

**Grant Application Instructions and Guidance  
FY 2009 Homeland Security Grant Program  
Kentucky Office of Homeland Security**

- All applications must comply with the published state and federal criteria.
- The Kentucky Office of Homeland Security Grant Application can be accessed on-line at <http://www.homelandsecurity.ky.gov>
- The U.S. Department of Homeland Security FY 2009 Homeland Security Grant Program (HSGP) Guidelines can be accessed on-line <http://www.fema.gov/government/grant>
- The FY 2009 Authorized Equipment List (AEL) can be found on-line at <https://www.rkb.us>
- Only eligible applicants may apply for HSGP funds. Eligible applicants include units of government: City or County Governments, Area Development Districts, Merged Units of Government, Universities, etc.
- The lead applicant is responsible for grant funds and administration: including but not limited to assurances and audit requirements, maintenance or records, etc.
- An agency may submit multiple applications; however, each application must contain only one project and reflect only one funding category.



## Grant Application Checklist

This checklist is for your convenience in preparing, completing and submitting your grant application.

**A complete application submission must contain the following:**

- Application Cover page, *including appropriate signatures.*
- Sections I-IV
- Grant Terms and Conditions Certification signed by Authorizing Official
- Partnering agency letters of Commitment
- City/County Resolution
- Other Attachments
- Environment Documents (if necessary):
  - State Clearinghouse documentation
  - Written request for construction
  - NEPA checklist
  - Maps
  - Photographs

**Prior to Submission Check All Forms for Required Signatures**

- **Send the Original and five (5) hardcopies of the completed grant application to:**

**Grants Management Branch  
Kentucky Office of Homeland Security  
200 Mero Street  
Frankfort, Kentucky 40622**

**All copies of application should be stapled.** *Do not submit applications in binders, plastic cover or bound in any way.*

For questions about this application, email Holly Downey at [holly.downey@ky.gov](mailto:holly.downey@ky.gov) or call 502.564.2081.

**Applications MUST be received by Close of Business (4:30 p.m. EST) Friday, May 22, 2009.**

**FY 2009 Kentucky Office of Homeland Security Grant Application CFDA #97.067**

<b>KOHS USE ONLY</b>	#09-
Date Received	Application Number

**Lead Applicant Agency**

(City of, Fiscal Court, ADD, University) \_\_\_\_\_

**County Name** \_\_\_\_\_ **County Code** \_\_\_\_\_

**Partnering Cities/Counties/Agencies** \_\_\_\_\_

<b>Organization</b> (Circle as appropriate in each line)	City	County	ADD	University	Other
	Law Enforcement	Fire	EMS	Hazmat Team # _____	Other

**Please provide:** House District \_\_\_\_\_ Senate District \_\_\_\_\_ ADD District \_\_\_\_\_

**Proposal Information:** Is this a continuation of a Homeland Security Grant? If so, identify the project(s)    Y    N

**Project Name and Number:** \_\_\_\_\_ **Amount:** \_\_\_\_\_

Is this a construction project?    Y    N      Describe: (tower, fence, repeater, etc.) \_\_\_\_\_

**Local Project Title:** \_\_\_\_\_

Please check the Investment Justification which best describes your project:

- \_\_\_\_\_ Special Team Response Enhancement
- \_\_\_\_\_ Enhanced Communications
- \_\_\_\_\_ Critical Infrastructure Protection

**Approvals**

FY 08 NIMS Compliance	Y	N	
Mutual Aid Agreement with KSP	Y	N	Date of Agreement _____
KWIEC	Y	N	Date of Approval _____
After Action Report (AAR) recommended this project	Y	N	Date(s) of Event _____ Exercise _____

**Budget Summary**    *Select only ONE project per application. Complete ONE budget line and circle ONE project category.*

\$ \_\_\_\_\_ Communications:    MDC    911    Radio    Tower    Alert Systems    Other

\$ \_\_\_\_\_ Equipment:    Decon    Detection    PPE    CBRNE    Physical Security    IED    Other

\$ \_\_\_\_\_ **Total Amount Requested**

	Authorizing Official	Project Director/Contact	Financial Officer
Name:	_____	_____	_____
Title:	_____	_____	_____
Address:	_____	_____	_____
City, Zip:	_____	_____	_____
Phone No:	_____	_____	_____
Fax No:	_____	_____	_____
Email:	_____	_____	_____
Original Signatures	_____	_____	_____

**Kentucky Office of Homeland Security Grant Program  
FY 2009 Homeland Security Grant Application**

Please address all points in sequence. Responses should include all jurisdictions participating in the applications. Responses to each Section should be labeled; however do not exceed page limits for each Section. Please use the standard Times New Roman font, 12 pt. with 1" margins.

