



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee members
From: Daniel Dickerson, Fiscal Analyst *DWD*
Date: January 16, 2020
Subject: Grant Requests – JFO #2990-2992

Enclosed please find three (3) items, including one (1) limited-service position, which the Joint Fiscal Office has received from the Administration.

JFO #2990 – \$3,200,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to the VT Dept. of Health (VDH). This funding has been provided as part of the Vermont First Responder Emergency Opioid Response Project. **One (1) limited-service position has been requested in conjunction with this grant.** Funds will be used to provide first responders with improved and expanded access to overdose prevention training, equipment and medication. SAMSHA intends to provide funding at a rate of \$800,000 per year over a four-year grant period. Of the yearly funding, approximately a quarter would be used towards VDH staff time, including the cost of the new limited-service position. Approximately half of funding would be used for overdose response equipment, including Naloxone bottles and CPR rescue breath masks. The remainder would be used for contractors to provide training for first responders, as well as other supplies, some travel, and departmental indirect costs.

[JFO received 01/14/20]

JFO #2991 – \$53,768 from the National Fish and Wildlife Foundation to the VT Dept. of Fish & Wildlife. This funding will be used to restore brook trout habitat in tributaries of the Connecticut River watershed. Actions taken to improve habitat would primarily consist of providing woody material along streams to increase pool frequency and depth, and to increase cover for brook trout and other fish. These grant funds will be used in conjunction with Department funds (in the form of staff time) as well as funding provided by Trout Unlimited (which will not flow through the State). The make-up of funds for this grant is approximately \$43,000 in federal dollars that the Foundation is providing as a sub-grant, and \$10,000 is directly from the Foundation. The project period will go through State FY2022.

[JFO received 01/14/20]

JFO #2992 – \$30,000 from the Federal Emergency Management Agency (FEMA) to the VT Dept. of Environmental Conservation (DEC). This funding will be used to disseminate the findings of the recently completed Chittenden County earthquake hazard map and report. DEC will work with VT Emergency Management and the Northeast States Emergency Consortium on this initiative. DEC will communicate locations, infrastructure and buildings that are particularly

vulnerable. They will work to increase earthquake hazard awareness through the promotion of Shakeout, which is a worldwide initiative aimed at promoting earthquake drills. DEC will also update its website with earthquake-related materials. DEC would provide a \$10,000 match from its State FY2020 General Fund appropriation for a project total of \$50,000.

Please review the enclosed materials and notify the Joint Fiscal Office (Daniel Dickerson at (802) 828-2472; ddickerson@leg.state.vt.us) if you have questions or would like an item held for legislative review. Unless we hear from you to the contrary by January 30, 2020 we will assume that you agree to consider as final the Governor's acceptance of these requests.

State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

[phone] 802-828-2376
 [fax] 802-828-2428

RECEIVED

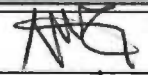
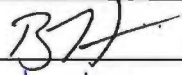
JAN 14 2019

Agency Administration

STATE OF VERMONT JOINT FISCAL OFFICE
FINANCE & MANAGEMENT GRANT REVIEW FORM

Grant Summary:	This goal of this grant is to increase communication of the results of the Chittenden County earthquake hazard map and reports.				
Date:	1/9/2020				
Department:	Environmental Conservation				
Legal Title of Grant:	FY2019 National Earthquake Hazards Reduction Program				
Federal Catalog #:	97.082				
Grant/Donor Name and Address:	Department of Homeland Security, FEMA-GDP 400 C Street, SW 3rd Fl. Washington, D.C. 20472-3645				
Grant Period:	From:	8/1/2019	To:	7/30/2020	
Grant/Donation	40,000				
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$40,000	\$	\$	\$40,000	The total Grant amount includes \$10,000 of GF already appropriated to DEC, which is being used to match the \$30,000 of new Federal Funds. Total grant amount is \$40,000, but only \$30,000 of new spending authority is needed.

Position Information:	# Positions	Explanation/Comments
	0	
Additional Comments:	This personal services funding in this grant is for an existing position at DEC.	

