January 23, 2017
Council Work Session Meeting

Mayor Bryan Hough
Mayor Pro-Tem David Moore
Councilman Jerry Bishop
Councilwoman Carolyn Breyare
Councilman Jim Hope
Councilman Jeff Meadows
Councilman Perry Toomey
Kemp Michael, City Attorney
Danny Jackson, City Manager

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL WORK SESSION
Location: Council Chambers

January 23, 2017
6:30 P.M.

CALL TO ORDER BY THE MAYOR

INVOCATION

SET THE AGENDA

CONSENT AGENDA

Consideration and Approval of a Resolution to Declare Surplus Property

AGENDA

1.	Update on Cost Estimates for the Completion of the Linear Park	*Jonathan Wilson*
2.	(a) Resolution making certain statements of facts – Mount Holly 2017 Refunding GO Bonds for savings	*Africa Otis*
	(b) Introduction of Bond Order – Mount Holly – 2017 Refunding GO Bonds	
	(c) Notice of Adoption – Mount Holly – 2017 Refunding GO Bonds	
3.	Discussion of Short-term Rental Uses	*Brian DuPont*
4.	Consideration and Approval of Bids for Phase 1 of the Mount Holly River Front Greenway Project	*Greg Beal*
5.	Discussion of Chapter 17, Subdivision Ordinance of the City Code of Laws in regard to regulating private trails in developments	*Chief Don Roper*
6.	Discussion of Proposed Options for a Golf Cart Ordinance	*Chief Don Roper*
7.	Consideration and Approval of the SAFER Grant Application	*Chief Ryan Baker*
8.	Consideration and Approval of the Minority Outreach Plan and Participation Goal	*Miles Braswell*
9.	Update on the South Gateway Monument Signage	*Miles Braswell*
10.	Consideration and Approval of Prequalification Scoring for the Construction Manager at Risk Subcontractors	*Miles Braswell*
11.	Discussion of Funding for the Gaston County CLT Airport Economic Positioning Strategy	*Danny Jackson*
12.	Adjourn	

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	January 19, 2017
From:	Miles Braswell, Asst. City Manager	**Meeting Date:**	January 23, 2017

Agenda Item to be considered:

Surplus Property

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request:

The following attachment contains one (1) item that needs to be considered surplus.

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:			
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Declare property surplus per the attachment

Result of City Council Decision:_____

Attachments: Resolution and Surplus Property List

Department	Qty	Equipment/ Vehicle Year	Equipment/ Vehicle Make	Model	VIN or Serial #	Description	Known problems
Fire	1	2002	Chevrolet	Impala	2G1WF55KX29284089	4 Door	Unknown

RESOLUTION OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA FOR DECLARATION OF SURPLUS PROPERTY AND SALE OF PROPERTY VIA PUBLIC OR ELECTRONIC AUCTION OR BY MEANS OF EXCHANGE OF PROPERTY

WHEREAS, G.S. 160A-267 authorizes the City Council to dispose of surplus property, and authorizes the sale of surplus property by means of private sale, public auction, electronic auction or exchange of property, and

WHEREAS, the City Manager has reviewed the attached list "Attachment A" and declared the items surplus and unusable personal property; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mount Holly does hereby authorize the City Manager to conduct a sale of the surplus and unusable City personal property by means of a private sale, public or electronic auction, or an exchange of property.

Adopted on this 23rd day of January, 2017.

SIGNED:

____

Mayor Bryan Hough

ATTEST:

____

Amy R. Miller, City Clerk

City of Mount Holly
Action Agenda Item

To:	City Council	**Date:**	1-19-2017
From:	Jonathan Wilson	**Meeting Date:**	1-23-2017

Agenda Item to be considered: Consideration to move forward with the completion of the Linear Park.

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request: This item is to discuss the initial quotes for finishing the Linear Park. The remaining items for completion of the Linear Park are: lighting of the Linear Park between Highland Street and Alexander Street; installation of crosswalks; extending the sidewalk along the south side of East Central Avenue to Hill Street and along Highland Street to East Charlotte Avenue (Hwy. 27); extend the existing fence along the CSX railroad to the underpass; and construction of a deck over the existing loading dock.

Fiscal Impact:

Will Item affect current budget	☐ YES	☐ NO	☒ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	***$***		
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation: Staff would like for Council to approve moving forward with the projects to complete the Linear Park and begin survey work on the Dutchmans Creek Greenway (from Hwy 27 to River Street Park).

Result of City Council Decision:

Attachments: ***Proposed Scope of Work to complete Linear Park.***
Table of Quotes received to complete remaining work items.

Proposed Scope of Work for finishing Linear Park Project:

1. **Crosswalks:**

   a. Installation of stamped/painted asphalt crosswalks in a brick pattern.
   - Intersection of South Alexander Street and East Central Avenue:
     - Across South Alexander Street: 35 feet
     - Across East Central Avenue: 30 feet
   - Across East Central Avenue at Municipal Complex doorway: 22 feet
   - Intersection of Hill Street and East Central Avenue:
     - Across Hill Street: 31 feet
     - Across East Central Avenue: 27 feet

   b. Installation of standard NCDOT crosswalk:
   - Intersection of Highland Street and East Central Avenue:
     - Across East Central Street: 63 feet on eastern side of Highland Street
   - Intersection of Highland Street and East Charlotte Avenue:
     - Across East Charlotte Avenue: 88 feet on eastern side of Highland Street

2. **Sidewalk:**

   a. Installation of sidewalk along Highland Street from CSX underpass to East Charlotte Avenue:
   - Approximately 60 feet long and 5 feet wide sidewalk
     - Installation of retaining wall where needed on back side of sidewalk

   b. Extend sidewalk along East Central Avenue at western corner of Municipal Complex to Hill Street intersection and install brick paver truncated dome.
   - Sidewalk shall be 6 feet wide and approximately 27 feet long.

3. **Loading Dock Area:**

   a. Construct deck over existing loading dock, approximately 50 feet by 24 feet. The southern 40 feet by 24 feet of the deck shall be covered with a decorative pergola and the remaining 10 feet by 24 feet left uncovered. Construct 8 foot by 10 feet ADA accessible ramp from proposed sidewalk to proposed deck to be symmetrically positioned between west and east sides of deck.

   b. Install landscaping in two areas along southern side of East Central Avenue at Hill Street. First area is 8 feet wide and 55 feet long and located along East Central Avenue in existing sidewalk. Second area is 8 feet wide and 27 feet long and will be located on the corner of East Central Avenue and Hill Street.

4. **Pedestrian Lights:**

   a. Install 10 pedestrian lights along Linear Park Greenway.
   b. Lights are proposed to be approximately 75 feet apart.

5. **Fence:**

   a. Extend fence along CSX rail line to underpass, approximately 250 feet.

6. **Miscellaneous:**

   a. Relocate all road signs on northbound lane of Highland Street at CSX underpass to allow for sidewalk.

   b. Install pedestrian countdown signals at proposed crosswalk across East Charlotte Avenue (2 countdown boxes with push button, 1 new pole on south side of intersection).

   c. At existing crosswalk along Hwy 27 across Highland Street relocate existing push button for pedestrian countdown signal at Northwest corner of intersection to new pole behind sidewalk that is accessible.

Quotes to finish Linear Park:

Extending Fence (250’)	
Steel Fencing	$21,398.00
Aluminum Fencing	$15,919.00
Crosswalks	$16,640.00
Pedestrian Signals	$10,000.00
Sidewalk	$6,868.00
Pedestrian Lighting	Duke Energy recently changed their rates so Staff is awaiting an update quote and will present this information at the Worksession.
Loading Dock Deck: Construction Plans	$3,500.00
Dutchmans Creek Greenway Survey	Staff is awaiting quotes from Surveyors and will present this information at the Worksession.

City of Mount Holly
Action Agenda Item

To: City Council **From:**	**Date:** **1/23/17** **Meeting Date:** **1/23/17**

Agenda Item to be considered: Adopt a resolution making certain statements of fact related to the potential refunding of the City's existing 2005A General Obligation bonds; as well as introduce and adopt the Bond Order.

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request:

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
E-Verify Compliance Statement required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Amendment/Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:			
Budget Code			
Reviewed by City Attorney	☒ YES	☐ NO	☐ N/A

Manager/Staff Recommendation:
Approve resolution and Bond Order as attached

Result of City Council Decision:

Attachments:
1. Resolution
2. Bond Order
3. Notice of Adoption

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE

WHEREAS, the City Council (the "*City Council*") is considering the issuance of bonds of the City of Mount Holly, North Carolina (the "*City*") which shall be for the following purpose and in the following maximum amount:

> Not to exceed $2,125,000 of general obligation refunding bonds to pay the costs of refunding in advance of their maturities $2,125,000 aggregate principal amount of the City of Mount Holly, North Carolina General Obligation Public Improvement Bonds, Series 2005A maturing on and after May 1, 2017.

WHEREAS, certain findings of fact by the City Council must be presented to enable the Local Government Commission of the State of North Carolina to make certain determinations as set forth in Article 4 of Chapter 159 of the General Statutes, Section 52.

NOW, THEREFORE, BE IT RESOLVED that the City Council meeting in open session on the 23rd day of January, 2017, has made the following factual findings in regard to this matter:

A. ***Facts Regarding Necessity of Proposed Financing.*** The proposed bonds are necessary and expedient to lower debt service costs to the City.

B. ***Facts Supporting the Amount of Bonds Proposed.*** The sums estimated for these bonds are adequate and not excessive for the proposed purpose.

C. ***Past Debt Management Polices.*** The City's debt management procedures and policies are good and have been carried out in compliance with law. The City employs a Finance Director to oversee compliance with applicable laws relating to debt management. The City Council requires annual audits of City finances. In connection with these audits, compliance with laws is reviewed. The City is not in default in any of its debt service obligations. The City Attorney reviews all debt-related documents for compliance with laws.

D. ***Past Budgetary and Fiscal Management Policies.*** The City's budgetary and fiscal management policies have been carried out in compliance with laws. Annual budgets are closely reviewed by the City Council before final approval of budget ordinances. Budget amendments changing a function total or between functions are presented to the City Council at regular City Council meetings. The Finance Director presents financial information to City Council which shows budget to actual comparisons annually and otherwise as the City Manager deems necessary or as a member of the City Council may request.

E. ***Retirement of Debt.*** The schedule for issuing the bonds does not require a property tax increase. The City expects to issue all of the bonds in fiscal year 2017, though the City may delay issuing the bonds until such issuance will generate sufficient net present value savings for the City.

F. ***Marketability of Bonds.*** The City has been advised that the proposed bonds can be marketed at reasonable rates of interest.

G. ***Financing Team.*** The City Manager and the Finance Director, with advice from the City Attorney, are hereby authorized and directed to retain Parker Poe Adams & Bernstein LLP, as bond counsel, and First Tryon Advisors, as financial advisor.

Upon motion of Council Member __________, the foregoing order titled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE"** was adopted by the following vote:

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 23rd day of January, 2017.

BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,125,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA

WHEREAS, the City of Mount Holly, North Carolina (the "*City*") has issued General Obligation Public Improvement Bonds, Series 2005A (the "*2005A Bonds*") currently outstanding in the aggregate principal amount of $2,125,000;

WHEREAS, the City Council (the "*City Council*") of the City deems it advisable to refund all of the outstanding 2005A Bonds maturing on and after May 1, 2017;

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina (the "*Commission*") requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Mount Holly, North Carolina, as follows:

Section 1. The City Council deems it advisable to refund $2,125,000 in aggregate principal amount of the 2005A Bonds maturing on and after May 1, 2017.

Section 2. To raise the money required to pay the costs of refunding the 2005A Bonds as set forth above, general obligation refunding bonds of the City of Mount Holly, North Carolina are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such general obligation refunding bonds authorized by this bond order shall not exceed $2,125,000.

Section 3. A tax sufficient to pay the principal of and interest on said general obligation refunding bonds when due will be annually levied and collected.

Section 4. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 5. This bond order shall take effect on its adoption.

The foregoing order was adopted on the 23rd day of January, 2017 and is hereby published this _____ day of January, 2017. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice. The finance officer of the City has filed a statement estimating that the total amount of interest that will be paid on the bonds over the expected term of the bonds, if issued, is $217,942. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on the bonds.

/s/ Amy Miller
City Clerk
City of Mount Holly, North Carolina

STATE OF NORTH CAROLINA)
) SS:
CITY OF MOUNT HOLLY)

I, Amy Miller, City Clerk of the City of Mount Holly, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of the resolutions titled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE"** adopted by the City Council of the City of Mount Holly, North Carolina in regular session convened on the 23rd day of January, 2017, as recorded in the minutes of the City Council of the City of Mount Holly, North Carolina.

WITNESS my hand and the seal of the City of Mount Holly, North Carolina, this the 23rd day of January, 2017.

(SEAL)

City Clerk
City of Mount Holly, North Carolina

BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,125,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA

WHEREAS, the City of Mount Holly, North Carolina (the "*City*") has issued General Obligation Public Improvement Bonds, Series 2005A (the "*2005A Bonds*") currently outstanding in the aggregate principal amount of $2,125,000;

WHEREAS, the City Council (the "*City Council*") of the City deems it advisable to refund all of the outstanding 2005A Bonds maturing on and after May 1, 2017;

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina (the "*Commission*") requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Mount Holly, North Carolina, as follows:

Section 1. The City Council deems it advisable to refund $2,125,000 in aggregate principal amount of the 2005A Bonds maturing on and after May 1, 2017.

Section 2. To raise the money required to pay the costs of refunding the 2005A Bonds as set forth above, general obligation refunding bonds of the City of Mount Holly, North Carolina are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such general obligation refunding bonds authorized by this bond order shall not exceed $2,125,000.

Section 3. A tax sufficient to pay the principal of and interest on said general obligation refunding bonds when due will be annually levied and collected.

Section 4. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 5. This bond order shall take effect on its adoption.