**SECTION I: STRATEGY**

**Section I.A. – Strategy – Project Description  
(Maximum of 2 pages)**

Describe your problem and solution in two pages or less. This narrative should include the following:

- Describe your understanding of the terrorism and natural hazard risks that your area faces. Explain how this understanding influenced the development of this project. Submit supporting documentation as applicable.
- The community **problem** you are addressing.
- Any emergencies or incidents that may have brought this need to your attention.
- The **solution** you are proposing to meet the above issue. Describe, at a high-level, what activities will be implemented and what will be accomplished by this project.
- Who benefits from the project (fire or police department(s), one county, multiple counties, etc.)?
- Identify any public/private partnerships which will result from this project.
- If this project is a continuation project, provide a description of the current state of this project.

**Section I.B. – Strategy - Project Specific Information** *Please answer **ONLY ONE** of the following sections:*  
(Maximum of 1 page)

a. ***MDC Project***

- Please list the total number of marked or unmarked response vehicles by discipline (law enforcement, fire, EMS, etc.) for each participating community.
- Please list the number of marked or unmarked response vehicles that currently have MDCs installed by discipline (law enforcement, fire, EMS, etc.) for each participating community.
- Please list the number of marked or unmarked response vehicles that currently have received funding for MDCS by discipline (law enforcement, fire, EMS, etc.)
- Please list the number of marked or unmarked response vehicles by discipline (law enforcement, fire, EMS, etc.) for which you are requesting MDCs.

b. ***9-1-1 Project***

- What is the age of your current 9-1-1 equipment?
- What is the fee on your landline phones?
- How many telecommunicators are employed in your 911 facility? Please list the number of full-time and part-time telecommunicators.
- Does your facility dispatch 24/7?
- Identify the agencies for which you dispatch.
- Is your 911 data base on/off site?
- How current is your mapping data?
- How often is your mapping data updated?
- Do you collect structure points?
- Are you Phase II compliant?
- Are you certified by CMRS?

***c. Radio Project***

- Identify the personnel by discipline that your agency supports with radio equipment.
- What is the age of your current equipment? Include hand held radios and car radios.
- List the frequency bands that are used in your area.
- Is the requested equipment P25 compliant or P25 upgradeable?

***d. Communications Infrastructure Project (Tower, Other)***

- Describe the equipment that is requested (tower, etc.)
- What is your current percentage of communication coverage?
- Does this project include any construction?
- If appropriate, provide a map of existing tower and the range of coverage for each.
- Have any studies, reports or surveys been completed that provide information on environmental resources/impact or historic properties in the area?

***e. Specialty Team Response Equipment (Decon, Detection, PPE, CBRNE, Other)***

- Do you have a comprehensive equipment schedule that includes required equipment, equipment on hand, and needed equipment?
- Does this equipment replace any existing inventory?
- Describe your training plan in order to use this specialized equipment.
- Are required physicals already budgeted?

***f. IED Attack Deterrence, Prevention and Protection Project***

- Does the project enhance public and private sector IED awareness?
- Does this project reduce critical infrastructure and soft target explosive attack vulnerabilities? If so, please describe.
- Does this project include multi-jurisdiction explosive attack prevention planning?
- Does this project enhance explosive device pre-detonator response operations so that bomb squads have the necessary tools to defeat active or suspected devices?

***g. Critical Infrastructure Project (Physical Security, Other)***

- Is the critical infrastructure owned by the applicant agency? If not, who owns it?
- Does this equipment replace any existing inventory?
- Have any studies, reports or surveys been completed that provide information on environmental resources/impact or historic properties in the area?