Department of Finance & Management		(Initial)
Secretary of Administration		(Initial)
Sent To Joint Fiscal Office	1/14/20	Date



JOINT FISCAL OFFICE
JAN 14 2012
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MEMORANDUM

TO: SUSANNE YOUNG, SECRETARY, AGENCY OF ADMINISTRATION

THROUGH: BRAD FERLAND, DEPUTY SECRETARY AGENCY OF ADMINISTRATION

THROUGH: MICHAEL MIDDLEMAN, BUDGET AND MANAGEMENT ANALYST, AGENCY OF ADMINISTRATION

THROUGH: CHRISTINE GILHULY, PRIVATE SECRETARY, AGENCY OF ADMINISTRATION

THROUGH: EMILY BOEDECKER, COMMISSIONER, DEPARTMENT OF ENVIRONMENTAL CONSERVATION

THROUGH: TRACY LAFRANCE, FINANCE DIRECTOR, DEC FINANCIAL OPERATIONS

FROM: MARIA DAVIES, GRANT PROGRAMS MANAGER

SUBJECT: AA-1 STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE

DATE: 10/5/2019

Attached please find an AA-1 form. This form requests permission to expend grants that were recently awarded to the Agency of Natural Resources, Department of Environmental Conservation (DEC). This aims to reduce public exposure to physical hazards, our strategies include: providing technical assistance to municipalities and other State and Federal agencies to identify imminent threats to public safety; to provide hazard information and guidance for local jurisdictions and include detailed information which towns can use in their plans; and to provide technical information related to earthquake hazards.

Explanation of the Project

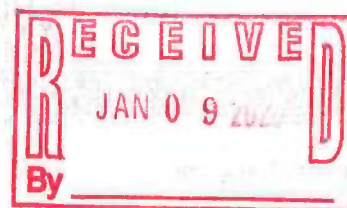
The Geology Division (VGS) is in the Department of Environmental Conservation (DEC) in the Agency of Natural Resources (ANR) and works in cooperation with Vermont Emergency Management (VEM) and with the Northeast States Emergency Consortium (NESEC). The State Geologist also serves as the designated National Earthquake Program Manager for Vermont. Our mission is to provide, through service, research, publications, and education, high quality, objective geologic and environmental information integral to the health, safety and well-being of all Vermonters. The goal with this project is to create a plan to communicate results of the Chittenden County hazard map and reports, (2018, 2019) and to effectively communicate the more vulnerable regions, buildings, and infrastructure in the area. Increase earthquake hazard awareness and preparedness for individuals and homeowners through promotion of Shakeout on social media and in the press. Update our web site with newly developed materials and continue to support media requests and emergency planners with earthquake information as requested. Without this critical funding Vermonters will be unaware of the risk of earthquake hazard awareness and will be unable to be fully plan and prepare for these hazards.

If you have any questions regarding this contract, please do not hesitate to contact Maria Davies at (802) 622-4022.

Thank you for your time.