Having been introduced by Council Member ____________ and upon motion of Council Member __________, the foregoing order titled: "**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,125,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA**", was adopted by the following vote:

AYES:

NAYS:

The City Clerk is directed to publish a notice of adoption as prescribed by The Local Government Bond Act, the bond order titled, "**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,125,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA.**"

PASSED, ADOPTED AND APPROVED this 23rd day of January, 2017.

STATE OF NORTH CAROLINA	)	
	)	SS:
CITY OF MOUNT HOLLY	)	

I, Amy Miller, City Clerk of the City of Mount Holly, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of the bond order titled "**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,125,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA**", which was introduced by Council Member _______________ and adopted by the City Council of the City of Mount Holly, North Carolina in regular session convened on the 23rd day of January, 2017, as recorded in the minutes of the City Council of the City of Mount Holly, North Carolina.

WITNESS my hand and the seal of the City of Mount Holly, North Carolina, this the 23rd day of January, 2017.

(SEAL)

____
City Clerk
City of Mount Holly, North Carolina

City of Mount Holly
Action Agenda Item

To: City Council **From:** Brian DuPont	**Date:** 1-18-17 **Meeting Date:** 1-23-17

Agenda Item to be considered: Discussion of Short-Term Rental Uses

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request : Staff wanted to gather Council input on the subject of short term rentals, specifically uses found through websites such as Air BnB (bed & breakfast), VRBO, and Flipkey. Currently, short term rentals are only permitted as Bed and Breakfast operations in Office & Institutional zoning districts, Outdoor Resorts in the B-3 South Gateway or as part of an approved hotel/motel in MH-MUD, B-1 and B-3.

Staff needs direction on how to best proceed. Does City Council want to promote these uses through regulation?

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	$		
Budget Code			
Reviewed by City Attorney	☒ YES	☐ NO	☐ N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:

1. **Presentation**
2.
3.

Short-Term Rentals

Mount Holly City Council
January 23, 2017

MOUNT HOLLY
Connecting Community & Nature

Purpose

- Staff is requesting direction from Council as to whether to explore options for new ordinance language specific to short-term rentals.
- Council's options:
  1. Do nothing and rely on existing language
  2. Draft new language
  3. Table and request more information from Staff

Background Information

- Bed and Breakfast, Outdoor Resort and Hotel/Motels only identified short-term rental uses in Zoning Ordinance
  - Limited zoning districts (O-I, MH-MUD, B-1, B-3)
- Rental period restricted in bed and breakfast and outdoor resort (maximum 15 days)
- Web-based listings on Airbnb, VRBO, and Flipkey
  - Not identified in zoning ordinance

Background Information

- NC General Statute 160A-424 (c) (revised July 28, 2016)
  - Prohibits local governments from requiring permits for "residential" rental property
  - Prohibits fees being collected
- City's may regulate rental property uses, but may not require permits unless:
  - Property has 4 violations in a rolling 12-month period or two or more violations in a rolling 30-day period

Background Information

- Pros
  - Allow homeowners ability to earn additional income
  - Encourage tourism which contributes to local economy
  - Alternative to traditional lodging
- Cons
  - Commercial activity in residential areas
  - Impacts on neighbors
    - Noise
    - Trash
    - Parking/traffic
  - Unfair competition
  - Potentially unsafe for guests

Example Regulations

- Occupancy limits
- Spacing between rentals
- Proof of insurance, compliance with fire safety measures, etc.
- Minimum length of stay (limiting turn over)
- Designating areas where short-term rentals are allowed, allowed with restrictions, or not allowed at all
- Providing publically available contact information for local person responsible for handling any problems that arise
- Requirements for providing off-street parking
- Noise and nuisance provisions

Ordinance Requirements	Palm Desert, CA	Ocean Isle, NC	Telluride, CO	Charleston, SC	Portland, OR	Austin, TX	Blowing Rock, NC	Cornelius, NC	Santa Monica, CA	Estes Park, CO	New Bern, NC
Complete Ban											
Ban in certain areas				■		■	■			■	■
Must be owner-occupied					■						■
Cap of number of STRs				■							
Cap on percentage of homes used as STRS						■					
Cap on number of nights rented in a given time period			■					■			
Registration required	■		■	■	■	■	■	■	■	■	
Fee required	■				■	■	■		■		
Inspection required					■	■		■			
Consequences for violations	■				■	■	■				
Parking requirements (min and/or max)	■			■	■	■	■			■	
Trash/recycling requirements			■			■					
Mandatory designated representative	■		■			■				■	
Minimum stay	■										
Maximum occupancy	■			■						■	■
Notification of neighbors					■	■					

Occupancy Taxes

North Carolina

- Guests who book Airbnb listings that are located in the State of North Carolina will pay the following taxes as part of their reservation:
  - **North Carolina Sales Tax:** 6.75-7.5% of the listing price including any cleaning and guest fees for reservations less than 90 nights. The State imposes both a statewide 4.75% tax and a local 2-2.75% tax, which varies by county.
  - **City and/or County Occupancy Tax:** All locally imposed occupancy taxes will be collected on reservations in North Carolina. The tax varies by city and county. It is typically 1-8% of the listing price including any cleaning and guest fees for reservations less than 90 nights.

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** January 19, 2017
From: Greg Beal, Planning Director	Meeting Date: January 23, 2017
Agenda Item to be considered: **Discussion and Consideration of Bids for Phase 1 of the Mount Holly River Front Greenway Project.**	
Will this require a public hearing? ☐ **YES** ☒ **NO**	

Background/Purpose of Request: ***It is important to note that this item came about after the agenda was set, but it may be necessary to add it to the agenda for discussion and next steps.*** **On Wednesday, January 18th, sealed bids were due to the City for construction of Phase 1 of the Mount Holly Riverfront Greenway. This federally-funded project required that at least three bids be received, and each firm must be pre-qualified by NCDOT and must have a NC Contractor's License. The good news is that we received four responsible bids, with each firm submitting the NCDOT-required bid form, listing of disadvantaged business enterprise subcontractors, execution of bid sheet, debarment certification, bid bond and e-verify affidavit. The disappointing news is that the lowest bid from Eaglewood, Inc of Denver, NC, was $1,242,822.34. The highest bid from United Carolinas, Inc was $1,696,024.25. The City was awarded a total of $880,000 in grant funding for this project through $800,000 in CMAQ funding and $80,000 for a Gaston County Township Grant. Therefore, the difference between the low bid and the amount of grant funding is $362,822.24. Obviously, this is over-budget from the initial grant awards. The latest final design estimate submitted to NCDOT by Alta-Greenways on June 6, 2017, was $1,085,565.30, a difference of $157,257.04 from the low bid. In the estimate submitted to NCDOT by Alta-Greenways on September 22, 2014, the project was estimated to be $848,029.33, which was under the total grant funding.**

Why did the bids come in higher than the project estimate? First off, the project estimate increased from September 2014 until June 2016, because construction costs rose. We have a really strong economy right now, and many contractors are fully-booked. This means fewer firms are available to bid on the project, and there is less competition for bidding purposes. For instance, Bell Construction, which did a phenomenal job on the Linear Park and River Street CDBG projects, told me that although they would love to work in Mount Holly again, they were too booked at the moment to bid on this greenway project. More importantly, late-additions from Duke Energy and NCDOT increased costs on this project. For example, the 2014 estimate at $848,029.33 did not include the fencing requirement from Duke Energy. We all know that Duke Energy would not approve the greenway easement unless the City agreed to install a fence along the eastern border of the greenway on their property. I can directly relate nearly $200,000 worth of fencing costs from Eaglewood's low bid to Duke Energy's easement and fencing requirements. Additionally, NCDOT required steel pylons for the pedestrian bridge/sewer pipe support structure instead of wood pylons, approved in 2014. This cost-difference associated with the NCDOT-mandated change, amounted to an increase of $65,936.60 for the pedestrian bridge.

On Thursday afternoon, I contacted Marta Matthews, Local Programs Manager for NCDOT in the Raleigh Office. Ms. Matthews is a guru when it comes to answering questions on projects of this nature, and she helped move this project along at the State level many times in the past. She confirmed, that if this was not a federally-

funded project, the simple course of recommended action would be to allow City staff to negotiate items with the low bidder before awarding the bid and entering into a contract for construction. However, Federal guidelines prevent the City from negotiating with the low bidder in the issue of fairness to all; if one firm is given the chance to negotiate, so should they all in the Federal government's eyes.

There are only two options for Council to consider at this point, which are listed below:

Option A: Award the bid to Eaglewood, Inc for the Phase 1 Mount Holly River Front Greenway construction at a price of $1,242, 822.34. Direct staff to look into budgeting and finance options. Since the bid is above the bid amount and project estimate by over 10%, NCDOT would have to approve the low bid.

Option B: Formally reject all bids on the project because they are over-budget. Approve the following action steps 1) City staff promptly meet with Duke Energy officials so that Duke can consider revising the fence guidelines, the requirements of fencing, consideration of shared-costs, etc, 2) Discuss value engineering proposals on the project to help cut costs with NCDOT; Marta Matthews mentioned this as an option. 3) Consider reducing the project scope for the Belmont-Mount Holly Road sidewalk project or delaying that project indefinitely or until a later date. NCDOT said that they would strongly consider allowing money from the Belmont-Mount Holly Road CMAQ project to be moved to the Mount Holly Riverfront Greenway Project with the City's blessing and approval from the Gaston Lincoln Cleveland MPO. Construction bids for the project are listed below:

Company Name	Eaglewood, Inc	Sealand Contractors Corporation	Triangle Grading & Paving, Inc	United of Carolinas, Inc
NC Contractors License Number	12347	30748	17456	55740
Base Bid	**$1,242,822.34**	$1,398,766.60	$1,499,587.50	$1,696,024.25
Bid Alternate 1 Black Vinyl Coated Fencing	$78,106.85	$85,725.75	$97,600.00	$78,710

Fiscal Impact:

Will Item affect current budget	☐ YES	☐ NO	☒ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	***$***		
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation: There are two options, which are listed above. It is important to make a decision on this project in a timely manner so that City staff can work diligently to find solutions to reduce costs.

Result of City Council Decision:

City of Mount Holly
Action Agenda Item

To: City Council **From:** Chief Roper	**Date: 1-18-17** **Meeting Date: 1-23-17**

1. ***Agenda Item to be considered:*** Discussion of Chapter 17, Subdivision Ordinance of the City Code of Laws in regard to regulating private trails in developments

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request: As a follow-up of the discussion at the October 10th council meeting. Members of council had questions about the legalities of requiring the HOA to maintain the trail marking system. The trail marking system was recommended as a standard for private trails for life safety purposes and to aid emergency responders.

Fiscal Impact:			
Will Item affect current budget	YES	X NO	☐ N/A
Reviewed by Finance Director	YES	☐ NO	xN/A
Preaudit Certification required	☐ YES	X NO	x N/A
Capital Project Ordinance required	☐ YES	X NO	x N/A
Budget Transfer required	YES	☐ NO	x N/A
Total City Dollars:			
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	X N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:

1. Trail Marking amendment document

Chapter 17, Subdivision and Land Development Ordinance
Amendment for Trail Label Requirements by Developers

Article III. Section 3.12, Neighborhood Recreation Sites

Emergency Response Requirements for Trail System:

The purpose of the trail system requirements is to assure that when off road amenities are provided by a development that public health, safety, and welfare are appropriately assured during the review and approval by the City of Mount Holly.

If a developer proposes or is required to provide any trail system or network as part of the development, then the following items will be required at a minimum and will be included as part of the Greenway Response Map for the City of Mount Holly:

1. Private greenways or trails need to be a minimum of eight (8) feet wide and at a minimum gravel surface for emergency response trucks or all terrain vehicles. If dirt or natural surface trails are proposed the developer will need to provide other measures in order to assure appropriate response can be maintained.
2. If foot bridges are proposed it is required that a vehicle access point is provided if the distance between them exceeds two miles.
3. Trail marking on routes will be required with a maximum of ¼-mile between markers, and;
4. Signage for trail makers will be assigned a specific labeling system to be used based on the projects location on the Greenway Response Map. (Example: Project is in Zone Red (R) and they are the 2nd development in that Zone (B), then all Trail Makers for that development will begin with RB followed by the mile marker based on Item 3 above, RB-0.25 or RB-1.75)
5. Developer will provide global positioning system (GPS) coordinate of the trail to be placed on the Greenway Response Map.
6. Developer is required to provide a kiosk at all trail heads referencing specific information to that trail including but not limited to how markers on the trail can be used when contacting Emergency 911 Services, provide map of trail with reference to kiosk location ('You are Here' indicator), map will need to show access points along the trail to be used for emergency services.
7. All trail markers and kiosks will be constructed and placed in a permanent nature in order to assure high visibility and awareness for all users of the trails.
8. The City may require other information be provided that is specific to the project.
9. **Any associated signage be maintained by the developer or home owners association**

City of Mount Holly
Action Agenda Item

To: City Council **From:** Chief Roper	**Date: 1-18-17** **Meeting Date:** **1-23-17**

Agenda Item to be considered: Discussion of NC law regarding golf carts, and golf cart ordinances.

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request: As directed during the November council meeting, we have prepared two draft golf cart ordinances for discussion.

Fiscal Impact:			
Will Item affect current budget	YES	X NO	☐ N/A
Reviewed by Finance Director	YES	☐ NO	xN/A
Preaudit Certification required	☐ YES	X NO	x N/A
Capital Project Ordinance required	☐ YES	X NO	x N/A
Budget Transfer required	YES	☐ NO	x N/A
Total City Dollars:			
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	X N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:

1. Memorandum
2. Two draft golf cart ordinances
3. List of posted speed limit in subdivisions

Mount Holly Police Department
400 E Central Avenue • Mount Holly, NC • 28120 • (704) 827-4343 • (704) 822-2932

Don Roper
Chief of Police

Memorandum
From: Chief Roper
Reference: Golf Cart Ordinance
Date: 01-17-17

As discussed during the council meeting last November, I have prepared two draft Golf Cart Ordinances for review by council. Based on earlier discussions, the two options presented will allow operation of a golf cart on roads inside the city limits with the following restrictions:

Option one: The Street must be a public street located within the City of Mount Holly and not have a posted speed limit of greater than 35 miles per hour;
Golf carts will be prohibited on NC-273, and NC-27.