**SECTION II: IMPLEMENTATION**

**Section II.A. – Implementation - Funding Plan Budget**

Provide the total estimated cost to implement this project by completing the following table:

FY 2009 Homeland Security Grant Program					Optional Cost Sharing		Grand Total
AEL #	Equipment Requested	Total Cost per Unit	Number of Units Requested	Total Cost	Cash	Percentage	
	<b>Totals</b>						

**Section II.B. – Implementation - Funding Plan Narrative  
(Maximum of 1 page)**

Provide a narrative that includes the following appropriate information:

- A brief summary of the planned expenditures
- The necessity and reasonableness of all project costs
- If you are replacing old equipment with this project, please describe the age and condition of the old equipment
- Discuss how you plan to maintain and replace this equipment
- If this project includes optional cost sharing funds, provide documentation for the source of these funds.

**Section II.C. – Implementation - Accomplishments (Maximum of 2 pages)**

Identify up to three accomplishments that will be achieved by this project. For each accomplishment:

- Provide the planned end date for when the accomplishment will occur. For planning purposes, the start date should be October 1, 2009.
- Identify at least one milestone that will indicate the project is progressing towards the accomplishment
- Identify at least one challenge that may impede the achievement of the accomplishment

<b>Accomplishment 1:</b>	
	<b>Milestones:</b>
	<b>Challenges:</b>

<b>Accomplishment 2:</b>	
	<b>Milestones:</b>
	<b>Challenges:</b>

<b>Accomplishment 3:</b>	
	<b>Milestones:</b>
	<b>Challenges:</b>

**Section II.D. – Implementation – Project Management (Maximum of 1 page)**

Describe the management team that is directly responsible for the implementation of this project. Specifically, describe any key project roles and responsibilities, structures, and subject matter expertise required by this project, including at least the project manager and the grant management structure. An organizational chart may be included in the response.

## **SECTION III: IMPACT**

### **Section III.A. – Impact - Impact on Identified Risk**

#### **(Maximum of 1 page)**

Describe how achieving this project's accomplishments will reduce your identified risk as described in Section I.A. – Project Description. Include why your community will be better prepared for emergencies if the grant is awarded.

### **Section III.B. – Impact – Sustainability**

#### **(Maximum of 1 page)**

Describe the long-term approach to sustaining the capabilities created or enhance by this project, or explain why this project will not be sustained.

## **SECTION IV: ATTACHMENTS**

### **Section IV.A. – Attachments – Additional Supporting Documents**

#### **(Use as many pages as necessary for this section)**

If the uniqueness of your project has not been captured from the questions above and you would like to provide any additional relevant information, please insert additional narrative or graphic attachments.

### **Section IV.B. – Attachments – Environmental Documents**

Projects involving communication towers (including the placement of equipment on an existing tower), physical security enhancements, new construction, renovation, and modifications to buildings and the structures that are 50 years old or older require an environmental review. The following documents must be provided with this application:

1. The date your application was provided to the State Clearinghouse for review and your State Application Identification (SAI) Number **or** a copy of the completed State Clearinghouse review.
2. Completed National Environmental Policy Act (NEPA) Compliance checklist
3. A formal written request for construction with all the essential elements and information mentioned in the FEMA Information Bulletin #271.
  - Description of the asset or facility, asset location including latitude/longitude, whether the infrastructure is publicly or privately owned, and the construction or renovation project
  - Certification that a facility vulnerability assessment has been conducted for the facility
  - An outline addressing how the construction or renovation project will address the identified vulnerabilities from the assessment
  - Consequences of not implementing the construction or renovation project
4. Maps indicating location(s) of proposed project
5. Photographs of the location(s) of proposed project