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION				
1. Agency:	Agency of Natural Resources			
2. Department:	Department of Environmental Conservation			
3. Program:	Geology Division			
4. Legal Title of Grant:	FY2019 National Earthquake Hazards Reduction Program			
5. Federal Catalog #:	97.082			
6. Grant/Donor Name and Address:				
Department of Homeland Security, FEMA-GDP 400 C Street, SW 3 rd Fl. Washington, D.C. 20472-3645				
7. Grant Period:				
From:	8/1/2019	To:	7/30/2020	
8. Purpose of Grant:				
<p>The Geology Division (VGS) is in the Department of Environmental Conservation (DEC) in the Agency of Natural Resources (ANR) and works in cooperation with Vermont Emergency Management (VEM) and with the Northeast States Emergency Consortium (NESEC). The State Geologist also serves as the designated National Earthquake Program Manager for Vermont. Our mission is to provide, through service, research, publications, and education, high quality, objective geologic and environmental information integral to the health, safety and well-being of Vermonters. A goal in our strategic plan is to reduce public exposure to physical hazards and the strategies include: provide technical assistance to municipalities and other State and Federal agencies to identify imminent threats to public safety; to provide hazard information and guidance for local jurisdictions and include detailed information which towns can use in their plans; and to provide technical information related to earthquake hazards.</p>				
9. Impact on existing program if grant is not Accepted:				
<p>Our goal is to create a plan to communicate results of the Chittenden County hazard map and reports (2018, 2019) and to effectively communicate the more vulnerable regions, buildings, and infrastructure in the area. Increase earthquake hazard awareness and preparedness for individuals and homeowners through promotion of Shakeout on social media and in the press. Update our web site with newly developed materials and continue to support media requests and emergency planners with earthquake information as requested. Without this critical funding Vermonters will be <u>unaware of the risk of earthquake hazard awareness</u> and will be unable to be fully plan and prepare for these hazards.</p>				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2020	FY 21	FY	
Personal Services	\$35,017	\$	\$	
Operating Expenses	\$4,983	\$	\$	
Grants	\$	\$	\$	
Total	\$40,000.00	\$	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$10,000	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$	\$	\$	
(Direct Costs)	\$26,019	\$	\$	
(Statewide Indirect)	\$3,981	\$	\$	
(Departmental Indirect)	\$	\$	\$	



STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

Other Funds:	\$	\$	\$
Grant (source DHS)	\$	\$	\$
Total	\$40,000	\$	\$

Appropriation No:	6140020000	Amount:	\$30,000
			\$
			\$
			\$
			\$
			\$
			\$
		Total	\$30,000

PERSONAL SERVICE INFORMATION

11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

Appointing Authority Name: _____ Agreed by: _____ (initial)

12. Limited Service Position Information:	# Positions	Title
Total Positions		

12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: <i>Emily Boedecker</i>	Date: 1/7/2020
	Title: Emily Boedecker, DEC Commissioner	
	Signature:	Date:
	Title:	

14. SECRETARY OF ADMINISTRATION

Approved: _____ (Secretary or designee signature) _____ Date: 1/10/20

15. ACTION BY GOVERNOR

Check One Box: Accepted _____ (Governor's signature) _____ Date: 1/14/20

Rejected

16. DOCUMENTATION REQUIRED

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

Required GRANT Documentation

- | | |
|---|---|
| <input type="checkbox"/> Request Memo | <input type="checkbox"/> Notice of Donation (if any) |
| <input type="checkbox"/> Dept. project approval (if applicable) | <input type="checkbox"/> Grant (Project) Timeline (if applicable) |
| <input type="checkbox"/> Notice of Award | <input type="checkbox"/> Request for Extension (if applicable) |
| <input type="checkbox"/> Grant Agreement | <input type="checkbox"/> Form AA-1PN attached (if applicable) |
| <input type="checkbox"/> Grant Budget | |

End Form AA-1

(*) The term "grant" refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5).

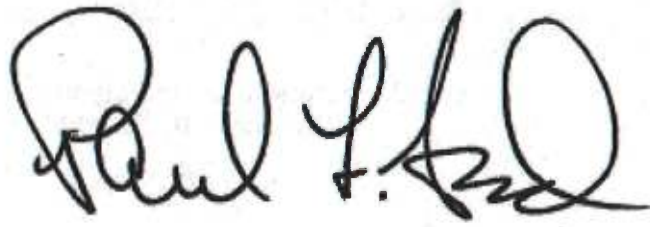


AGREEMENT ARTICLES
National Earthquake Hazards Reduction Program

GRANTEE: VT Department of Environmental Conservation
PROGRAM: National Earthquake Hazards Reduction Program
AGREEMENT NUMBER: EMB-2019-CA-00007-S01

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A handwritten signature in black ink, appearing to read "Paul F. Ford". The signature is fluid and cursive, with the first name "Paul" being more legible than the last name "Ford".