Option two: The Street must be a public street located within the City of Mount Holly and not have a posted speed limit of greater than 25 miles per hour;
The street must be located within a residential neighborhood.

I have attached a complete draft of each ordinance. The different wording for the two options is located on page four under Sec. 13-77. Certified golf cart roads.

CHAPTER 13
MOTOR VEHICLES AND TRAFFIC
Article VII. Operation of Golf Carts on Public Streets and Roads

Sec. 13-72. Authority to regulate.

Pursuant to G.S. 160A-300.6, the City is authorized, by ordinance, to require the registration of, and regulate the operation of golf carts upon any public street or road within the City.

Sec. 13-73. Purpose.

The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts are not designed or manufactured to be used on public streets, roads, and highways, and the City in no way advocates or endorses their operation on roads. The City, by regulating such operation, is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon carts on roads do so at their own risk and peril and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The City has no liability under any theory of liability for permitting carts to be operated on roads under special legislation granted by the State Legislature. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads of the City.

Sec. 13-74. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Golf cart means a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour, as defined by G.S. 20-4.01(12a).

Operate means to drive, or be in physical control of a golf cart that is moving or has its engine on.

Certified golf cart roads are those roads defined in section 13-77 below.

Sec. 13-75. Operation on public streets and roads.

It is unlawful to operate a golf cart on a public street or road within the City unless the following requirements are met.

(1) The golf cart may only be operated on certified golf cart roads that meet the requirements of section 13-77 below, except as provided in section 13-75(2) below.
(2) The operator of the golf cart must have a valid, issued registration, issued by the Police Department of the City of Mount Holly in accordance with section 13-76 below.

(3) Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina, and must carry proof of insurance when operating the golf cart.

(4) No person may operate a golf cart unless that person is at least 16 years of age and licensed to drive upon the streets and highways of North Carolina and then, only in accordance with such driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.

(5) An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags. The operator shall not allow any passenger to ride on any part of a golf cart who would be required to ride in a car seat if riding in a car.

(6) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 20 miles per hour.

(7) No golf cart may be operated in a careless or reckless manner.

(8) Golf carts must be operated to the right edge of the roadway and must yield to all vehicular and pedestrian traffic.

(9) Golf carts may be operated only during daylight hours, with the exception that golf carts equipped with operating lights meeting the requirements set forth herein may operate between the hours of 7:00 a.m. to 11:00 p.m.: Two operating headlights, one on each side of the front of the golf cart and two operating tail lights, one on each side of the rear of the cart, all four lights must be visible from a distance of 500 feet.

(10) Golf carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, greenway, park, or trail, except by City personnel while on City business. Application may be made to the City Manager or his designee for a waiver of this provision for a period of one or two days for the express purpose of undertaking a specific project benefiting a greenway, park, or trail.

(11) Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing, or parking of golf carts in an area where parking is not allowed or in any place that impedes the flow of traffic or pedestrian walkways is prohibited.

(12) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.

(13) Golf carts must have the basic equipment supplied by the manufacturer, including a vehicle identification number. Such equipment must include all safety devices as installed by said manufacturer, including rear view mirror, 50 square inches of reflective tape on the rear or rear triangle reflector of the type required by North Carolina law, and lights if the vehicle is to be operated at any time before sunrise or after sunset, as provided in section 13-75(10) above. In addition, golf carts must start with a key and be equipped with a non-manually operated horn.

Sec. 13-76. Registration, Inspection, and Fee.

(1) Registration required. No golf cart may be operated on any public street or road within the City unless the golf cart has first been registered with the Police Department of the City of Mount Holly as required herein. The registration shall be renewed thereafter in accordance with the provisions of this section.

(2) Application. The application for registration shall be made to the Police Chief, or to some other person designated by him or her, on forms provided by the Police Department. Along with the application, the applicant shall provide a valid driver's license and proof of liability insurance as required by section 13-75(4) above. A registration fee in the amount of $35.00 shall be paid to the City at the time the application for registration is filed or at the time of filing any renewal of the application.

(3) Inspection. Prior to issuing the initial registration permit, an inspector from the Police Department must perform an inspection at the Police Department, or under special circumstances and with the approval of the Chief, at the location of the golf cart within the city limits of Mount Holly, to determine that:
   (a) The golf cart is equipped with all mechanical systems and safety equipment required by this article;
   (b) The brakes on the golf cart are in proper working order; and
   (c) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour nor otherwise modified in any way that creates a hazard.

(4) Issuance and Proof of compliance. If the application is approved, the Police Department will issue a permit sticker to be attached to the golf cart in accordance with the instructions of the Police Department. The permit sticker shall be valid for one year from date of issuance, and may be renewed for subsequent one year periods in the same manner as an application for an initial permit, except that inspections shall only be required for initial issuance of a permit sticker and shall not be required for subsequent renewals. Lost or stolen stickers are the responsibility of the owner and must be replaced before the golf cart is operated on a public road.

(5) Denial and Revocation. The application for registration of a golf cart may be denied or subsequently revoked by the Chief of Police if he or she determines that:
   (a) The application contains any material misrepresentation;
   (b) The golf cart does not meet the definition of a golf cart;
   (c) The applicant does not have a valid driver's license;
   (d) The applicant does not have proof of required liability insurance;
   (e) The golf cart does not have the safety equipment required by this article;
   (f) The golf cart has been modified to exceed a speed of 20 miles per hour or otherwise modified in any way that creates a hazard;
   (g) The golf cart is being operated in a manner violating this article, including operation by someone not having a valid driver's license;
   (h) Failure to pay a penalty as provided in Section 13-78 below; or
   (i) Other good cause shown including repeated violations of this article.

Sec. 13-77. Certified golf cart roads.

Golf carts may be operated only upon certain public residential streets or segments of public residential streets that have been proclaimed certified golf cart roads in accordance with this section. Maps designating certified golf cart roads will be maintained at the Police Department and at City Hall, and may be inspected upon request.

To certify streets or segments of streets which have not been previously certified as golf cart roads, applicant must apply for certification on a form provided by the Police Department. The Police Chief or his or her designee will review the application and approve or deny certification of the street or street segment as a certified golf cart road based upon the following criteria:

(1) The street must be a public street located within the City of Mount Holly and not have a posted speed limit of greater than 35 miles per hour;
(2) Golf carts will be prohibited on NC-273, and NC-27;
(3) The street must be reasonably safe for the operation of golf carts in conjunction with existing traffic after looking at all factors, including: width of street, sight distances, horizontal and vertical curvature, intersections, parking, location relative to a school or daycare center, the existence of traffic lights or other traffic control devices, and the speed, volume, and character of motor vehicle traffic using the street; and
(4) Any other factors that the Police Chief or his or her designee deems necessary when evaluating a particular street.

Sec. 13-78. Enforcement.

Violation of this article shall be an infraction, the maximum penalty for which shall be $50.00. If the offender fails to pay the penalty within ten (10) days of receiving final written notice of a violation, the penalty may be recovered by the City of Mount Holly in a civil action in the nature of a debt, as provided by section 1-8 of the Mount Holly City Code. Operating a golf cart on a public road or highway in violation of state law, including operating under the influence of an impairing substance (i.e., alcohol or drugs), is a violation of state law, and is also punishable as provided therein.

City of Mount Holly
Action Agenda Item

To: Mayor and City Council	**Date:** 1/19/2017
From: Fire Department	**Meeting Date:** 1/23/2017

Agenda Item to be considered:

Consideration and Approval of FY2016 Staffing for Adequate Fire and Emergency Response (SAFER)

Will this require a public hearing? ☐ YES X NO

Background/Purpose of Request :

Request approval of Council for the Fire Department to apply for the FEMA SAFER Grant. This grant provides 75% funding for new staff salaries and benefits for a period of 2 years and 35% funding on the 3rd year minus non scheduled overtime. Please see attached documents for more information. This is for staffing the North Fire Station after the 3 year period the city would assume all costs for the firefighters.

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	$ 0		
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments: Yes

The Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
FY 2016 Staffing for Adequate Fire and Emergency Response (SAFER)

NOTE: If you are going to apply for this funding opportunity and have not obtained a Data Universal Numbering System (DUNS) number and/or are not currently registered in the System for Award Management (SAM), please take immediate action to obtain a DUNS Number, if applicable, and then to register immediately in SAM. It may take 4 weeks or more after you submit your SAM registration before your registration is active in SAM, then an additional 24 hours for Grants.gov to recognize your information. Information on obtaining a DUNS number and registering in SAM is available from Grants.gov at: http://www.grants.gov/web/grants/register.html. Detailed information regarding DUNS and SAM is also provided in Section D. Application and Submission Information.

A. Program Description

Issued By
U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD)

Catalog of Federal Domestic Assistance (CFDA) Number
97.083

CFDA Title
Staffing for Adequate Fire and Emergency Response (SAFER)

Notice of Funding Opportunity Title
Fiscal Year (FY) 2016 Staffing for Adequate Fire and Emergency Response (SAFER)

NOFO Number
DHS-16-GPD-083-000-99

Authorizing Authority for Program
Section 34 of the *Federal Fire Prevention and Control Act of 1974* (Pub. L. No. 93-498, as amended) (15 U.S.C. § 2229a)

Appropriation Authority for Program
Department of Homeland Security Appropriations Act, 2016 (Pub. L. No. 114-113)

Program Type
New

Program Overview, Objectives, and Priorities

The Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA) Grant Programs Directorate (GPD) is responsible for the implementation and administration of the Staffing for Adequate Fire and Emergency Response (SAFER) grant program.

The SAFER grant program is composed of two activities:

- **Hiring of Firefighters**
  - Career, combination, and volunteer fire departments are eligible to apply
- **Recruitment and Retention of Volunteer Firefighters**
  - Combination fire departments; volunteer fire departments; and national, state, local, or tribal organizations that represent the interests of volunteer firefighters are eligible to apply

The goal of the SAFER grant program is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, and assure that communities have adequate protection from fire and fire-related hazards. Local fire departments accomplish this by improving staffing and deployment capabilities so they may more effectively and safely respond to emergencies. With enhanced staffing levels, recipients should experience a reduction in response times and an increase in the number of trained personnel assembled at the incident scene.

While not required for a SAFER grant, it is preferable that the enhanced staffing levels of all SAFER recipients should ensure that all first-arriving apparatus are staffed with a minimum of four qualified personnel (to meet National Fire Protection Association (NFPA) 1710/1720 standards) who are capable of initiating the suppression response. Ultimately, SAFER recipients should achieve more efficient responses and safer incident scenes; thereby ensuring communities have improved protection from fire and fire-related hazards.

In awarding grants, the Administrator of FEMA shall consider the following:

- The findings and recommendations of the Technical Evaluation Panel (TEP)
- The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire related and other hazards
- The extent of an applicant's need for a SAFER grant and the need to protect the United States as a whole

The National Preparedness System is the instrument the nation employs to build, sustain, and deliver core capabilities in order to achieve the National Preparedness Goal (Goal) of a secure and resilient nation. Complex and far-reaching threats and hazards require a collaborative and whole community approach to national preparedness that engages individuals, families, communities, private and nonprofit sectors, faith-based organizations, and all levels of government. The guidance, programs, processes, and systems that support each component of the National Preparedness System allow for the integration of preparedness efforts that build, sustain, and deliver core capabilities and achieve the desired outcomes identified in the Goal while maintaining the civil rights of individuals.

The FY 2016 SAFER grant program plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the Goal of a secure and resilient nation. Delivering core capabilities requires the combined effort of the whole community, rather than the exclusive effort of any single organization or level of government.

The FY 2016 SAFER grant program's allowable costs support efforts to build and sustain core capabilities across the Prevention, Protection, Mitigation, Response, and Recovery mission areas. Examples of desired outcomes for the FY 2016 SAFER grant program include building and sustaining core capabilities, such as Fire Management and Suppression, and Public Health and Medical Services.

Additional details on the National Preparedness Goal can be found at https://www.fema.gov/national-preparedness-goal

B. Federal Award Information

Award Amounts, Important Dates, and Extensions

Available Funding for the NOFO:	$345,000,000
Projected number of Awards:	300
Period of Performance:	12-48 Months

Hiring of Firefighters Activity: The period of performance will be 36 months for all grants awarded under the Hiring of Firefighters Activity. An extension to the period of performance is not permitted.

Recruitment and Retention of Volunteer Firefighters Activity: The period of performance will be between 12 and 48 months for all grants awarded under the Recruitment and Retention of Volunteer Firefighters Activity. An extension to the period of performance for Recruitment and Retention of Volunteer Firefighters Activity grants may be granted when, due to circumstances beyond the control of the recipient, activities associated with the award cannot be completed within the stated performance period. For details on the requirements for requesting an extension to the period of performance, please refer to Section H. Additional Information.

Projected Period of Performance Start Date(s): *07/01/2017*

Projected Period of Performance End Date(s): *06/30/2020-06/30/2021*

Funding Instrument
Grant

C. Eligibility Information

Eligible Applicants

- Volunteer fire departments and combination fire departments may apply for funding under both the Hiring of Firefighters Activity and the Recruitment and Retention of Volunteer Firefighters Activity. Separate applications must be completed for each activity. Applicants are limited to one application per activity, per application period. If an applicant submits two applications for the same activity during a single application period, both applications will be disqualified.
- Career fire departments may only apply for funding under the Hiring of Firefighters Activity. Applicants are limited to one application per application period. If an applicant submits two applications, both applications will be disqualified.
- Municipalities and fire districts may submit applications on behalf of fire departments lacking the legal status to do so, such as those under the support of the municipality or district. The municipality or fire district may submit only one application for hiring per application period for each eligible fire department within the municipality or fire district.
- National, state, local, or tribal organizations representing the interests of volunteer firefighters and individual fire departments (volunteer or combination) may only apply for funding under the Recruitment and Retention of Volunteer Firefighters Activity. Applicants are limited to one application per application period. If an applicant submits two applications, both applications will be disqualified.