## Grant Terms and Conditions

NOTE: The grant terms and conditions must be submitted with grant application

1. **Allowable Costs:** The allowability of costs incurred under any grant shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars and the FFY 2008 U.S. Department of Homeland Security, Grant Program Guidance and Application Kit.
2. **Americans with Disabilities Act of 1990 (ADA):** The sub grantee must comply with all requirements of the Americans with Disabilities Act of 1990 (ADA), as applicable.
3. **Applicable Federal Regulations:** The Sub grantee must comply with the Office of Management and Budget (OMB) Circulars, as applicable: A-21 Cost Principles for Educational Institutions; A-87 Cost Principles for State and Local Governments; A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions; and, A-122 Cost Principles for Non-Profit Organizations.
4. **Audit Requirements:** The sub grantee agrees to comply with the requirements of OMB Circular A-133.  
*Audit Threshold:*
  - ❖ Non-Federal entities that expend \$500,000 or more in federal funds (from all sources including pass-through sub awards) in the organizational fiscal year shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133.
  - ❖ Non-Federal entities that expend less than \$500,000 a year in federal awards are exempt from federal audit requirements for that year. Records must be available for review or audit by appropriate officials including KOHS, the federal agency, and the General Accounting Office.*Audit Due Date.* Audits are due to KOHS no later than nine (9) months after the close of each fiscal year during the term of the award.  
*Audit Compliance.* If a compliance audit is not required, a written certification must be provide at the end of each audit period stating that the sub grantee has not expended the mount of federal funds that would require a compliance audit.
5. **Availability of Federal Funds:** This grant award is contingent upon availability of federal funds approved by Congress.
6. **Bidding Requirements:** The sub grantee must comply with proper competitive bidding procedures as required by 28 CFR Part 66 (formerly OMB Circular A-102) or OMB Circular A-110, as applicable. On any items, including those bids in the aggregate, whose total cost is less than \$5,000, the bids do not have to be submitted to the KOHS for review and approval; but adequate documentation must be maintained in the sub grantee's files. On any items, including those bids in the aggregate, whose total cost is \$5,000 or more, bids must be submitted to KOHS, if requested.
7. **Bonding:** It is strongly recommended that all officials identified on this grant who have authority to obligate, expend or approve expenditures be bonded for an amount no less than the total amount of the grant.
8. **Civil Rights Compliance and Notification of Findings:** The sub grantee will comply with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1964, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Homeland Security's Non-Discrimination Regulations, 28 CFR Part 42, Subparts C,D,E, and G; and Department of Homeland Security's regulations on disability discrimination, 28 CFR Part 35 and 39. In the event a Federal or State Court, Federal or State administrative agency, or the Sub grantee or Contractor makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the Sub grantee or Contractor will forward a copy of the findings to KOHS who will, in turn, submit the findings to the Department of Homeland Security and the Office of Justice Programs' Office of Civil Rights.
9. **Closed-Captioning of Public Service Announcements:** Any television public service announcement that is produced or funded in whole or in part by any agency or instrumentality of the federal government shall include closed captioning of the verbal content of such announcement.
10. **Compliance Agreement:** The sub grantee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by KOHS. Failure to comply could result in a "Stop Payment" being placed on the grant.
11. **Compliance with Section 504 of the Rehabilitation Act of 1973 (Handicapped):** All recipients of federal funds must comply with Section 504 of the Rehabilitation Act of 1973. Therefore, the federal funds recipient pursuant to the requirements of the Rehabilitation Act of 1973 hereby gives assurance that no otherwise qualified handicapped person shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The recipient agrees it will ensure that requirements of the Rehabilitation Act of 1973 shall be included in the agreements with and be binding on all of its sub grantees, contractors, subcontractors, assignees or successors.
12. **Confidential Information:** Any reports, information, data, etc., given to, prepared or assembled by the sub grantee under this grant (which KOHS requests to be kept confidential) shall not be made available to any individual or organization by the sub grantee without prior written approval of KOHS.
13. **Conflict Of Interest:** Personnel and other officials connected with this grant shall adhere to the requirements given below:  
*Advice.* No official or employee of a state or unit of local government or of non-government grantees/sub grantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative agreement, claim, controversy, or other particular matter in which these funds are used, where to his knowledge he or his immediate family, partners, organization other than a public agency in which he is serving as officer, director, trustee, partner, or employee or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

*Appearance.* In the use of these grant funds, officials or employees of state or local units of government and non-governmental grantees/sub grantees shall avoid any action which might result in, or create the appearance of the following:

- Using his or her official position for private gain;
- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making an official decision outside official channels; and/or
- Adversely affecting the confidence of the public in the integrity of the government or the program.

