one or more critical infrastructure or key resources but is not included in the competitive range, DHS will determine whether it is appropriate to place that application before the peer review panel due to the importance of its mission to protect these critical resources. This action will not affect any other application or otherwise undermine the process used to determine the competitive range. Peer review panelists will not be aware of any applicant's protection of critical infrastructure/key resources and all applications will be peer reviewed against the criteria described in *Part I. Section B.* of this document.

### **E. Anticipated Announcement and Award Dates**

DHS will commence the panel review process within 60 days of the end of the application period. Award decisions for the FY 2009 program will be completed on or before September 30, 2010.

## PART VI.

# AWARD ADMINISTRATION INFORMATION

This section summarizes the administration of awards including award procedures and grantee responsibilities.

### **A. Award Procedure**

Awards will be made using the results of peer-reviewed applications as the primary basis for our decisions, regardless of program. However, there are some exceptions to strictly using the peer review results. For example, the AFG authorizing legislation restricts how the funds may be used. Grant awards for vehicles may not exceed 25 percent of the total appropriated funding, and nonaffiliated EMS organizations may not receive more than 2 percent of appropriated funding. Once we reach these limits, we must deviate from the rank order with respect to the remaining vehicle requests or nonaffiliated EMS requests.

Additionally, career organizations are limited to 45 percent of the available funding and volunteer and combination organizations are required to receive no less than 21 percent and 34 percent of the available funding, respectively. Achieving this delineation may also require deviating from the peer review results.

To fulfill our obligations under the law, we may also make funding decisions using the size and nature of the community served (urban, suburban, or rural), the type of organization (career, combination, or volunteer), and the geographic location of the organization. In these instances where we are making decisions based on geographic location, we will use States as the basic geographic unit. The geographic location of an applicant will be used primarily as a final discriminator, (e.g., in cases where applicants have similar qualifications, we may use the geographic location of the applicants to maximize the diversity of the awardees).

Fire departments that have received funding under the AFG in previous years are eligible to apply for funding in the current year. However, due to our responsibilities under the authorizing statute to assure adequate distribution of awards among certain types of organizations (career, combination, and volunteer) and certain types of communities (urban, suburban, or rural), we reserve the right to fund or not to fund previous grant recipients under this program in order to fulfill statutory requirements. We may also take into account an applicant's performance on prior grants when making funding decisions on current applications.

As stated earlier, each application will be evaluated based on the answers to the activity-specific questions. The applications that best address the established funding priorities will be deemed to be in the "competitive range" and subject to a second-level review.

This second-level review is conducted via a panel of peer reviewers who will assess the application's merits with respect to the detail provided in the narrative on the activity, the applicant's financial need, and the purported benefit to be derived for the cost. The peer reviewers will independently score each application, discuss the merits and shortcomings of the application, and reconcile any major discrepancies, if necessary. A consensus is allowed but not required.

Once every application in the competitive range has been through the panel review, the applications will be ranked according to the average score awarded by the panel. The ranking will be summarized in a Technical Report prepared by the AFG Program Office. The AFG Program Office will then make award recommendations to the grants management specialists in the Financial Accountability and Oversight Division of the Grants Programs Directorate. The grants management specialists will then contact the applicant to discuss and/or negotiate the content of the application before making final award decisions.

We will select a sufficient number of awardees from this one application period to obligate all of the FY 2009 funding available. Awards will be announced over several months as decisions are made. Awards will not be made in any specified order, (*i.e.*, not by State, program, or any other characteristic).

Award amounts are limited based on the population of the jurisdiction. Specifically, an applicant that serves a jurisdiction with a population of 500,000 or less may not receive grant funds in excess of \$1,000,000 for any fiscal year. An applicant that serves a jurisdiction with more than 500,000, but not more than 1,000,000, people may not receive grant funds in excess of \$1,750,000 for any fiscal year. Finally, an applicant that serves a jurisdiction of more than 1,000,000 people may not receive grant funds in excess of \$2,750,000 in any fiscal year.

## **B. Grantee Responsibilities**

AFG award recipients (grantees) must agree to:

- (1) Perform, within the designated period of performance, all tasks (scope of work) as outlined in the grantee's application and approved by the AFG Program Office in accordance with the Articles of Agreement. Failure to adhere to the policies, terms, and conditions of the award as set forth in this document, as well as the award package and all references, including clarifications provided in the AFG Program's frequently asked questions, may result in loss of the current award as well as future eligibility.
- (2) Share in the costs of the projects funded under this grant program. Fire departments and nonaffiliated EMS organizations serving populations of over 50,000 or more must match the Federal grant funds with an amount of non-Federal funds equal to 20 percent of the total project cost. Fire departments and nonaffiliated EMS organizations serving populations between 20,000 and 50,000 must agree to match the Federal grant funds with an amount of non-Federal funds equal to 10 percent of the total project cost. Fire

departments and nonaffiliated EMS organizations serving areas with a population of 20,000 or fewer must match the Federal grant funds with an amount of non-Federal funds equal to 5 percent of the total project cost. Regional project cost-share will be based on the total population and demographics of the entire region. All non-Federal match funds must be in cash; in-kind contributions are not acceptable. No waivers of this requirement will be granted except for applicants located in Insular Areas as provided for in 48 U.S.C. § 1469a.