Table 1 identifies, in general, eligible entities that can apply for FY 2016 SAFER funding within each activity.

Table 1: Eligible Entities

Entity / Activity	Volunteer Fire Departments	Combination Fire Departments	Career Fire Departments	National, state, local, or tribal volunteer firefighter interest organization
Hiring of Firefighters	✓	✓	✓	
Recruitment and Retention of Volunteer Firefighters	✓	✓		✓

The following entity types are **NOT** eligible to apply under this announcement:

- Federal fire departments and fire departments under contract to the Federal Government whose sole responsibility is the suppression of fires on federal installations or lands;
- For-profit fire departments and organizations (e.g., fire departments that do not have specific nonprofit status or that are not municipally based);
- Ambulance services, emergency medical service organizations, rescue squads, auxiliaries, dive teams, and urban search and rescue teams;
- Non-federal airport or port authority fire departments whose sole responsibility is suppression of fires on the airport grounds or port facilities, unless the airport/port fire department has a formally recognized arrangement with the local jurisdiction to provide fire suppression on a first-due basis outside the confines of the airport or port facilities;
- Fire stations that are part of, controlled by, or under the day-to-day operational direction of a larger fire department or agency, or that are not otherwise independent;
- State and local agencies, such as forest service, fire marshals, emergency management offices, hospitals, and training offices;

Eligibility Criteria

Minimum Budget Requirement

At the time of application, the applicant's budget for fire-related programs and emergency response must not be below 80 percent of the applicant's average funding level in the 3 years prior to November 24, 2003.

Applicants experiencing economic hardship may apply for a waiver of this requirement. Please see Appendix A: FY 2016 SAFER Program Updates for additional information.

Other Eligibility Criteria

National Incident Management System (NIMS) Implementation

SAFER applicants are not required to be in compliance with the National Incident Management System (NIMS) to apply for funding or to receive an award. However, any applicant who receives an FY 2016 SAFER award must achieve the level of NIMS compliance required by the Authority Having Jurisdiction (AHJ) over the applicant's emergency service operations (e.g., a local government), prior to the end of the grant's period of performance.

Maintenance of Effort (MOE)

There is no maintenance of effort requirement for the FY 2016 SAFER grant program.

Cost Share or Match

Recipients of SAFER Recruitment and Retention of Volunteer Firefighters Activity grants are not required to contribute non-federal funds.

Recipients of SAFER Hiring of Firefighters Activity grants are required to contribute non-federal funds subject to a Position Cost Limit and a Cost Share, as described below.

Position Cost Limit (No Waiver Available):

The amount of federal funding provided to a recipient for hiring a firefighter in any fiscal year may not exceed—

- in the first year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted;
- in the second year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted; and
- in the third year of the grant, 35 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.

"Usual annual costs" includes the base salary (exclusive of overtime) and standard benefits package (including the **average** health cost, dental, vision, FICA, life insurance, retirement/pension, etc.) offered by fire departments to first-year firefighters. Please refer to Appendix B regarding eligible and ineligible costs for SAFER Hiring of Firefighter Activity grants.

The Position Cost Limit is automatically calculated by the eGrant system in the Budget section of the application.

Cost Share (Waiver Available):
In addition to the Position Cost Limit, the Federal portion of the costs of hiring new firefighters under this grant may not exceed:

- 75 percent of the actual costs incurred in the first year of the grant;
- 75 percent of the actual costs incurred in the second year of the grant; and
- 35 percent of the actual costs incurred in the third year of the grant.

Therefore, the recipient is required to contribute at least the following in non-Federal funds:

- 25 percent of the actual costs incurred in the first year of the grant;
- 25 percent of the actual costs incurred in the second year of the grant; and
- 65 percent of the actual costs incurred in the third year of the grant.

A Cost Share of non-federal cash is the only allowable recipient contribution.

Example:

The applicant submits a SAFER Hiring of Firefighter Activity grant application for one (1) new firefighter. At the time the application is submitted, the usual annual cost of a first year firefighter in that department is $100,000. The federal funding, due to the Position Cost Limit, will be limited to:

- Year 1 = $75,000
- Year 2 = $75,000
- Year 3 = $35,000

The grant is awarded and the department accrues the following actual costs during the term of the grant:

- Year 1 = $80,000
- Year 2 = $95,000
- Year 3 = $110,000

In this case, the federal portion will be:

- Year 1
    - If the Cost Share requirement is <u>not</u> waived
        - Federal funds will be limited to $60,000, or 75% of actual costs incurred ($80,000)
    - If the Cost Share requirement is waived
        - Federal funds will cover no more than $75,000, or 75% of the usual cost of a firefighter at the time of application ($100,000)
- Year 2
    - If the Cost Share requirement is <u>not</u> waived
        - Federal funds will be limited to $71,250, or 75% of actual costs incurred ($95,000)
    - If the Cost Share requirement is waived
        - Federal funds will cover no more than $75,000, or 75% of the usual cost of a firefighter at the time of application ($100,000)
- Year 3
    - If the Cost Share requirement is <u>not</u> waived
        - Federal funds will be limited to $35,000 due to the Position Cost Limit of 35% of the usual cost of a firefighter at the time of application ($100,000).
    - If the Cost Share requirement is waived
        - Federal funds will cover no more than $35,000, or 35% of the usual cost of a firefighter at the time of application ($100,000).

Economic Hardship Waiver:
Applicants experiencing economic hardship may apply to waive or reduce the Cost Share requirement. There is no waiver available for the Position Cost Limit. Please see Appendix A: FY 2016 SAFER Program Updates for additional information.

D. <u>Application and Submission Information</u>

Key Dates and Times

Date Posted to Grants.gov:	*12/22/2016*
Application Start Date:	*01/09/2017 at 8:00 AM Eastern Time*
Application Submission Deadline:	*02/10/2017 at 5:00 PM Eastern Time*

In general, DHS/FEMA will not review applications received after the deadline or consider them for funding. DHS/FEMA may, however, extend the application deadline on request for any applicant who can demonstrate good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant's control that prevent submission of the application by the deadline, or other exigent or emergency circumstances. If applicants experience technical issues, they must notify the FEMA Help Desk as soon as possible.

Anticipated Funding Selection Date: *05/01/2017*

Anticipated Award Date: *06/01/2017*

Address to Request Application Package

The online FY 2016 SAFER application is available through the Assistance to Firefighters Grant Program's (AFGP) eGrants system application portal at https://portal.fema.gov/. There are several ways to access application information:

- AFGP website (http://www.fema.gov/firegrants)
- Grants.gov (http://www.grants.gov)
- U.S. Fire Administration (http://www.usfa.fema.gov)

Hard copies of the application are not available.

In addition, the Telephone Device for the Deaf (TDD) and/or Federal Information Relay Service (FIRS) number available for this Notice is: (800) 462-7585.

Application tutorials and Frequently Asked Questions (FAQs) explain the current SAFER grant program, assist with the online grant application, and highlight lessons learned and changes for FY 2016. For more details, please visit the AFGP website at http://www.fema.gov/firegrants.

Content and Form of Application Submission

DHS makes all funding opportunities available through Grants.gov, accessible on the Internet at http://www.grants.gov. If applicants experience difficulties accessing information or have any questions, please call the Grants.gov Contact Center at (800) 518-4726.

The Grants.gov website will direct applicants to the eGrants system application portal at https://portal.fema.gov/, which contains the online SAFER application. All required forms have been incorporated into the online SAFER application. The eGrants system will allow an authorized representative to log in and create a user name and password. This user name and password is specific to the authorized user and must not be shared with other personnel. If the applicant has submitted any AFGP applications (including Assistance to Firefighters Grant (AFG), Staffing for Adequate Fire and Emergency Response (SAFER), Fire Prevention and Safety (FP&S), or Station Construction Grant (SCG)) in a previous grant cycle, they must continue to use the same username, password, and DUNS number for any FY 2016 application(s).

If the applicant has forgotten the password or the primary point of contact has changed, please visit http://www.fema.gov/assistance-firefighters-grant-program-most-frequently-asked-questions for instructions on how to update and correct the organization's information.

The automated application is designed with help screens and drop-down lists to assist the applicant throughout the process. Applicants can save, retrieve, update, and revise their work through the end of the application period. Applicants should save their work often as the electronic application includes a time-out feature. The automated system does not allow an applicant to submit an incomplete application. The system alerts the applicant when required information has not been entered.

NO APPLICATION WILL BE RELEASED AFTER FINAL SUBMISSION
After an application has been completed and submitted, no changes can be made. There is no appeal process for inaccurate or incomplete information retained by the system due to improper or multiple browser usage by the applicant. Therefore, please:

- Do not use any other browsers than Internet Explorer (IE 6 or higher). The eGrants system can run up to Internet Explorer 11, which should be used if available to the applicant.
- Do not have multiple browser tabs open when entering information, even when using Internet Explorer (IE 6 or higher). There are several known problems entering application information using non-IE browsers or having multiple browsers open, including but not limited to:
    - System failure to recognize correct information
    - System failure to capture and retain correct information
    - System functions like "cut and paste" being disabled

The primary point of contact listed in the application will automatically be notified via email, via the eGrants system, once the application is received.

Unique Entity Identifier and System for Award Management (SAM)

DHS is participating in the Grants.gov initiative that provides the grant communities a single site to find grant funding opportunities. Before applying for a DHS grant, applicants must have a DUNS number and must be registered in SAM.

Please allow plenty of time before the grant application submission deadline to obtain a DUNS number and then to register in SAM. It may take four weeks or more after the applicant submits the SAM registration before the registration is active in SAM, then an additional 24 hours for Grants.gov to recognize the information.

FEMA may not make an award to an entity until the entity has complied with the requirements to provide a valid DUNS number and maintain an active SAM registration with current information. If the applicant is noncompliant at the time of award offer, then FEMA may determine the applicant is not qualified to receive an award, and award another applicant.

IMPORTANT: Please ensure that applicant organization's name, address, DUNS number, and Employer Identification Number (EIN) are up to date in SAM and that the DUNS number used in SAM is the same one used to apply for all FEMA applications. The applicant organization's name in SAM must also match the organization name provided on the applicant's SF-1199a Direct Deposit Form. Future payments will be contingent on the information provided in SAM; therefore, it is imperative that the information is correct.

DUNS number. Instructions for obtaining a DUNS number can be found at the following website: http://www.grants.gov//web/grants/applicants/organization-registration/step-1-obtain-duns-number.html. The DUNS number must be included in the data entry field labeled "Organizational DUNS" on the Standard Forms (SF)-424 forms submitted as part of this application.

System for Award Management.
Applicant registration in SAM is free. All applicants must register with SAM in order to apply online. Step-by-step instructions for registering with SAM can be found here: http://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html. Please remember that SAM registration is only active for one year and must be renewed annually.

Existing SAM.gov account holders should check their account to make sure it is "active." SAM registration should be completed at the very beginning of the application period, and renewed annually to avoid being "inactive."

Help with SAM. SAM quick start guide for new recipient registration and SAM video tutorial for new applicants are tools created by the General Services Administration (GSA) to assist those registering with SAM. If applicants have questions or concerns about a SAM registration, please contact the Federal Support Desk at https://www.fsd.gov/fsd-gov/home.do or call toll free (866) 606-8220.

Commercial and Government Entity (CAGE) Code. To get a CAGE code, applicants must first be registered in SAM, which is a requirement for doing business with the Federal Government. Applicants will be assigned a CAGE code as part of the SAM validation process, and as soon as the registration is active, applicants can view the CAGE code online by logging in to the SAM account.

Funding Restrictions

Federal funds made available through this program may only be used for the purpose set forth in the award package and must be consistent with the statutory authority for the award. Award funds may not be used for matching funds for any other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the Federal Government or any other government entity. Failure to adhere to the award conditions will cause the recipient to be considered in default of the grant agreement, and may require the return of all federal funds disbursed under the grant.

Program Specific Funding Restrictions. Details on eligible and ineligible costs are included in Appendix B: Programmatic Information and Priorities – Funding Priorities.

Construction or Remodeling/Renovation Costs. Construction costs are not eligible under the SAFER grant program. Construction includes major alterations to a building that changes the profile or footprint of the structure.

Under the SAFER Recruitment and Retention of Volunteer Firefighters Activity, remodeling/renovations to an existing facility are limited to minor interior alterations costing less than $10,000 and should be requested under Modification to Facilities. IMPORTANT: Some of these activities may require an Environmental and Historical Preservation (EHP) review; certain costs associated with an EHP Review are eligible for reimbursement.

Environmental and Historic Preservation (EHP). As a federal agency, FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by the agency, including grants-funded projects, comply with Federal EHP regulations, laws and Executive Orders as applicable. Recipients proposing projects that have the potential to impact the environment, including, but not limited to modification or renovation of existing buildings, structures and facilities, must participate in the FEMA EHP Review process. The EHP Review process involves the submission of a screening form that includes detailed project description that explains the goals and objectives of the proposed project along with supporting documentation so that FEMA may determine whether the proposed project has the potential to impact environmental resources and/or historic properties. In some cases, FEMA also is required to consult with other regulatory agencies and the public in order to complete the review process. The EHP Review process must be completed before funds are released to carry out the proposed project. FEMA will not fund projects that are initiated without the required EHP Review.

Additionally, all recipients are required to comply with FEMA EHP Policy Guidance. This EHP Policy Guidance can be found in FEMA Policy (FP) 108-023-1, Environmental Planning and Historic Preservation Policy Guidance, and FP 108-24-4, Environmental Planning and Historical Preservation Policy.

SAFER projects that involve the installation of equipment not specifically excluded from a FEMA EHP Review per the GPD Programmatic Environmental Assessment (PEA); ground-disturbing activities; or modification/renovation of existing buildings or structures must undergo a FEMA EHP Review.

No facilities modification project can proceed, with the exception of project planning, prior to formal FEMA approval.