14. **Consultants:** Billings for consultants who are individuals must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Individual consultant costs must be within the prevailing rates, not to exceed the maximum of \$450.00 per day.
15. **Continuation:** The applicant agrees that if the requested project is funded continuation is not guaranteed.
16. **Contract Requirements:** The applicant agrees that no contract or agreement may be entered into by the sub grantee for execution of project activities or provision for services to a sub grant project (other than the purchase of supplies or standard commercial or maintenance services) which is not incorporated in the approved application. Any such arrangements will provide that the sub grantee will retain ultimate control and responsibility for the project and that the contractor will be bound by these conditions as well as the sub grantee.
17. **Data Collection:** The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
18. **Debarment Certification:** With the signing of the grant application, the sub grantee agrees to comply with Federal Debarment and Suspension regulations as outlined in the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -Lower Tier Covered Transactions" form.
19. **Deobligation of Grant Funds:** All grants must be deobligated within forty-five (45) calendar days of the end of the grant period. Failure to deobligate the grant in a timely manner will result in an automatic deobligation of the grant by KOHS.
20. **Disclosure of Federal Participation:** In compliance with Section 623 of Public Law 102-141, the subgrantee agrees that no amount of this award shall be used to finance the acquisition of goods and services (including construction services) for the project unless the subgrantee agrees to the following:
  - Specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of federal funds that will be used to finance the acquisition and
  - Expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.The above requirements only apply to a procurement for goods or services (including construction services) that has an aggregate value of \$500,000 or more.
21. **Drug-Free Workplace Certification:** This Certification is required by federal regulations implementing the Federal Drug-Free Workplace Act of 1988. The federal regulations, published in the January 31, 1989, Federal Register, require certification by state agency sub grantees that they will maintain a drug-free workplace. The certification is a material representation of fact upon which reliance will be placed when KOHS determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of the grant; or government-wide suspension or debarment.
22. **Environmental:** Recipient shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings 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 FEMA and the appropriate State Historic Preservation Office.
23. **Equipment:** The subgrantee agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security and the Kentucky Office of Homeland Security." Additionally, when practicable, any equipment purchased with funding under this agreement shall bear on it the logos of the Kentucky Office of Homeland Security and U.S. Department of Homeland Security.
24. **Equal Employment Opportunity:** No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under sub grants awarded pursuant to the Act governing these funds or any project, program, activity or sub grant supported by such requirements of Title VI of the Civil Rights Act of 1964, and all applicable requirements pursuant to the regulations of the Department of Commerce (Title 15, code of Federal Regulations, Part 8, which have been adopted by the Federal Funding Agency); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Labor Regulation 41 CFR Part 60; and the Department of Justice Non-discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G. The subgrantee must therefore ensure it has a current Equal Employment Opportunity Program (EEOP) which meets the requirements of 28 CFR 42.301. The Subgrantee further agrees to post in a conspicuous place, available to all employees and applicants for employment, notices setting forth the provisions of the EEOP, as supplemented in Department of Labor Regulations 41 CFR Part 60. The Subgrantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to KOHS.
25. **Financial Responsibility:** The financial responsibility of sub grantees must be such that the subgrantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate accounting systems should meet the following criteria:

- Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant;
  - Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located;
  - The accounting system should provide accurate and current financial reporting information; and,
  - The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
26. **Fiscal Regulations:** The applicant assures that it will comply and all its sub grantees and contractors will comply, with the applicable provisions of the U.S. Department of Homeland Security, FFY 2008 Homeland Security Grant Program Guidance and Application Kit, and all other applicable federal laws, orders, circulars or regulations.
27. **Fraud:** The applicant understands that whoever embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property which are the subject of a sub grant or contract or other form of assistance, whether received directly or indirectly from KOHS, will be fined not more than \$10,000 or imprisoned for not more than five years or both. Whoever knowingly falsifies, conceals or covers up by trick, scheme or device, any material fact in any application for assistance or in any record required to be maintained, will be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code. Any program or project underwritten in whole or in part by any subgrantee, or contract or other form of assistance, whether received directly or indirectly from KOHS will be subject to the provisions of Section 371 of Title 18, United States Code.
28. **Interest and Other Program Income:** The applicant agrees to be accountable for all interest or other income earned by the subgrantee with respect to sub grant funds or as a result of conduct of the project (sale of publications, registration fees, service charges, etc.) All program income generated by this grant during the project must be reported to KOHS quarterly and must be put back into the project or be used to reduce the grantor participation in the program. The use or planned use of all program income must have prior written approval from KOHS.
29. **Interoperable Equipment:** Any awards resulting from this application, involving data or voice communication equipment or projects, including data or voice interoperability equipment or projects, shall be presented for review and must be approved by the Kentucky Wireless Interoperability Executive Committee (KWIEC). The KWIEC shall forward the plans to the Chief Information Officer for the Commonwealth Office of Technology (COT) and the Executive Director of the Kentucky Office of Homeland Security for final approval. It is a condition of the acceptance of any award resulting from this application that all recommendations of the KWIEC, as approved by the Chief Information Officer for COT and the Executive Director of KOHS, will be accepted and implemented by your agency prior to the commencement of the project addressed in your award agreement.
30. **Legal Action:** The applicant agrees that should the Kentucky Office of Homeland Security determine that it needs to take legal action against the applicant for actions arising out of the grant, the applicant will waive jurisdiction and have the case heard in either state or federal court in Franklin County, Kentucky.
31. **National Energy Policy:** Compliance with the National Energy Conservation Policy and Energy Policy Acts. In accordance with the FY 2008 DHS Appropriations Act, all FY 2008 grant funds must comply with the following two requirements:
- None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order No. 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
  - None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).
32. **Non-Supplanting Agreement:** The subgrantee shall not use grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within 30 days. If the vacancy is not filled within 30 days, the subgrantee must stop charging the grant for the new position. Upon filling the vacancy, the subgrantee may resume charging for the grant position.
33. **Obligation of Grant Funds:** Grant funds may not be obligated prior to the effective date of the approved grant application and without advance written approval by KOHS. No obligations are allowed after the end of the grant period and the final request for payment must be submitted no later than 45 calendar days after the end of the grant period.
34. **Performance:** This grant may be terminated or fund payments discontinued by KOHS where it finds a substantial failure to comply with the provisions of the legislation governing these funds or regulations promulgated, including those grant conditions or other obligations established by KOHS. In the event the subgrantee fails to perform the services described herein and has previously received financial assistance from KOHS, the subgrantee shall reimburse KOHS the full amount of the payments made. However, if the services described herein are partially performed, and the subgrantee has previously received financial assistance, the subgrantee shall proportionally reimburse KOHS for payments made.
35. **Personnel Costs:** Personnel costs must be consistent with the agency's policies and procedures and must be applied uniformly to both federally financed and other activities of the agency.
36. **Political Activity:** None of the funds, materials, property or services provided directly or indirectly under this contract shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office, or otherwise in violation of the provisions of the "Hatch Act."
37. **Project Implementation:** The subgrantee agrees to implement this project within 60 days following the grant award effective date or be subject to automatic cancellation of the grant.
38. **Property Control:** Effective control and accountability must be maintained for all personal property. Sub grantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Sub grantees should exercise caution in the use, maintenance, protection and preservation of such property.
- Title:* Subject to the obligations and conditions set forth in 28 CFR Part 66 (formerly OMB Circular A-102), title to non-expendable property acquired in whole or in part with grant funds shall be vested in the subgrantee. Non-expendable property is defined as any item having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

*Use and Disposition.* Equipment shall be used by the subgrantee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds. When use of the property for project activities is discontinued, the subgrantee shall request, in writing, disposition instructions from KOHS prior to actual disposition of the property. Theft, destruction, or loss of property shall be reported to KOHS immediately.

39. **Publications:** The subgrantee agrees that all publications created with funding under this grant agreement shall prominently contain the following statement: "This document was prepared under a grant from the Kentucky Office of Homeland Security (KOHS) and the United States Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of KOHS or G&T or the U.S. Department of Homeland Security." Additionally, any publication created with funding under this agreement shall bear on it the logos of the Kentucky Office of Homeland Security and U.S. Department of Homeland Security.

The subgrantee also agrees that one copy of any such publication will be submitted to KOHS to be placed on file and distributed as appropriate to other potential sub grantees or interested parties. KOHS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the subgrantee.

