

**Federal Emergency Management Agency
Agreement Articles – Community Assistance Program –State Support Services
CFDA # 97.023**

GRANTEE: _____

AGREEMENT NUMBER: _____ **AMENDMENT NUMBER:** _____

PERFORMANCE PERIOD: _____

ARTICLE I – PROGRAM DESCRIPTION

The Grantee shall perform the work described in the Community Assistance Program (CAP) Agreement, scope of work, or work plan which was included as part of the application package, dated _____ and revised on _____ and made a part of these Agreement Articles.

ARTICLE II – PERIOD OF PERFORMANCE

The period of performance shall be twelve (12) months from the effective date of these Agreement Articles: _____ thru _____.

ARTICLE III – AMOUNT AWARDED

This Grant Agreement is for the administration and completion of an approved, cost shared, Community Assistance Program Agreement. There is a 25% cash or in kind match for all states receiving CAP funding.

The budgeted estimates for object classes for this award are:

	Total Budget	Federal Cost Share	Non-Federal Cost Share
Personnel	_____	_____	_____
Fringe Benefit	_____	_____	_____
Travel	_____	_____	_____
Equipment	_____	_____	_____
Supplies	_____	_____	_____
Contractual	_____	_____	_____
Other	_____	_____	_____
Indirect Charges	_____	_____	_____
Total Budget	_____	_____	_____

ARTICLE IV – REQUEST FOR ADVANCE/REIMBURSEMENT

The Grantee shall be paid using the HHS Smartlink System, provided it maintains or demonstrates the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of the funds and disbursements by the Grantee. When these requirements are not met, the Grantee will be required to use the reimbursement method of payment. Any interest earned on advances will be handled in compliance with 44 CFR 13.21(i).

ARTICLE V – FINANCIAL REPORTS

The Grantee shall submit Financial Status Reports (using FEMA Form 20-10) to the FEMA Regional Office indicated below, within 30 days after the end of each quarter. Reporting dates are January 30, April 30, July 30 and October 30. The final Financial Status Report is due within 90 days after the expiration or termination of the grant. In addition, if the Grantee uses Smartlink, it shall submit a Financial Cash Transactions Report (PMS 272) to the address shown below.

FEMA Region ____
XXX Street
City, State

NOTE: If the Request for Advance/Reimbursement (SF 270) is used for payment, the quarterly financial reports may be waived by FEMA with only the final Financial Status Report due within 90 days following the expiration or termination of the grant.

ARTICLE VI – PERFORMANCE REPORTS

The Grantee shall submit performance reports to the FEMA Regional Office within 30 days after the end of each quarter **[NOTE: CAP-SSSE coordinator may allow performance reporting in 6 month periods. Reporting dates for 6 month reporting would be April 30 and October 30.]**. Reporting dates are January 30, April 30, July 30 and October 30. The final performance report is due within 90 days following the expiration or termination of the grant. The Grantee shall submit copies of the performance report to the FEMA Regional Office at the address listed in Article V. Grantees may request a waiver of the first quarter performance report from the Regional Assistance Officer. The Grantee must maintain and update its State Five Year Floodplain Management Plan and report on the plan on each performance report.

ARTICLE VII – FEMA OFFICIALS

FEMA officials for the Grant Agreement are as follows:

1. The Program Officer is _____.
2. The Assistance Officer is _____.

ARTICLE VIII – GRANT REVISIONS

A. Revisions to the grant award shall follow prior approval requirements found in 44 CFR Part 13.30. If the FEMA share of the grant agreement exceeds \$100,000, for non-construction agreements, FEMA’s approval is required prior to the transfer of funds between total direct cost categories in the approved budget when such cumulative transfers exceed ten percent of the total budget. For all grant agreements, regardless of the amount of funding, the Grantee shall obtain prior written approval for any budget revision which would result in the need for additional funds.

B. Cost share contributions, cash and in-kind, must be in compliance with 44 CFR 13.24 or OMB Cost Principles in OMB Circular A-87. Except as allowed by Federal statute, no other Federal grant funds can be used as a match. The following documentation is required for cash contributions: Record of source of donor, dates, rates, amounts, and deposit slips. The following documentation is required for in-kind contributions: record of donor, dates, rates, and amount.

C. If a Grantee estimates that it will have unexpended funds remaining after the end of the performance period, the Grantee should report this to the FEMA Regional Office for disposition instructions.

D. Requests for time extensions to the performance period will be considered, but will not be granted automatically, and must be supported by adequate justification in order to be processed. The justification shall contain the reason for the delay, an outline of remaining funds available to support the extended performance period and a description of the performance measures necessary to complete the project. Requests for time extensions will not be considered unless financial and performance reports are current.

ARTICLE IX – TERMS AND CONDITIONS

Pre-award Conditions: The pre-award condition should ensure that before multiple year applicants are funded, they must be current in all closeout activities, progress and financial reports.

ARTICLE X - AUDIT REQUIREMENTS

All Grantees must follow the audit requirements of OMB Circular No. A-133, Revised. Non-Federal entities that expend \$500,000 or more in Federal awards in a year shall have a single or program-specific audit conducted for that year in accordance with the provisions of A-133.

ARTICLE XI – GOVERNING PROVISIONS

The following are hereby incorporated into this agreement by reference:

The Grantee and any sub-grantees shall comply with all applicable laws and regulations. A non-

exclusive list of laws and regulations commonly applicable to FEMA grants is attached hereto for reference only.

The Grantee and any Sub-Grantees shall also be bound by the Guidance Document, which is attached hereto [can also include NOFA, with appropriate citation]. The following Office of Management and Budget circulars are also applicable to this grant:

[OMB Circular A-110 Uniform Administrative Requirements for Grants and Agreements with institutions of Higher Education, Hospitals, and Other Non-Profit Organizations

OMB Circular A-102 Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments]

[OMB Circular A-87 Cost Principles for State and Local Governments

OMB Circular A-21 Cost Principles for Educational Institutions

OMB Circular A-122 Cost Principles for Nonprofit Organizations]

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

Commonly Applicable Statutes and Regulations

The National Flood Insurance Act of 1968

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. §§ 5121-5206 (Stafford Act).

Title 44 of the Code of Federal Regulations (CFR)

31 CFR 205.6 Funding techniques

Application Grant Agreement Application and Assurances contained therein received by FEMA on _____.