The following activities would not require the submission of the FEMA EHP Screening Form:

- Planning and development of policies or processes;
- Management, administrative, or personnel actions;
- Classroom-based training; and
- Acquisition of mobile and portable equipment (not involving installation) on or in a building.

The EHP Screening form and instructions are available at: http://www.fema.gov/media-library-data/1431970163011-80ce3cd907072a91295b1627c56d8fd2/gpd_ehp_screening_form_51815.pdf

Complete the EHP Screening form and submit to the EHP Office at GPDEHPInfo@fema.dhs.gov.

Pre-award Costs. Only costs incurred during the period of performance are allowable (see Section F: Federal Award Administration Information, Period of Performance Guidance). However, recipients under the Recruitment and Retention of Volunteer Firefighters Activity may request to be reimbursed for grant writer fees (see Appendix C: Award Administration Information, Section I. Grant Writer/Preparation Fees; see also Appendix B: Programmatic Information and Priorities, Section IV. Eligible and Ineligible Projects and Costs).

Management and Administration (M&A) Costs. No more than three (3) percent of the federal share of SAFER Recruitment and Retention of Volunteer Firefighters Activity funds may be expended by the recipient for management and administration (M&A) purposes associated with the SAFER award. M&A are not operational costs but are necessary costs incurred in direct support of the grant or as a consequence of it. As such, these costs can be itemized in financial reports. M&A expenses should be based only on actual expenses or known contractual costs; requests that are simple percentages of the award, without supporting justification, will not be allowed or considered for reimbursement. Salaries and fringe benefits for personnel directly supporting the grant are not required to be included in the M&A budget line item. M&A costs under the Hiring of Firefighters Activity are not eligible.

Indirect Facilities & Administrative (F&A) Costs. Indirect F&A costs are those costs incurred for a common or joint purpose benefitting more than one cost objective. These costs are not readily assignable to the costs objectives specifically benefitted, without effort disproportionate to the results achieved.

Indirect costs are allowable under the Recruitment and Retention of Volunteer Firefighters Activity, as described in 2 C.F.R. § 200.414. With the exception of recipients who have never received a negotiated indirect cost rate as described in 2 C.F.R. § 200.414(f), recipients must have an approved indirect cost rate agreement with their cognizant federal agency to charge indirect costs to this award. A copy of the approved rate (a fully executed, agreement negotiated with the applicant's cognizant federal agency) is required at the time of application, and must be provided to FEMA before indirect costs are charged to the award. Copies of the indirect cost rate agreements, along with the SAFER application number, must be submitted electronically to FireGrants@fema.dhs.gov.

Indirect costs will be evaluated as part of the application for federal funds to determine if they are allowable, reasonable, or disproportionally impact an application's cost benefit.

E. Application Review Information

Application Evaluation Criteria

Prior to making a federal award, the federal awarding agency is required by 31 U.S.C. 3321 and 41 U.S.C. 2313 to review information available through any OMB-designated repositories of government wide eligibility qualification or financial integrity information. Therefore application evaluation criteria may include the following risk based considerations of the applicant: (1) financial stability; (2) quality of management systems and ability to meet management standards; (3) history of performance in managing federal award; (4) reports and findings from audits; and (5) ability to effectively implement statutory, regulatory, or other requirements.

FEMA will rank all complete and submitted applications based on how well they match the program priorities. Answers to the application's activity specific questions provide information used to determine each application's ranking relative to the stated program priorities.

Funding priorities and criteria for evaluating SAFER applications are established by FEMA based on the recommendations from the Criteria Development Panel (CDP). Each year, FEMA convenes a panel of fire service professionals to develop funding priorities for the SAFER grant program. The panel makes recommendations about funding priorities as well as developing criteria for awarding grants. For details on the funding priorities, please refer to Appendix B: Programmatic Information and Priorities, Section III. Funding Priorities.

The nine major fire service organizations represented on the panel are:

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Service Institute

The CDP is charged with making recommendations to FEMA regarding the creation or modification of previously established funding priorities as well as developing criteria for awarding grants. The content of this NOFO reflects implementation of the CDP's recommendations with respect to the priorities, direction, and criteria for awards.

Review and Selection Process

SAFER applications are reviewed through a multi-phase process. First, applications are electronically pre-scored and ranked based on how well they align with the funding priorities outlined in this notice; then applications are scored competitively by (no less than three) members of the Peer Panel Review process. Applications will also be evaluated through a series of internal FEMA review processes for completeness, adherence to programmatic guidelines, technical feasibility, and anticipated effectiveness of the proposed project(s). Below is the process by which applications will be reviewed:

i. Pre-scoring Process

In the application, fire departments applying for SAFER grants will be asked general questions about their organization and community, as well as questions specific to the proposed project. National, state, local, or tribal organizations that represent the interests of volunteer firefighters will be asked a number of general questions regarding their organizations and a series of activity-specific questions relative to the recruitment and retention projects they propose and the activities selected. Answers to activity-specific questions as well as information submitted throughout the application will determine an applicant's standing relative to SAFER grant funding priorities. Application narratives are not reviewed during pre-score. Applications most consistent with the SAFER grant funding priorities score higher in the automated evaluation. Automated evaluation scores represent 50 percent of the total application score.

ii. Peer Review Panel Process

A panel of at least three Peer Review Panelists performs the second phase of an application's evaluation. The panel is composed of fire service representatives recommended by the national organizations from the CDP. These panelists evaluate the application using the Narrative Statement, answers to the general questions, and answers to the activity-specific questions. Each application is evaluated on its own merits against established criteria and is not compared to other applications. The peer review evaluation score represents 50 percent of the total application score.

iii. Technical Evaluation Process (TEP)

The highest ranked applications will be deemed in the fundable range. Applications that are in the fundable range will undergo both a Technical Review by a Subject Matter Expert (SME) as well as a SAFER Program Office review prior to being recommended for award. The FEMA Program Office will assess the request with respect to costs, quantities, feasibility, eligibility, and recipient responsibility prior to recommending any application for award.

Once the TEP is complete, each application's cumulative score will be determined and a final ranking of applications will be created. FEMA will award grants based on this final ranking and the ability to meet statutorily required funding limitations outlined in Appendix B, III. Statutorily Required Funding Limitations.

Simplified Acquisition Threshold (currently $150,000)

i. Prior to making a federal award with a total amount of federal share greater than the simplified acquisition threshold, DHS is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS).

ii. An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM.

iii. DHS will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 CFR § 200.205 federal awarding agency review of risk posed by applicants.

Narrative Evaluation Criteria

The Narrative Statement of the application must provide specific details about the activity for which applicants are seeking funding, including budget details. The applicant must explain how the proposed activity is related to the hiring or recruitment and retention program.

In applications for the Recruitment and Retention of Volunteer Firefighters Activity, applicants must also provide details regarding how volunteers will qualify for the incentives (who is eligible for initiatives funded under the grant and discuss any prerequisites). For example, an organization might withhold paying nominal stipends until members participate in a minimum number of operational activities.

Applicants should save their work often as the electronic application includes a time-out feature. If no-save activity is detected for a period of time, the application will time-out and all information that is not saved could be lost. Therefore, it is recommended that applicants type the Narrative Statement information offline using a word processing program to avoid losing any information.

Once the Narrative Statement is complete, applicants can then cut-and-paste the text into the appropriate sections within the Narrative Statement section of the online application.

Please note the Narrative Statement blocks do not allow for formatting. Do not type the narrative using only capital letters. Additionally, do not include tables, special fonts (e.g., quotation marks, bullets), or graphs.

Space for the Narrative Statement is limited. Each element must have a minimum of 200 characters and each element will have a character limit; the limit varies based on the questions being asked. The character count is listed below. Once the Narrative Statement is saved to the online application, log-out and then log back in to the application to verify that the information was successfully saved.

Peer Review Panelists will evaluate and score each activity based on the following narrative elements within each activity:

i. Hiring of Firefighters Activity

The Narrative Statement for applications requesting this funding must include Elements 1 through 4. Each element will be evaluated independently by a Peer Review Panelist. The relative weight of each element in the determination of the grant award is listed below.

1) **Project Description (30%):**
   a) Why does the department need the positions requested in this application? If the request is based on a needs assessment or Insurance Services Office rating, provide details of those outcomes. (3000 character limit)
   b) Describe how the positions requested in this application will be used within the department (e.g., fourth firefighter on engine, open a new station, eliminate browned out stations, reduce overtime). What are the specific benefits that the positions requested in this application will provide to the fire department and community? (2000 character limit)
   c) Describe how the awarding of this grant would enhance the department's ability to protect critical infrastructure. (1000 character limit)

2) **Impact on Daily Operations (30%):**
   a) Explain how the community and the current firefighters employed by the department are at risk without the positions requested in this application. How will that risk will be reduced if awarded? (2000 character limit)
   b) Discuss the impact the positions requested in this application will have on the department's NFPA compliance. (2000 character limit)

3) **Financial Need (30%):**
   a) Provide additional details about the department's current operating budget, including an income versus expenses breakdown of the current annual budget. (2000 character limit)
   b) Describe the department's budget shortfalls and the inability to address the financial needs without federal assistance. What other actions has the department taken to obtain funding elsewhere (e.g., state assistance programs, other grant programs)? (2000 character limit)
   c) Discuss how the critical functions of the department are affected without this funding. (2000 character limit)

4) **Cost Benefit (10%):**
   Describe the benefits (e.g., quantifying the anticipated savings and/or efficiencies) the department and community will realize if

awarded the positions requested in this application. (3000 character limit)

ii. Recruitment and Retention of Volunteer Firefighters Activity (Fire Departments)

The Narrative Statement for applications requesting this funding must include Elements 1 through 4. Each element will be evaluated independently by a Peer Review Panelist. The relative weight of each element in the determination of the grant award is listed below:

1) **Project Description (30%):**
    a) Describe the problems and/or issues the department is experiencing in recruiting new volunteer firefighters. What are the problems and/or issues the department is experiencing in retaining current members? (3000 character limit)
    b) Describe the implementation plan to directly address the identified problems or issues. What are the methods and specific steps that will be used to achieve this plan? (3000 character limit)
    c) Describe how the recruitment of new volunteer firefighters and/or retention of current volunteer firefighters will impact the department's operational needs or capabilities. (1500 character limit)
    d) Describe the specific benefits the new volunteer firefighters and/or retention of current volunteer firefighters will provide for the fire department(s) and community. (1000 character limit)
    e) If the grant request will have a regional impact, identify the activities that are part of the regional request and explain which activities are exclusive to the host applicant, if applicable. (2000 character limit)

2) **Impact on Daily Operations (30%):**
    a) Describe how the community and current volunteer firefighters in the department are at risk without the items or activities requested in this application. How will the risk be reduced if awarded? (2000 character limit)
    b) Provide details on how often the department currently complies with the applicable NFPA 1710 or NFPA 1720 standards. Explain the impact the recruitment of new volunteer firefighters and/or the retention of current volunteer firefighters will have on the department's NFPA compliance, if awarded. (2000 character limit)

3) **Financial Need (30%):**

a) Provide additional details about the department's current operating budget, including an income versus expenses breakdown of the department's current annual budget. (2000 character limit)
b) Describe the department's budget shortfalls and the inability to address financial needs without federal assistance. What other actions has the department taken to obtain funding elsewhere (e.g., state assistance programs, other grant programs)? How have similar projects have been funded in the past? (2000 character limit)
c) Discuss how the critical functions of the department are affected without this funding. (1000 character limit)

4) **Cost Benefit (10%):**
Describe the benefits (e.g., quantifying the anticipated savings and/or efficiencies) the department and community will realize if awarded the items or activities requested in this application. (3000 character limit)

iii. Recruitment and Retention of Volunteer Firefighters Activity (national, state, local, or tribal volunteer firefighters interest organizations)

The Narrative Statement for applications requesting this funding must include Elements 1 through 4. Each element will be evaluated independently by a Peer Review Panelist. The relative weight of each element in the determination of the grant award is listed below:

1. **Project Description (30%):**
   a) Describe the problems and/or issues the fire departments, who the organization will be reaching with this grant, are experiencing in recruiting new volunteer firefighters. What are the problems and/or issues the same departments are experiencing in retaining current members? (3000 character limit)
   b) Describe the organization's implementation plan to directly address the problems or issues identified. What are the methods and specific steps that will be used to achieve this plan? (3000 character limit)
   c) Describe how the recruitment of new volunteer firefighters and/or retention of current volunteer firefighters will impact the operational needs or capabilities of the fire departments participating in this application. (1500 character limit)
   d) Describe the specific benefits the new volunteer firefighters and/or retention of current volunteer firefighters will provide for the fire departments participating in this application and their respective communities. (1000 character limit)

e) Describe the organization's procurement practices and the timelines outlining the chronological steps to complete the activities requested in this application. (2000 character limit)

2. **Impact on Daily Operations (30%):**
   a) Describe how the fire departments participating in this application and their current volunteer firefighters and communities are at risk without the items or activities requested in this application. How will that risk be reduced if awarded? (2000 character limit)
   b) Describe the impact that the recruitment of new volunteer firefighters and/or the retention of current volunteer firefighters will have on the NFPA compliance of the fire departments participating in this application, if awarded. (2000 character limit)

3. **Financial Need (30%):**
   a) Provide detail about the organization's operating budget for the current (at time of application) fiscal year, including an income versus expenses breakdown of the current annual budget. Provide details of the organization's annual operating budget for the 2001, 2002, and 2003 fiscal years. (2000 character limit)
   b) Describe the organization's budget shortfalls and the inability to address the financial needs without federal assistance. What other actions has the organization taken to obtain funding elsewhere (e.g., state assistance programs, other grant programs)? How have similar projects have been funded in the past? (2000 character limit)
   c) Discuss how the critical functions of the organization are affected without this funding. (1000 character limit)

4. **Cost Benefit (10%):**
   Describe the benefits (e.g., quantifying the anticipated savings and/or efficiencies) the fire departments participating in this application and their communities will realize if awarded the items or activities requested in this application. (3000 character limit)

F. Federal Award Administration Information

Notice of Award

Awards will be announced on a rolling basis until all grant funds are allocated. Once an award has been approved and recorded in the system, an award package is sent to the authorized representative. The award package and email notification will be made within the eGrants system. The authorized representative should follow the directions in the notification to accept the award documents. The authorized representative should carefully read the award package for instructions on administering the grant, whether there has been an adjustment to the award, and to become familiar with the terms, conditions and responsibilities of federal awards.