40. **Records:** The applicant will give the grantor agency or the Comptroller General, through any authorized representative, the access to and the right to examine all records, books, papers or documents related to the grant.
41. **Recording and Documentation of Receipts and Expenditures:** Sub grantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source of expenditures made from such funds and unexpended balances. These records must contain information pertaining to grant awards, obligations, unbigoted balances, assets, liabilities, expenditures and program income. Controls must be established which are adequate to ensure that expenditures charged to the sub grant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc.
42. **Reports:** The subgrantee shall submit, at such times and in such form as may be prescribed, such reports as KOHS may reasonably require, including financial reports, progress reports, final financial reports and evaluation reports.
43. **Retention of Records:** Records for non-expendable property purchased totally or partially with grantor funds must be retained for three years after its final disposition. All other pertinent grant records including financial records, supporting documents and statistical records shall be retained for a minimum of three years after the final expenditure report. However, if any litigation, claim or audit is started before the expiration of the three year period, then records must be retained for three years after the litigation, claim or audit is resolved.
44. **Suspension or Termination of Funding:** KOHS may suspend, in whole or in part, and/or terminate funding for or impose another sanction on a subgrantee for any of the following reasons:
- Failure to comply substantially with requirements or statutory objectives of the 2003 Omnibus Appropriations Act issued there under, or other provisions of Federal Law;
  - Failure to adhere to the requirements, standard conditions or special conditions;
  - Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding;
  - Failure to submit reports;
  - Filing a false certification in this application or other report or document;
  - Other good cause shown.
45. **Travel Costs:** The subgrantee shall be paid no travel expense unless and except as specifically authorized under the specifications of the grant agreement. Unless otherwise indicated, travel reimbursement shall be in accordance with 200 KAR 2:006. Neither travel time nor travel expenses will be included personnel hourly rates.
46. **Utilization and Payment of Grant Funds:** Funds awarded are to be expended only for purposes and activities covered by the sub grantee's approved project plan and budget. Items must be in the sub grantee's approved grant budget in order to be eligible for reimbursement.
47. **Utilization of Minority Businesses:** Sub grantees are encouraged to utilize qualified minority firms where cost and performance of major contract work will not conflict with funding or time schedules.
48. **Written Approval of Changes:** Any mutually agreed upon changes to this sub grant must be approved, in writing, by KOHS prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved sub grant is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application.

## **Certifications Regarding Lobbying, Debarment, Suspension and other Responsibility Matters and Drug-Free Workplace Requirements**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the State Funding Agency (KOHS) determines to award the covered transaction, grant or cooperative agreement.

### **1. Lobbying**

As required by Section 1352, Title 31 of the U.S. Code, and implemented by the applicable CFR, for persons entering into a grant or cooperative agreement over \$100,000, as defined by the applicable CFR, the applicant certifies that:

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

### **2. Debarment, Suspension, and Other Responsibility Matters (Sub-Recipient)**

As required by Executive Order 12549, Debarment and Suspension, and implemented under the applicable CFR, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510.

1. The applicant certifies that it and its principals:
  - A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
  - B. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - C. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph A(2) of this certification; and
  - D. Have not within a three-year period preceding this application had one or more public transactions (Federal, State or Local) terminated for cause or default; and
2. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### **3. Drug-Free Workplace (*Grantees Other Than Individuals*)**

As required by the Federal Drug-Free Workplace Act of 1988 and implemented at 28 CFR Part 67, Subpart F.

The applicant certifies that it will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an on-going drug-free awareness program to inform employees about --
  - A. The dangers of drug abuse in the workplace;
  - B. The grantee's policy of maintaining a drug-free workplace;
  - C. Any available drug counseling, rehabilitation and employee assistance programs, and
  - D. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
4. Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will
  - A. Abide by the terms of the statement; and
  - B. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (4) (b), from an employee or otherwise receiving actual notice of such conviction. Employers or convicted employees must provide notice, including position title, to the State Funding Agency. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4)(b), with respect to any employee who is so convicted
  - A. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - B. Requiring such employee to participate satisfactorily in a drug abuse assistance rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5) and (6).

**Certification by Official Authorized to Sign**

I certify that I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; to comply with provisions of the regulations governing these funds and all other federal and state laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of the Official Authorized to Sign as they relate to the requirements of this grant application; that costs incurred prior to Grantee approval may result in the expenditures being absorbed by the subgrantee; and, that the receipt of these grant funds through the Grantee will not supplant state or local funds.