The grantee is not required to have the cash match in hand at the time of application, nor at the time of award. But, before a grant is awarded, DHS will contact potential awardees to determine whether the grantee has the funding in hand or if the grantee has a viable plan to obtain the funding necessary to fulfill the matching requirement.

(3) Maintain operating expenditures for the 1-year grant period of performance in the areas funded by this grant activity at a level equal to, or greater than, the average of their operating expenditures in the 2 years preceding the year in which this assistance is received. This program is meant to supplement rather than replace an organization's funding.

(4) Retain grant files and supporting documentation for 3 years after the conclusion and closeout of the grant or any audit subsequent to closeout.

(5) Ensure all procurement transactions are conducted in a manner to provide, to the maximum extent practical, open and free competition. Grantees are expected to promote competition and ensure advantageous pricing by soliciting bids from multiple vendors and to select the lowest bidder able to meet the requirements. Procurements shall be made from the bidder whose offer is responsive to the solicitation and is most advantageous to the grantee when price, quality, and other factors are considered. The grantee must follow its established procurement processes when purchasing vehicles, equipment, and services with AFG funds. If the grantee has no established procedures, it should obtain at least two quotes/bids for the items being procured and document the process used in the grant files. Sole-source purchasing is not an acceptable procurement method except in unusual circumstances. Grantees who fail to adhere to their own procurement policy or otherwise fail to fully "compete" any transaction involving Federal funds may find that their expenditures will be questioned and subsequently disallowed.

Specifications developed for solicitations shall clearly set forth all requirements that the bidder shall fulfill in order for the bid or offer to be evaluated by the recipient. However, those specifications may not be so narrowly constructed or contain features which unduly limit, restrict, or eliminate competition unnecessarily. See *also* Item 7 below regarding conflicts of interest.

Grantees shall, on request, make available to DHS, preaward review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, *etc.*, if a) the procurement specifies a "brand name" product, or b) the proposed award is to be awarded to other than the apparent low bidder under a sealed

bid process. Grantees found to be using proprietary specifications may find that their expenditures will be questioned and subsequently disallowed.

(6) Conduct all bidding activities (solicitation, receipt, and evaluation) after award, *i.e.*, during the period of performance. Quotes obtained prior to submittal of the application - for the purposes of applying for this grant - are not considered to be sufficient to satisfy the requirements for competition as outlined at 44 CFR Part 13. Grantees may be jeopardizing their awards if they do not adhere to the requirements set forth herein.

(7) Avoid conflicts of interest in order to ensure objective vendor performance and eliminate a real or an apparent unfair, competitive advantage. Grantees must assure that anyone that develops or drafts specifications, requirements, statements of work (*including the grant application*), invitations for bids and/or requests for proposals are excluded from competing for such procurements. Grantees must assure that no employee, officer, or agent of their organization participates in the selection, award, or administration of any procurement supported by Federal funds if a real or an apparent conflict of interest would be involved. A conflict of interest could arise when any of the following conditions exists:

- a) An officer, employee, or agent of the grantee has a financial or other interest in the vendor selected for the procurement.
- b) Any member of the grantee's officers', employees', or agents' immediate family has a financial or other interest in the vendor selected for the procurement.
- c) An organization which employs a grantee's officer, employee, or agent, is a vendor or has a financial or other interest in the vendor selected for the procurement.

For the purposes of this program, we consider volunteers of an organization and grant writers to be employees, officers and/or agents of the grantee. As such, grantees must assure that no volunteer or member of their organization or anyone involved in the application for funding participates in, or benefits from, the procurement if Federal funds are involved. Grantees who select vendors that employ volunteers or members of the organization will have to document how they avoided a conflict of interest during their procurement process. Grantees who fail to fully document their purchases may find that their expenditures will be questioned and subsequently disallowed.

(8) Submit a performance report to DHS after 6 months as well as a final closeout report. If a grant's period of performance is extended for any reason, the grantee must submit performance reports every 6 months until the grant is closed out. At grant closeout, the grantee must report how the grant funding was used and the benefits realized from the award in a detailed final report. An accounting of the funds must also be included. Applicants should be aware that prior performance including timely submission of performance and closeout reports will be taken into consideration in evaluating future awards.