The offered award will be available for a maximum of 30 days until the recipient either accepts or declines the award via the online AFGP eGrants system. The recipient should follow the directions in the notification to confirm acceptance of the award. Failure to accept the grant award within 30 days of an offer of award may result in a loss of funds. Recipients may request additional time to accept the award if needed.

Negotiation of Award. During the review process for a SAFER award, the application request(s) may have been modified. These modifications will be identified in the award package, which is provided upon the offer of an award.

If the awarded activities, scope of work, or requested dollar amount(s) do not match the application as submitted, the recipient shall only be responsible for completing the activities actually funded by FEMA. The recipient is under no obligation to start, modify, or complete any activities requested but not funded by the award.

Turndown Notifications. All applicants who do not receive an FY 2016 SAFER award will receive a turndown notification within the eGrants system. Turndown notifications will briefly describe why the application was not recommended for funding. Due to the historical volume of applications and turndowns, detailed debriefs for each applicant will not be possible.

Period of Performance Guidance

i. Hiring of Firefighters Activity
- The period of performance is 36 months for all grants awarded under this activity.
- A default 180-day recruitment period begins when an application is approved for award under this activity.
- The 36 month period of performance automatically starts after the 180-day recruitment period, regardless of whether the recipient has successfully hired the requested firefighters. The period of performance cannot be started later than 180 days after the award date.
- If a recipient is able to hire SAFER-funded firefighters during the 180-day recruitment period, the period of performance may begin at that time. However, recipients must submit an amendment requesting that the period of performance start before the end of the 180-day recruitment period.
- An extension to the period of performance is not permitted.

ii. Recruitment and Retention of Volunteer Firefighters Activity

- The period of performance will be between 12 and 48 months for all grants awarded under this activity.
- A default 90-day recruitment period begins when the application is approved for award. This period allows each recipient time to gather resources, initiate processes, and to finalize contracts needed to implement SAFER grant activities before the start of the period of performance in order to maximize the availability of the funding.
- If a recipient is able to begin their recruitment or retention activities during the 90-day recruitment period, the period of performance may begin at that time. However, recipients must submit an amendment requesting that the period of performance start before the end of the 90-day recruitment period.
- The period of performance automatically starts after the 90-day recruitment period, regardless of whether the recipient has begun implementing their grant award. The period of performance cannot be started later than 90 days after the award date.
- Extensions to the period of performance are permitted.

Administrative and National Policy Requirements

DHS Standard Administrative Terms and Conditions

All successful applicants for all DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at:

https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions

The applicable DHS Standard Terms and Conditions will be those in effect for the year in which the award was originally made.

Before accepting the award, the Authorized Organizational Representative (AOR) should carefully read the award package for instructions on administering the grant award and the terms and conditions associated with responsibilities under federal Awards. Recipients must accept all conditions in this NOFO as well as any Special Terms and Conditions in the Notice of Award to receive an award under this program.

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

On December 26, 2014, DHS adopted the Office of Management and Budget's (OMB) *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* in 2 C.F.R. Part 200, which establishes a uniform set of mandatory requirements for federal awards to non-federal entities. These requirements apply to all awards made after December 26, 2014, including FY 2016 SAFER awards. This regulation (also commonly referred to as the

"Super Circular" or "Omni Circular") is available at: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

A crosswalk that highlights policy changes, clarifications, and updates to policy provisions, is available at:
https://www.whitehouse.gov/sites/default/files/omb/fedreg/2013/uniform-guidance-crosswalk-from-predominate-source-in-existing-guidance.pdf

Reporting

Recipients are required to submit various financial and programmatic reports as a condition of their award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent.

Federal Financial Reporting Requirements

Federal Financial Reports (SF-425). Recipients of SAFER grants awarded on or after October 1, 2009, are required to submit semi-annual Federal Financial Reports (FFR) (SF-425). The FFR is to be submitted using the online eGrants system based on the calendar year beginning with the period after the start of the period of performance. Recipients are required to submit an FFR throughout the entire period of performance of the grant. Reports are due:

- **July 30** (for period January 1 – June 30)
- **January 31** (for period July 1 – December 31)
- Within 90 days after the end of the Period of Performance

The Federal Financial Reporting Form (FFR) and instructions are available at the following sites:

http://www.whitehouse.gov/sites/default/files/omb/grants/approved_forms/SF-425.pdf

https://www.whitehouse.gov/sites/default/files/omb/grants/standard_forms/SF-425_instructions.pdf

Financial and Compliance Audit Report. For audits of fiscal years beginning on or after December 26, 2014, recipients that expend $750,000 or more from all federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the requirements of the Government Accountability Office's (GAO) Government Auditing Standards, located at http://www.gao.gov/govaud/ybk01.htm, and the requirements of Subpart F of 2 C.F.R. Part 200, located at http://www.ecfr.gov/cgi-bin/text-idx?SID=876f827f6fae2c4bce610e9427a6d229&node=sp2.1.200.f&rgn=div6.

For audits of fiscal years beginning prior to December 26, 2014, recipients that expend $500,000 or more from all federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with GAO's Government Auditing Standards, located at http://www.gao.gov/govaud/ybk01.htm, and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, located at:
http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2012.

Program Performance Reporting Requirements

Quarterly Performance Reports. SAFER grant recipients are responsible for submitting quarterly programmatic performance reports through the eGrants system. The programmatic performance report is due every three months after the start of the grant's period of performance, and thereafter until the end of the period of performance.

Monitoring. Recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Monitoring may be accomplished through either a desk-based review or onsite monitoring visits, or both. Monitoring will involve the review and analysis of the financial, programmatic, performance, compliance and administrative processes, policies, activities, and other attributes of each federal assistance award, and will identify areas where technical assistance, corrective actions, and other support may be needed.

The recipient is responsible for monitoring all sub-award activities to ensure compliance with federal and state laws, regulations, and guidance. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, reporting and refunding expenditures disallowed by audits, monitoring, or other assessments and reviews.

Close Out Reporting Requirements

Within 90 days after the end of the period of performance, recipients must submit a final SF-425 and a final performance report (within the closeout module in eGrants system) detailing all accomplishments and a qualitative summary of the impact of those accomplishments throughout the period of performance.

After these reports have been reviewed and approved by FEMA, a close-out notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final SF-425.

The recipient is responsible for returning any funds that have been drawn down but remain as unliquidated on recipient financial records.

G. DHS Awarding Agency Contact Information

Contact and Resource Information

SAFER Help Desk

The SAFER Help Desk provides technical assistance to applicants for the online completion and submission of applications into the eGrant system, answers questions concerning applicant eligibility and recipient responsibilities, and offers assistance in the programmatic administration of award. The Help Desk can be contacted at (866) 274-0960 or by email at FireGrants@fema.dhs.gov. Normal hours of operation are from 8:00 a.m. to 4:30 p.m., Monday through Friday. All times listed are Eastern Time.

eGrants System Information

For technical assistance with the eGrants system or SAFER application or award questions, please email the SAFER Help Desk at: FireGrants@fema.dhs.gov. The Help Desk can also be contacted at (866) 274-0960.

H. Additional Information

Extensions to SAFER Hiring of Firefighters Activity Grants

Extensions to the period of performance are not permitted.

Extensions to SAFER Recruitment and Retention of Volunteer Firefighters Activity Grants

Extensions to the period of performance are permitted.

An award's period of performance must be active for a recipient to submit a proposed extension request to FEMA. Recipients should request extensions sparingly and only under exceptional circumstances. **Approval is not guaranteed.**

Extensions to the initial period of performance identified in the award will only be considered through formal requests, via the eGrants system, and must contain specific and compelling justification as to why an extension is required.

All extension requests must contain:

1. Grant Program, Fiscal Year, and award number;
2. Justification for the extension—this must include details of the legal, policy, or operational challenges being experienced that prevent the final outlay of awarded funds by the applicable deadline;
3. Current status of the activity/activities;
4. Approved period of performance termination date and new project completion date;

5. Amount of funds drawn down to date;
6. Remaining available funds, both federal and non-federal;
7. Budget outlining how remaining federal and non-federal funds will be expended;
8. Plan for completion, including milestones and timeframes for achieving each milestone and the position/person responsible for implementing the plan for completion; and
9. Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA.

To be eligible for consideration, extension requests must be submitted via the eGrants system. Requests should be submitted no earlier than 120 days but no later than 60 days prior to the end of the award's period of performance.

In accordance with FEMA policy, extensions are reviewed on a case-by-case basis, and typically granted for no more than a six-month time period. Extension requests will be granted only due to compelling legal, policy, or operational challenges. The review process can take up to 30 days or longer. This review period should be factored into the timing of when to submit a request for an extension.

Example: Recipients may request an extension, when not adjusting the timeline for liquidating obligations would constitute a verifiable legal breach of contract by the recipient with vendors or sub-recipients; or where a specific statute or regulation mandates an environmental review that cannot be completed within this timeframe; or where other exceptional circumstances warrant a discrete waiver.

Appendix A: FY 2016 SAFER Program Updates

Appendix A contains detailed information on changes to SAFER between FY 2015 and FY 2016

I. New For FY 2016

The content of this NOFO reflects DHS's implementation of Section 34 of the *Federal Fire Prevention and Control Act of 1974*, as amended (15 U.S.C. § 2229a). Under this authority, the FY 2016 SAFER grant program requires the following:

- **Position Cost Limit:** SAFER Hiring of Firefighters Activity grant funds may not exceed a certain percentage of the usual annual cost of a first-year firefighter in that department at the time of the grant application. There is no waiver available for this requirement.

- **Cost Share**: SAFER Hiring of Firefighters Activity grant recipients are now required to contribute a Cost Share toward the actual cost of hiring firefighters under this program. Grant recipients can apply to waive this requirement.

- **Minimum Budget Requirement**: At the time of application, both SAFER Hiring of Firefighter Activity and Recruitment and Retention of Volunteer Firefighters Activity grant applicants are required to certify that their annual budget for fire-related programs and emergency response has not been reduced below 80% of the average funding level in the three years prior to November 24, 2003. Grant recipients can apply to waive this requirement.

- **No Supplanting Allowed:** SAFER Hiring of Firefighter Activity grant funds may only be used to hire new, additional firefighters and may not be used to supplant funds that would otherwise be available from State or local sources, or the Bureau of Indian Affairs. Grant recipients can apply to waive this requirement. The Hiring of Firefighters Activity is no longer sub-divided into "Rehire," "Retention," "Attrition," and "New" positions.

- **Period of Performance:** The period of performance has been increased from two to three years for SAFER Hiring of Firefighter Activity grants. Extensions to the period of performance are not available for Hiring of Firefighter Activity grants.

Economic Hardship Waiver of Cost Share or Minimum Budget Requirement
In cases of demonstrated economic hardship, and upon the request of the recipient, the Administrator may waive or reduce the Cost Share requirement, the Minimum Budget Requirement, and/or the restriction on supplanting. SAFER Hiring of Firefighter Activity grant recipients may apply for one, two, or all three of the available waivers.

SAFER Recruitment and Retention of Volunteer Firefighters Activity grant applicants may only apply to waive or reduce the minimum budget requirement.

Applicants must indicate their interest in a waiver within the FY 2016 SAFER application. If the SAFER grant is awarded and accepted, recipients will be directed to submit an amendment request documenting the waiver within the online eGrants system.

For complete requirements concerning these waivers, including a description of how a recipient may demonstrate economic hardship and apply for a waiver, please refer to the SAFER Economic Hardship Waiver policy, which will be posted at: https://www.fema.gov/staffing-adequate-fire-emergency-response-grants-documents.

Appendix B – Programmatic Information and Priorities

Appendix B contains more detailed information on SAFER Program Information and Priorities. Reviewing this information may help applicants make their application(s) more competitive.

I. Supporting Definitions for this NOFO

Attrition: A gradual reduction in work force without laying off of personnel, as when workers resign or retire and are not replaced.

Authority Having Jurisdiction (AHJ): (Per NFPA101-2015 Edition: Life Safety Code) is that person or office charged with enforcing the Life Safety Code.

Automatic Aid: (Per NFPA 1710, 3.3.2.1 - 2010 edition and NFPA 1720 - 2009) is a plan developed between two or more fire departments for immediate joint response on first alarms.

Benefits: Includes regular compensation paid to employees during periods of authorized absences from the job, e.g., vacation leave, sick leave, military leave. These costs are absorbed by all organization activities in proportion to the relative amount of time or effort actually devoted to each. Employer contributions or expenses for social security, employee insurance, workmen's compensation, pension plan costs, and the like, whether treated as indirect costs or as direct costs, are also eligible and shall be distributed to particular awards and other activities in a manner consistent with the pattern of benefits accruing to the individuals or group of employees whose salaries and wages are chargeable. Overtime expenses, other than those meeting the Fair Labor Standards Act (FLSA) requirements, are not eligible as benefits costs under the Hiring of Firefighters Activity. Please also reference 2 CFR §200.431 Compensation—fringe benefits.

Career Fire Department: A fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters (fire departments that provide reimbursement on a paid-on-call basis are considered to be a combination fire department for the purposes of this program).

Combination Fire Department: A fire department that has paid firefighting personnel and volunteer firefighting personnel. At minimum, a combination fire department must have at least one active firefighter who receives financial compensation for services (including paid-on-call) and at least one active firefighter who does not receive financial compensation for services, other than life, health, and workers' compensation insurance.

Emergency Medical Services Organization: A public or private organization that provides direct emergency medical services, including medical transport.