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Name *Please type or print*

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Title *Please type or print*

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Agency

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Mailing Address

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City, State, ZIP

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\_\_\_\_(\_\_\_\_\_)\_\_\_\_\_

Phone:

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\_\_\_\_(\_\_\_\_\_)\_\_\_\_\_

Fax

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Email Address

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Signature

Sample Resolution for application for and administration of  
Kentucky Office of Homeland Security Project(s)

RESOLUTION \_\_\_\_\_

City/County of

A RESOLUTION OF THE CITY/COUNTY OF \_\_\_\_\_, KENTUCKY AUTHORIZING THE  
MAYOR/JUDGE/EXECUTIVE TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN  
AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE ANY  
DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT  
AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT.

WHEREAS, the City of \_\_\_\_\_, Kentucky (city) / \_\_\_\_\_ County, Kentucky (county) desires to make an application  
for United States Department of Homeland Security funds for a project to be administered by Kentucky Office of Homeland Security:

WHEREAS, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain  
obligations and responsibilities upon the city/county:

NOW, THEREFORE, be it resolved this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_, by the City of \_\_\_\_\_,  
Kentucky/ \_\_\_\_\_ County, Kentucky,

The Mayor/Judge/Executive is hereby authorized to execute and furnish all required documentation, including a memorandum of  
agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized  
correspondent for said project.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_ on a Motion made by  
And seconded by \_\_\_\_\_.

Members present voting in Favor:

Members Present voting against:

BY:  
Mayor or Judge/Executive

ATTEST:  
Clerk

**FY 2009 HOMELAND SECURITY GRANT PROGRAM  
APPLICATION EVALUATION**

**SECTION I. STRATEGY (40 points)**

**Section I.A. – Strategy-Project Description**

- |   |   |   |   |   |   |   |   |   |   |    |
|---|---|---|---|---|---|---|---|---|---|----|
| 1. Rate the terrorism and natural hazard risks as identified by the application.  | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 2. Does the proposal clearly identify the problem the applicant is addressing?  | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 3. Does the proposal clearly identify an appropriate solution to the problem?   | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 4. Is this project a multi-jurisdictional application? If so, a signed letter of support from the county/city/agency must be included with the application. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

**Section 1.B. – Strategy-Project Specific Information**

- |   |   |   |   |   |   |
|---|---|---|---|---|---|
| 5. Does the proposal provide specific quantitative project information? | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|

**SECTION II. IMPLEMENTATION (40 points)**

**Section II.A.-Implementation-Funding Plan Budget**

- |   |   |   |   |   |   |
|---|---|---|---|---|---|
| 6. Does the project contain a complete, concise line item budget? | 1 | 2 | 3 | 4 | 5 |
| 7. Does the proposal include AEL# with documentation?             | 1 | 2 | 3 | 4 | 5 |

**Section II.B-Implementation-Funding Plan Narrative**

- |   |   |   |   |   |   |
|---|---|---|---|---|---|
| 8. Are all project costs reasonable, necessary and allowable? | 1 | 2 | 3 | 4 | 5 |
| 9. Does the proposal include a maintenance plan?              | 1 | 2 | 3 | 4 | 5 |

**Section II.C.-Implementation-Accomplishments**

- |   |   |   |   |   |   |   |   |   |   |    |
|---|---|---|---|---|---|---|---|---|---|----|
| 10. Does the proposal provide specific accomplishments, milestones and reasonable challenges? | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|----|

**Section II.D.-Implementation-Project Management**

- |   |   |   |   |   |   |
|---|---|---|---|---|---|
| 11. Does the proposal clearly describe the management team that is directly responsible for this project? | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|

**SECTION III. IMPACT (20 points)**

**Section III.A.-Impact-Impact on Identified Risk**

- |   |   |   |   |   |   |   |   |   |   |    |
|---|---|---|---|---|---|---|---|---|---|----|
| 12. Does the project and collective accomplishments address the risk identified in Section I? | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|----|

**Section III.B.-Impact-Sustainability**

- |  |   |   |   |   |   |   |   |   |   |    |
|--|---|---|---|---|---|---|---|---|---|----|
| 13. Does the proposal provide a long-term approach to sustaining the capabilities developed by this project? | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|--|---|---|---|---|---|---|---|---|---|----|

**SUB TOTAL: 100 points possible**

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**Bonus Points: Optional Local Match less than 25%**

5

**Bonus Points: Optional Local Match 25% or more**

10

**TOTAL: 110 points possible**

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