PAUL FRANCIS FORD Regional Administrator

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Article XXXVIII	Whistleblower Protection Act
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Article XL	Prior Approval for Modification of Approved Budget
Article XLI	Disposition of Equipment Acquired Under the Federal Award

Article I - Assurances, Administrative Requirements, Cost Principles, Representation and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article II - DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

Article III - Acknowledgement of Federal Funding from DHS

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article IV - Activities Conducted Abroad

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article V - Age Discrimination Act of 1975

Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article VI - Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article VII - Best Practices for Collection and Use of Personally Identifiable Information (PII)

Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article VIII - Civil Rights Act of 1964 - Title VI

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (codified as amended at 42 U.S.C. section 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article IX - Civil Rights Act of 1968

Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 *et seq.*), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units- i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)- be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article X - Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XI - Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XII - Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the *Drug-Free Workplace Act of 1988* (41 U.S.C. sections 8101-8106).

Article XIII - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XIV - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Recipients must comply with the requirements of Title IX of the *Education Amendments of 1972*, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

Article XV - Energy Policy and Conservation Act

Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XVI - False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the *False Claims Act*, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

Article XVII - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article XVIII - Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article XIX - Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974*, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article XX - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. section 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, codified as amended at 15 U.S.C. section 2225.

Article XXI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with the *Title VI of the Civil Rights Act of 1964* (42 U.S.C. section 2000d *et seq.*) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXII - Lobbying Prohibitions

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XXIII - National Environmental Policy Act

Recipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXIV - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXV - Non-Supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXVI - Notice of Funding Opportunity Requirements

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article XXVII - Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, 35 U.S.C. section 200 *et seq.* Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

Article XXVIII - Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the *Solid Waste Disposal Act*, Pub. L. No. 89-272 (1965) (codified as amended by the *Resource Conservation and Recovery Act*, 42 U.S.C. section 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXIX - Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XXX - Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXI - Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXII - SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XXXIII - Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article XXXIV - Trafficking Victims Protection Act of 2000

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000* (TVPA), codified as amended at 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15, the full text of which is incorporated here by reference.

Article XXXV - Universal Identifier and System for Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article XXXVI - USA Patriot Act of 2001

Recipients must comply with requirements of Section 817 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001* (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

Article XXXVII - Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XXXVIII - Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

Article XXXIX - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Article XL - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XLI - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

BUDGET COST CATEGORIES

Personnel	\$23,336.00
Fringe Benefits	\$11,681.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$1,002.00
Contractual	\$0.00
Construction	\$0.00
Indirect Charges	\$3,981.00
Other	\$0.00

Obligating Document for Award/Amendment

1a. AGREEMENT NO. EMB-2019-CA-00007-S01	2. AMENDMENT NO. ***	3. RECIPIENT NO. 036000274A	4. TYPE OF ACTION AWARD	5. CONTROL NO. BX00240N2019T
6. RECIPIENT NAME AND ADDRESS VT Department of Environmental Conservation 103 South Main Street 1 South Waterbury, VT, 05671 - 0401	7. ISSUING FEMA OFFICE AND ADDRESS FEMA-GPD 400 C Street, SW, 3rd floor Washington, DC 20472-3645 POC: 866-927-5646		8. PAYMENT OFFICE AND ADDRESS FEMA Finance Center 430 Market Street Winchester, VA 22603	
9. NAME OF RECIPIENT PROJECT OFFICER David Pasco	PHONE NO. 8024906112	10. NAME OF FEMA PROJECT COORDINATOR Central Scheduling and Information Desk Phone: 800-368-6498 Email: Askcsid@dhs.gov		
11. EFFECTIVE DATE OF THIS ACTION 08/01/2019	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD From: 08/01/2019 To: 07/31/2020 Budget Period 08/01/2019 07/31/2020	

1 5. DESCRIPTION OF ACTION
a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
National Earthquake Hazards Reduction Program	97.082	2019-OS-NC06-R012- -4101-D	\$0.00	\$30,000.00	\$30,000.00	See Totals
			\$0.00	\$30,000.00	\$30,000.00	\$10,000.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.
N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

National Earthquake Hazards Reduction Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title) ,	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title) CHRISTOPHER LANCELOT ROLLESTON , Assistance Officer	DATE Fri Jul 26 14:00:33 GMT 2019