Fire Department: An agency or organization that has a formally recognized arrangement with a state, territory, local government, or tribal authority (city, county, parish, fire district, township, town, or other governing body) to provide fire suppression on a first-due basis to a fixed geographical area. Fire departments may be comprised of members who are volunteer, career, or a combination of volunteer and career.

Firefighter: An individual having the legal authority and responsibility to engage in fire suppression; employed by a fire department of a municipality, county, fire district, or state, engaged in the prevention, control, and extinguishing of fires; and/or responding to emergency situations in which life, property, or the environment is at risk. This individual must be trained in fire suppression, but may also be trained in emergency medical care, hazardous materials awareness, rescue techniques, and any other related duties provided by the fire department.

Formal Layoff Notice: Any layoff notice should align with the local rules and regulations that govern civil service employment in the jurisdiction. In order to be reasonable to employees, and to provide employees facing layoff actions a clear understanding of the impending action, any notice of layoff should be in writing and delivered to a specific employee affected by the action. The notice should identify a specific date employment will cease or specific event that would trigger the termination of employment. The notice should be delivered or otherwise presented directly to the affected employee in advance of the layoff action in accordance with the civil service provisions or union agreement in force in the jurisdiction taking action, e.g., 60 days prior to the effective date of the layoff action. The notice should specify whether the action is permanent or temporary, as well as provide the anticipated schedule of layoffs. For the purposes of the SAFER Program, a notice that is not executed within the specified terms will be considered void unless an additional notice is provided within 14 days of the original action date.

Initial Full Alarm Assignment: Personnel, equipment, and resources ordinarily dispatched upon notification of a structural fire.

Majority Career: A department is considered majority career if 50 percent or more of the active firefighting membership is salaried staff.

Majority Volunteer: A department is considered majority volunteer if more than 50 percent of the active firefighting membership is NOT compensated for service other than a nominal stipend and/or insurance.

Mutual Aid: (Per NFPA 1710, 3.3.2.1 - 2010 edition and NFPA1720 - 2009) is a written intergovernmental agreement between agencies and/or jurisdictions stating that they will assist one another on request by furnishing personnel, equipment, and/or expertise in a specified manner.

National, State, Local, or Tribal Organizations that Represent the Interests of Volunteer Firefighters: Organizations that support or represent the interests of firefighters in front of legislative bodies at the local, state, tribal, and federal level. Such organizations include, but are not limited to, state or local firefighter and/or fire chiefs' associations, volunteer firefighter relief organizations, and associations. FEMA shall make the final determination as to whether an applicant is an appropriate volunteer firefighter interest group.

Nominal Stipend: A stipend is nominal if it does not exceed 20 percent of what the fire department would otherwise pay to hire a full-time firefighter to perform the services for which the stipend is provided. Whether a stipend falls above or below the 20 percent threshold may be determined in one of two ways. Departments that maintain paid full time firefighters on their payrolls may compare the stipend to the salary they pay a full time firefighter who performs similar services to determine whether the stipend is more or less than 20 percent of that salary. Departments that do not maintain full time firefighters on their payrolls may make the determination based on a comparison to the salary paid to a full time firefighter in a neighboring jurisdiction, elsewhere in the state or ultimately the nation, and may also utilize data from the Department of Labor's Bureau of Labor Statistics. A nominal stipend may also include reimbursements to volunteer firefighters for approximate out-of- pocket expenses they incur.

If a stipend paid exceeds 20 percent of the prevailing wage calculated as described above, then the firefighter receiving compensation would not qualify as a volunteer and is considered an employee who may be covered by the FLSA minimum wage and overtime provisions.

Operational Budget: The budget supporting fire-related programs and/or emergency response activities (e.g., salaries, maintenance, equipment, apparatus).

Operational Position: A position with a primary assignment (more than 50 percent of duties) of fire suppression, which includes staffing a fire suppression vehicle, regardless of collateral duties, in support of the department's NFPA 1710 or NFPA 1720 compliance.

Paid-on-Call: Firefighters who are paid a stipend for each event to which they respond. Paid-on-call firefighters may be considered paid firefighters or volunteer firefighters, depending on whether the stipend they receive is a nominal stipend. For the purposes of this SAFER Program, a department whose membership is comprised of all volunteer firefighters, including any paid-on-call firefighters who receive only a nominal stipend, will be considered a volunteer fire department. Also, for the purposes of this SAFER Program, a department whose membership is comprised of any paid-on-call firefighters who receive more than a nominal stipend will be considered a combination fire department. Also refer to the definition of a nominal stipend.

Part-Time Firefighter: A firefighter who works less than 40 hours per week. When more than one part-time firefighter shares a position that results in work in excess of 40 hours per week, FEMA considers that shared assignment to be a Full-time Equivalent (FTE) position that must be accounted for in the staffing information provided in the application.

Salary: A fixed payment made by an employer to an employee to compensate for a regular work schedule. Typically the payment is made on a monthly, biweekly, or weekly basis but often expressed as an annual sum. See also 2 C.F.R. § 200.430 compensation—personal services. The salary structure should be documented in writing by the employer. Only costs for overtime that an employer routinely pays as a part of the base salary or a firefighter's regularly scheduled and contracted shift hours in order to comply with the Fair Labor Standards Act (FLSA) are eligible salary costs under the Hiring of Firefighters Activity.

State: Any of the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Staffing and Deployment: The minimum staffing requirements to ensure a sufficient number of members are available to operate safely and effectively as defined in NFPA 1710 and 1720.

Volunteer Fire Department: A fire department that has an all-volunteer force of firefighting personnel. For a fire department to have an all-volunteer force, no member may receive financial compensation (in the form of salary or wages) for their services other than life and health insurance, workers' compensation insurance, and/or a nominal stipend per call. FEMA considers a department to be majority volunteer if more than 50 percent of its membership is made up of personnel who do not receive financial compensation for services.

II. Funding Limitations

Specific funding parameters are either required by law or are the outcome of recommendations from the Criteria Development (CDP). The source of each requirement is identified with a parenthetical that follows each requirement below.

- 10 percent of the funding appropriated for FY 2016 SAFER awards is set aside for the recruitment and retention of volunteer firefighters (15 U.S.C. § 2229a (a)(2))
    - No more than 33 percent of the total amount allocated for the recruitment and retention of volunteers can be awarded to national, state, local, or tribal organizations that represent the interests of volunteer firefighters (CDP)
- 10 percent of the funding appropriated for FY 2016 SAFER awards is set aside

for grants awarded to volunteer or majority volunteer departments for hiring of firefighters.

- A majority volunteer fire department is made up of more than 50 percent of personnel who do not receive financial compensation for their services, other than life, health, and worker's compensation insurance, or a nominal stipend payment, including certain paid-on-call personnel. It may be necessary to go out of rank order to select a sufficient number of applications in order to meet the 10 percent requirement. (15 U.S.C. § 2229a (a)(1)(H))
- If less than 10 percent of the funds available for the hiring of firefighters are awarded to volunteer and majority volunteer fire departments, the remaining funds must be transferred to provide grants for the recruitment and retention of volunteer firefighters (15 U.S.C. § 2229a (a)(1)(H))

III. Funding Priorities

Program Priorities Description
This section summarizes the program priorities used to determine grant awards. Program priorities are listed as High **H**, Medium **M**, or Low **L**. Within each identified program priority, all the proposed activities have an equal value.

There are separate evaluation criteria for the following applications:

- Hiring of Firefighters
- Recruitment and Retention of Volunteer Firefighters – Fire Departments
- Recruitment and Retention of Volunteer Firefighters – National, State, Local, or Tribal Volunteer Firefighter Interest Organizations

A. Hiring of Firefighters Activity

Grants awarded under the Hiring of Firefighters Activity enable volunteer, combination, and career fire departments to improve staffing levels to attain a more effective level of response and a safer incident scene. Grants are awarded directly to volunteer, combination, and career fire departments to help fire departments increase their cadre of frontline firefighters. Hiring of Firefighter grants provide fire departments with funds to pay new firefighter salaries and benefits (exclusive of overtime).

1. Meeting the National Standards

FEMA prioritizes bringing non-compliant (NFPA 1710 or 1720) departments into compliance in the most cost-effective manner.

Applicants will be asked general questions about the NFPA standard they are attempting to meet as well as their current ability to meet that standard (without the use of overtime). Applicants will also be asked to indicate what their ability will be to meet that same standard if awarded grant funds.

Having additional firefighters on staff should improve a local fire department's ability to comply with the staffing, response, and operational standards that enhance community and firefighter safety.

Applications resulting in the largest percentage increases in compliance with the relevant section of NFPA 1710 (for career departments) or 1720 (for volunteer departments) receive higher consideration than applications resulting in smaller percentage increases in compliance.

Note: SAFER grants focus only on the Deployment or Staffing and Deployment sections of these two standards, respectively.

- NFPA 1710 Assembly Requirements: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Department (Section 5.2.4.1 – Single-Family Dwelling Initial Full Alarm Assignment Capability). This standard applies primarily to all-career fire departments and combination departments if the combination department chooses it.

- NFPA 1720 Assembly Requirements: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments (Section 4.3 – Staffing and Deployment). This standard applies primarily to all-volunteer fire departments, but it may also apply to combination departments if the combination department does not choose to comply with the NFPA 1710 standard.

National Fire Protection Association (NFPA) – "FREE ACCESS" - As part of its commitment to enhancing public safety and supporting the emergency responder, the NFPA makes its codes and standards available online for free. Please visit: http://www.nfpa.org/freeaccess

The tables below identify the priority levels for current and new compliance with the NFPA 1710/1720 standard.

Current 1710/1720 Compliance Priorities	
H Never or 0%	M Half the time or 40-59%
H Rarely or 1-19%	L Very often or 60-79%
M Sometimes or 20-39%	L Most of the time or 80-99%

New 1710/1720 Compliance Priorities	
H Always or 100%	M Half the time or 40-59%
H Most of the time or 80-90%	L Sometimes or 20-39%
M Very often or 60-79%	L Rarely or 1-19%

2. **Call Volume and Population Served**
Department call volume and population served are both factors in the initial application evaluation. Departments responding to a higher number of incidents and departments who protect a larger jurisdiction will receive higher consideration than those departments responding to fewer incidents and protecting smaller jurisdictions.

3. **Firefighter Health Measures**
The health and wellbeing of firefighters is of paramount importance. Therefore, applicants who indicate newly recruited firefighters will undergo an entry-level physical and receive immunizations and who indicate they will provide annual medical exams receive higher consideration than applicants who do not specify these benefits will be provided. To qualify for this higher consideration, the physicals must be consistent with those required under NFPA 1582 Chapter 6, Medical Evaluations of Candidates 6.1 and Chapter 9, Essential Job Tasks — Specific Evaluation of Medical Conditions in Members.

4. **Training Requirements**
Applicants will receive higher consideration if the personnel funded under the grant will meet the minimum EMS certification requirements prescribed by the locality or state having jurisdiction.

B. Recruitment and Retention of Volunteer Firefighters Activity – Fire Departments

The purpose of these grants is to assist fire departments with the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response. The grants are intended to create a net increase in the number of trained, certified, and competent firefighters capable of safely responding to emergencies within the recipient's response area. The following identifies the elements that the applications will be evaluated on during the pre-scoring process.

1. **Meeting Staffing Standards**
   The highest priority is to assist departments experiencing a high rate of turnover and that have staffing levels significantly below the ideal staffing level required to comply with NFPA standards 1710 or 1720 (for details, see section 1(c) Meeting National Standards).

2. **Volunteer Membership**
   Departments or organizations with the highest percentage of volunteers should benefit the most from the recruitment and retention of volunteer firefighters. Therefore, applicants whose membership is comprised of mostly volunteer members, or have a significant number of volunteer firefighters, receive higher consideration.

Percentage of Volunteers	
H 91-100%	M 41-50%
H 81-91%	M 31-40%
H 71-80%	L 21-30%
H 61-70%	L 11-20%
M 51-60%	L 1-10%

3. **Recruitment/Retention Plan**
   It is critical to have a plan for recruitment and/or retention activities. Applications requesting funding for recruitment and/or retention programs should be based on formal plans. Applicants must summarize the departments' recruitment and/or retention plans in the Narrative Statement and explain how the projects/activities will fulfill the plans and meet organizational goals.

4. **Call Volume**
   Department call volume is a factor in the initial evaluation. Departments responding to a higher number of incidents receive higher consideration.

5. **Firefighter Health Measures**
Applicants who indicate the newly recruited firefighters will undergo an entry-level physical and receive immunizations, who indicate they will provide annual medical exams, and who provide worker's compensation/Accidental Death & Dismemberment (AD&D) benefits to their members receive higher consideration than applicants who do not specify these benefits will be provided.

Entry-Level Medical Exams	
H NFPA 1582-compliant physicals	M Non-NFPA-compliant physicals

Annual Medical Exams	
H NFPA 1582-compliant physicals	M Non-NFPA-compliant physicals

6. **Training Requirements**

Training and Certification	
H FF II/EMT	M FF I
H FF II	L First Responder
M FF I/EMT	

7. **Recruitment and Retention (R&R) Coordinator**

R&R Coordinator	
H Applicants who currently have a coordinator in place	
M Applicants who will request grant funding for a coordinator's position	L Applicants who do not have, or are not requesting, an R&R Coordinator

8. Evaluation Plan

Evaluation Plan	
H Applicants who will perform a periodic evaluation of the program's impact	L Applicants who will not perform a period evaluation of the program's impact

9. Marketing Plan

Marketing Plan	
H Applicants who currently have a marketing plan in place	L Applicants who do not have, or will not request funding for, a marketing plan
M Applicants who will request grant funding for a marketing plan	

10. Regional Requests

Requests for recruitment or retention that have a regional impact (i.e., an impact beyond the immediate boundaries of the applicant's first-due area) will receive higher consideration.

An eligible applicant, which can include a fire department, may act as a "host applicant" and apply for support of both a regional initiative and its own department's internal needs on one application. In order to apply for a regional project, the host fire department must agree, if awarded, to be responsible for all aspects of the grant. This includes, but is not limited to, accountability for the assets and all reporting requirements.