(9) Make grant files, books, and records available, if requested, for inspection to ensure compliance with any requirement of the grant program. Grantees are required to maintain and retain backup documentation such as bids, quotes, and cost/price analyses on file for

Federal auditors. The required documentation for federally funded purchases should include specifications, solicitations, purchase orders, invoices, cancelled checks, copies of competitive quotes or proposals, and basis for selection. Grantees who fail to fully document their purchases may find that their expenditures will be questioned and subsequently disallowed.

(10) If the grantee is a fire department, agree to provide information through established reporting channels to the USFA NFIRS for the period covered by the assistance. Nonaffiliated EMS organizations do not have to comply with the NFIRS reporting requirement. If a fire department does not participate in the incident reporting system and does not have the capacity to report at the time of the award, that grantee must agree to provide information to the NFIRS system for a 12-month period commencing as soon as they develop the capacity to report. We expect non-reporting grantees to pursue the capacity to report immediately after notification of award, and for these non-reporting grantees to be actively reporting to NFIRS within the approved period of performance. AFG Program grantees from previous years will not be allowed to closeout their grants until they demonstrate that they are complying with this requirement. Failure to close out previous years' grants may affect the consideration of future awards.

(11) Follow the audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Grantees who expend \$500,000 or more in Federal funds during the year they were awarded (from all Federal sources) must have a single audit performed in accordance with the Circular. (For more information about the Circulars, go to [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).)

(12) Comply with Homeland Security Presidential Directive-5 (HSPD-5). Starting October 1, 2004, HSPD-5 requires all recipients of Federal preparedness funding – including recipients of Federal grants and contracts – to adopt NIMS as a condition for receipt of Federal funds. Recipients of FY 2009 AFG funds must comply with this directive. AFG recipients will be considered in compliance with this NIMS requirement if the grantee: 1) has an operational knowledge of ICS; 2) has an understanding of NIMS' principles and policies; and 3) agrees to adopt and/or comply with all directives, ordinances, rules, orders, edicts, etc., passed down by local or State authorities with respect to incident management. Organizations already trained in ICS do not need retraining if the previous training was consistent with DHS standards. In order for us to document compliance, grantees will be required to certify their recognition of NIMS/ICS as part of the grant closeout process.

(13) Vehicle awardees are required to obtain a prepayment bond if they advance any funding to the vehicle manufacturer. Vehicle awardees may be required to submit documentation regarding their purchase as a condition of receiving payment.

(14) Vehicle awardees are required to include a performance clause in their contract. The clause will specify a delivery date for the vehicle under contract and include a provision for penalty for non-delivery on the specified date. Non-delivery by the contract's guaranteed date will require a penalty for nonperformance that is no less than \$100 per

day until the date that the vehicle is delivered. Delivery is not acceptable unless the vehicle is operational, functioning, and ready to be placed in service.

### **C. Monitoring**

Grant recipients will be monitored periodically by DHS staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, performance and administrative issues relative to each project and will identify areas where technical assistance and other support may be needed.

### **D. Grant Closeout Process**

Within 90 days after the end of the period of performance, grantees must submit a final closeout report detailing all accomplishments throughout the project. The grantee is responsible for returning any funds that have been drawn down but remain as unliquidated in grantee financial records. After the closeout report has been reviewed and approved by DHS, a closeout notice will be completed to close out the grant.

## PART VII.

# FEMA CONTACTS

This section describes several resources that may help applicants in completing an AFG Grant application.

**AFG Help Desk.** AFG staffs a help desk throughout the application period. The help desk can provide assistance with navigation through the automated application as well as provide programmatic assistance with respect to questions of eligibility. The help desk can be contacted at 1-866-274-0960 or via email at [firegrants@dhs.gov](mailto:firegrants@dhs.gov). The help desk hours of operation during the application period are from 8:00 a.m. to 8:00 p.m., Monday through Friday; and 9:00 a.m. to 4:00 p.m., on Saturday. All times listed are eastern daylight times.

**DHS Regional Fire Program Specialists.** Each of the DHS Regions has specialists that can assist applicants with the application process. Interested parties may contact the AFG helpdesk for information on the nearest regional specialists.

## PART VIII. OTHER INFORMATION

### Excess Funds

Occasionally, due to successful competitive bid processes, some grantees have funds remaining after the completion of the obligations outlined above. Fire department grantees have four options for the use of the excess funds if they complete the approved scope of work prior to the end of the performance period. Requests for use of excess funds must be submitted for consideration prior to the end of the approved period of performance, and any initiatives requested must be completed within the approved period of performance or within a reasonable extension to the period of performance (e.g., 3 to 4 months after the period of performance). The four options are as follows:

- (1) Grantees may use the greater of 1 percent of their award amount or \$5,000 to continue or expand the activities for which they received the award. For example, if a grantee has funds remaining after completion of the activities listed in their grant agreement, the grantee may use excess funds (subject to the above limitation) to purchase other eligible items without seeking DHS approval.
- (2) Grantees may use excess funds to create or expand a fire or injury prevention project. Excess funds above the amounts discussed in paragraph (1) above must be used for fire or injury prevention activities or returned to DHS [See option (3) below]. In order to use excess funds for fire or injury prevention activities, a grantee must submit an amendment to their grant. The amendment request should explain the following:
  - i) Fire or injury prevention efforts currently underway in your organization.
  - ii) Where the use of excess funds would fit within your existing efforts, if applicable.
  - iii) What fire or injury problem you are trying to address with these funds.
  - iv) The target audience for your fire or injury prevention project(s), and how this audience was identified.
  - v) How you will implement/deliver your project(s).
  - vi) How you will evaluate the effectiveness of the requested fire or injury prevention project(s).
- (3) Grantees may use up to 50 percent of their excess funds for training and/or wellness/fitness activities. In order to implement this option, the grantee must submit

an amendment and explain the proposed project and the timeframe to complete the project.

- (4) Grantees may return excess funds to DHS. To exercise this option, a grantee must closeout their grant and state in the final performance report that the remaining funds are not necessary to fulfill grant obligations. The grantee must also indicate that they understand that the funds will be deobligated and unavailable for future expenses. Deobligation of excess funds will decrease the Federal portion of the grant and the amount of the grantee's match.

Fire department grantees who complete the approved scope of work prior to the end of the performance period and still have grant funds available may use the excess funds in a combination of activities from the options above. Nonaffiliated EMS organizations that have excess funds may exercise the same options as a fire department; however, EMS organizations may not expend grant funds for fire prevention activities. Rather, EMS organizations are restricted to uses that only involve injury prevention projects and initiatives.

## APPENDIX.

# OTHER ADMINISTRATIVE INFORMATION

This section describes several other Federal requirements with which applicants will need to comply in order to be considered for funding from the AFG Program.

**Freedom of Information Act (FOIA).** DHS recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under FOIA. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment, and strategic planning process. The applicant may also consult DHS regarding concerns or questions about the release of information under State and local laws. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.

**Compliance with Federal civil rights laws and regulations.** The grantee is required to comply with Federal civil rights laws and regulations. Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following:

- *Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d* – no person on the grounds of race, color, or national origin will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794* – no qualified individual with a disability in the United States, shall, by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance.
- *Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et. seq.* – discrimination on the basis of sex is eliminated in any education program or activity receiving Federal financial assistance.

- *The Age Discrimination Act of 1975, as amended, 20 U.S.C. § 6101 et. seq.* – no person in the United States shall be, on the basis of age, excluded from participation in, denied the benefits of or subjected to discrimination under any program or activity receiving Federal financial assistance.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

**Services to Limited English Proficient (LEP) Persons.** Recipients of Federal financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, See <http://www.lep.gov>.

**Environmental and Historic Preservation Compliance.** DHS is required to consider the potential impacts to the human and natural environment of projects proposed for Federal funding. DHS, through its Environmental and Historic Preservation (EHP) Program, engages in a review process to ensure that FEMA-funded activities comply with various Federal laws including: National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; Endangered Species Act; and, Executive Orders on Floodplain Management (11988), Protection of Wetlands (11990), and Environmental Justice (12898). The goal of these compliance requirements is to protect our nation's water, air, coastal, wildlife, agricultural, historical, and cultural resources, as well as to minimize potential adverse effects to low-income and minority populations.

The grantee shall provide any information requested by DHS to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact EHP resources cannot be initiated until DHS has completed its review. Grantees may be required to provide detailed information about the project, including the following: location (street address or map coordinates); description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, *etc.*; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation, such as site and facility photographs, project plans, maps, *etc.*; and possible project alternatives.

For certain types of projects, DHS must consult with other Federal and State agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for protecting natural and cultural resources. For projects with the potential to have significant adverse effects on the environment and/or historic properties, DHS' EHP review and consultation may result in a substantive agreement between the involved parties outlining how the grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects.

Because of the potential for significant adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use these funds toward the costs of preparing such documents and/or implementing treatment or mitigation measures. Failure of the grantee to meet Federal, State, and local EHP requirements, obtain applicable permits, and comply with any conditions that may be placed on the project as the result of the DHS EHP review may jeopardize Federal funding.

Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of DHS, including but not limited to communications towers, physical security enhancements, new construction, and **modifications to buildings, structures and objects** that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify DHS and the appropriate State Historic Preservation Office. **Any facility modification projects or activities that have been initiated without the necessary EHP review and approval will result in a noncompliance finding and will not be eligible for FEMA funding.**

For more information on DHS' EHP requirements, grantees should refer to DHS Information Bulletin #271, *Environmental Planning and Historic Preservation Requirements for Grants*, available at <http://ojp.usdoj.gov/odp/docs/info271.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.