Regional host applicants and participating partner agencies must execute a Memorandum of Understanding (MOU) or equivalent document, signed by all parties participating in the award, prior to submitting an application under the Regional Program activities. The agreement should specify the individual and mutual responsibilities of the participating partners, the participant's level of involvement in the project(s), the participating partners' EIN numbers, and the proposed distribution of all grant-funded assets or contracted services. Successful regional applicants shall provide a copy of the signed MOU at the time of award. Any entity named in the application as benefiting from the award shall be a party the MOU or equivalent document.

In completing the Request Details and Narrative Statement sections of the application, the applicant must include a list of participating third-party organizations that will benefit from the regional project if the project is approved. The third-party organizations that will benefit from the recruitment and retention project may also apply for funding under SAFER as long as the third-party organizations do not apply for a project that could conflict with or duplicate the host applicant's project. Applicants must also certify that they will ensure the fire departments participating in this application have not received grants for similar items/activities.

All participants of a Regional application must be compliant with SAFER requirements, including being current with past grants, closeouts, and other reporting requirements. The host shall not distribute grant-funded assets or provide grant-funded contractual services to non-compliant partner organizations.

Note: Only applications submitted under the Recruitment and Retention of Volunteer Firefighters Activity qualify for regional project requests. Regional projects are not eligible under the Hiring of Firefighters Activity.

C. Recruitment and Retention of Volunteer Firefighters Activity – National, State, Local, or Tribal Volunteer Firefighter Interest Organizations

The purpose of these grants is to assist national, state, local, or tribal organizations that represent the interests of volunteer firefighters with the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response. The grants are intended to create an aggregate increase in the number of trained, certified, and competent firefighters capable of safely responding to emergencies on behalf of the fire departments being represented. For this reason, projects that are comprehensive in nature and based on a clear needs assessment, implementation plan, evaluation plan, and have, or will establish, fire service partnerships will receive higher consideration.

In completing the Request Details and Narrative Statement sections of the application, the applicant must include data that approximates the characteristics of the entire region and/or all fire departments affected by the grant. If awarded, recipients may be required to provide documentation of each fire department's consent to participate in the application. Applicants must also certify that they will ensure the fire departments participating in this application have not received grants for similar items/activities. The following identifies the elements that the applications will be evaluated on during the pre-scoring process.

1. **Meeting Staffing Standards**
   The goal under this SAFER activity is to assist departments experiencing a high rate of turnover that have staffing levels significantly below the ideal staffing level required to comply with NFPA standards 1710 or 1720 (for details, see Section 1c. Meeting National Standards). Organizations that currently have the lowest recruitment and retention rates among the entire region and/or all fire departments benefiting from the grant funds are given a higher consideration for funding.

2. **Recruitment/Retention Plan**
   It is critical to have a plan for recruitment and retention activities. Applications requesting funding for recruitment or retention programs should be based on formal plans. Applicants must summarize the organization's recruitment and retention plans in the Narrative Statement and explain how the projects/activities applied will fulfill the plans and meet organizational goals.

3. **Recruitment and Retention (R&R) Coordinator/Program Manager**

R&R Coordinator	
H Applicants who currently have a coordinator or program manager in place	L Applicants who do not have, or are not requesting, a coordinator or program manager
M Applicants who will request grant funding for a coordinator or program manager's position	

4. **Evaluation Plan**

Evaluation Plan	
H Applicants who will perform a periodic evaluation of the program's impact	L Applicants who will not perform a period evaluation of the program's impact

5. Marketing Plan

Marketing Plan	
H Applicants who currently have a marketing plan in place	L Applicants who do not have, or will not request funding for, a marketing plan
M Applicants who will request grant funding for a marketing plan	

6. Needs Assessment

Needs Assessment	
H Applicants with projects based on a needs assessment	L Applicants with projects that are not based on a needs assessment

7. Fire Service Partnerships

Fire Service Partnerships	
H Applicants who have, or will establish, fire service partnerships as part of this project	L Applicants who will not have, or establish, fire service partnerships as part of this project

IV. Eligible and Ineligible Projects and Costs

Regardless of the eligibility of any costs requested or the panelists' determination, FEMA reserves the right to reduce any requests for funding, in whole or in part, that it deems excessive or otherwise contrary to the best interests of the program.

Hiring of Firefighters Activity – Eligible Costs
• Funds may only be used to hire new, additional firefighters and shall not be used to supplant funds. The Hiring of Firefighters Activity is no longer sub-divided into "Rehire," "Retention," "Attrition," and "New" positions. • SAFER grant funds must be used to increase the amount of funds that would, in the absence of federal funds received under this grant, be made available from State or local sources, or in

Hiring of Firefighters Activity – Eligible Costs
the case of Indian tribal governments, from funds supplied by the Bureau of Indian Affairs. Recipients may apply for a waiver of this restriction on supplanting. Note that firefighters hired after the SAFER grant offer of award and are not employees at the time of award will be considered new hires. • Salary and associated benefits (actual payroll expenses) for the positions funded under the SAFER grant are eligible. Costs are reimbursable if they are included as part of the standard new hire package, available to all operational firefighter positions, and contractually obligated. Refer also to the definitions in Section I of this Appendix. • Only full-time positions are eligible for funding. A full-time position is one position that is funded for at least 2,080 hours per year, e.g., 40 hours per week, 52 weeks per year. However, recognizing many departments have shifts exceeding a 40-hour workweek, FEMA also will consider funding the job-sharing of a full-time position if the grant recipient has sufficient justification. A job-share position is a full-time position occupied by more than one person. Example: A department may hire two part-time staff persons at 28 hours each to fulfill the scheduled work hours of one 56-hour shift position. • Salaries and benefits of firefighters hired under SAFER funding while they are engaged in training are eligible. • Costs for overtime that fire departments routinely pay as a part of the base salary or the firefighter's regularly scheduled and contracted shift hours in order to comply with the Fair Labor Standards Act (FLSA) are eligible. • SAFER grant funds will only pay for operational positions whose primary assignment (more than 50 percent of duties) is fire suppression, which includes staffing a fire suppression vehicle, regardless of collateral duties. • Volunteer and mostly volunteer fire departments may also hire individuals to fill officer-level positions (e.g., chief, fire inspector, training officer, safety officer) in addition to their primary operational assignment.

Hiring of New Firefighters Activity – Ineligible Costs
• The salaries and benefits of firefighters who are employees at the time of grant award are ineligible to be funded under this grant. • The SAFER grant may not be used to fund promotions (e.g., pay a current member a higher salary by placing them in a new SAFER-funded position). • Pre-application costs, such as grant writer fees, administrative costs, and indirect costs associated with hiring firefighters are ineligible. • Costs to train and equip firefighters are ineligible (this does not include the salaries and benefits of firefighters hired under SAFER Funding while they are engaged in training). • Payments to vendors for uniforms and physicals are ineligible. • Overtime costs are ineligible (except as noted in "eligible costs" above).

Recruitment and Retention of Volunteer Firefighters Activity – Eligible Costs

Overview

Applicants must correlate the activities for which funding is being requested and the identified recruitment or retention problems or issues being addressed. FEMA will not fund a budget line item if an applicant does not provided sufficient information detailing how it will enhance recruitment and retention.

Applicants who propose to focus on retention of volunteers will receive equal consideration as applicants focusing on recruitment of volunteers. A focus on retention may include providing incentives for volunteer firefighter members to continue service in a fire department.

SAFER grant funds may only be used for volunteer firefighters who are involved with, or trained in, the operations of firefighting and emergency response.

FEMA recommends that Departments consult their jurisdiction to understand the full legal and financial implications involved with implementing or sustaining programs that offer benefits or financial awards to firefighters (e.g., stipends, Length of Service Award Program [LOSAP]).

All grant-related purchases and activities must be incurred, received, and completed within the period of performance. The period of coverage and/or service delivery on all contracts, and agreements may not begin prior to and/or extend beyond the period of performance of the grant.

All funded activities under Recruitment and Retention must be governed by formally adopted Standard Operating Procedures (SOPs). Minimally, these SOPs should specify who qualifies for each of the incentives, specific requirements for earning the incentives, and the disposition of the awarded incentives if an individual fails to fulfill the stipulations.

FEMA will not fund any projects, activities, or line items that are covered under a department's normal operating budget. Federal funding should not be used to supplant an existing activity or program.

Applicants should use the Request Details portion of the grant application to provide detailed information on how each proposed cost was determined or calculated. As much as possible, costs should be based on reliable market research (for example, earnings information is published by the U.S. Bureau of Labor Statistics). The costs may also be justified in the Narrative Statement section.

Applications for funding in the Recruitment and Retention of Volunteer Firefighters Activity could include projects requiring up to four years to complete (with proper justification)

Recruitment and Retention of Volunteer Firefighters Activity – Eligible High Priority Costs

Examples of high priority initiatives that may receive funding include:

High Priority

Recruitment and Retention of Volunteer Firefighters Activity – Eligible High Priority Costs
- Costs to support a staffing needs assessment identifying the operational staff that are required to safely and effectively carry out fire department responsibilities (e.g. supplies for data collection, contractors or personnel to collect and analyze data, software programs, etc.)   - NOTE: If a staffing needs assessment is requested and the application is selected for funding, the staffing needs assessment will be the only activity that will be funded.   - Costs to support a Recruitment and/or Retention Coordinator, a Program Manager, and/or a Grant Administrator (including reasonable salary, fringe benefits, contract support, supplies, travel, etc.). Note that computers for these positions are low priority items.   - Marketing Program to recruit new volunteer firefighters, such as: - Media advertising (e.g. television, radio, social media)   - Print advertising (e.g. newspapers, billboards, signs, banners, brochures, flyers)   - LED/electronic sign (NOTE: This is a high priority item only when included as part of a comprehensive marketing program. Only one LED/electronic sign is allowed per applicant and 75 percent of usage must be dedicated to Recruitment and Retention activities – additional restrictions apply; see Section D: Application and Submission Information - Environmental Planning and Historic Preservation [EHP]).   - New Member Costs - Only one entry-level physical per new recruit. Physicals for existing members are not eligible. All grant-funded physicals (except those for explorers) must meet NFPA 1582 standards (Chapter 6, Medical Evaluations of Candidates 6.1 and Chapter 9, Essential Job Tasks — Specific Evaluation of Medical Conditions in Members). The cost of physicals should be based on local physician or health center prices.   - New recruit basic (minimum) training that is not covered under a department's normal operating budget (e.g. CPR, First Responder, EMT, Firefighter 1, Firefighter 2)   - Reimbursement to members for lost wages, mileage/transportation, lodging, and/or per diem while attending required basic training are also eligible. Note that costs for mileage/transportation, lodging, and per diem must comply with the department's written travel policies and procedures. If policies are not established, costs will only be reimbursed at the Federal Government rate.   - Leadership/career development training that is not covered under a department's normal operating budget   - Reimbursement to members for lost wages, mileage/transportation, lodging, and/or per diem while attending leadership/career development training are also eligible. Note that costs for mileage/transportation, lodging, and per diem must comply with the department's written travel policies and procedures. If policies are not established, costs will only be reimbursed at the Federal Government rate.   - Instructor/train-the-trainer training that is not covered under a department's normal operating budget   - Reimbursement to members for lost wages, mileage/transportation, lodging, and/or per diem while attending instructor/train-the-trainer training are also eligible. Note that costs for mileage/transportation, lodging, and per diem must comply with the department's written travel policies and procedures. If policies are not established, costs will only be reimbursed at the Federal Government rate.

Recruitment and Retention of Volunteer Firefighters Activity – Eligible High Priority Costs

- Tuition assistance for higher education (including books, lab fees, and student fees)
    - Coursework or certifications in this category should be more advanced than what departments typically fund for required minimum-staffing requirements.
    - Courses are not limited to firefighter training or education.
    - Computers for individual students are not eligible for funding.
    - Payments for student loans are not eligible for funding.
    - Only tuition payments for classes offered during the period of performance are allowable.
- Personal Protective Equipment (PPE)/Turnout Gear
    - PPE may only be funded for new firefighters that are recruited after the date of grant award, that successfully pass an NFPA 1582 compliant physical, and that are certified as "fit for duty". PPE purchased with SAFER grant funding must be utilized by adequately trained staff.
    - Funds are available to acquire OSHA-required and NFPA-compliant PPE for firefighting personnel. In addition, PPE must meet any national or state standards and increase firefighter safety. Failure to meet these requirements may result in ineligibility for PPE funding. Copies of NFPA standards may be reviewed at http://www.nfpa.org/.
    - Only actual costs for PPE are allowed and will be paid on a reimbursable basis. Allowable costs may be limited to reasonable amounts, as determined by FEMA.
    - In order to receive reimbursement, recipients will be required to provide the following documentation to support the purchase of PPE:
        - Invoices/proof of payment for PPE
        - Proof that the firefighter(s) have passed an NFPA 1582 compliant physical and are certified as "fit for duty".
    - Eligible PPE Expenditures:
        - One set of PPE for structural or wildland firefighting per new recruit.
        - SAFER considers a complete set of structural PPE to be comprised of one SCBA mask/face piece, one pair of pants, one coat, one helmet, two hoods, one pair of boots, one pair of gloves, one pair of suspenders, and one pair goggles. In those jurisdictions where additional PPE, like Personal Safety/Rescue Bailout Systems are statutorily required, SAFER will consider all statutorily required items to be part of a complete PPE set.
        - SAFER considers a complete set of wildland PPE to be comprised of: one pair pants, one coat, one jumpsuit, one helmet, one pair boots, one pair gloves, one pair suspenders, one pair goggles, one fire shelter, web gear, backpack, and canteen/hydration system.
        - American National Standards Institute (ANSI)-approved retro-reflective highway apparel

Recruitment and Retention of Volunteer Firefighters Activity – Eligible Medium Priority Costs

Examples of medium priority initiatives that may receive funding include:
Medium Priority
• Nominal stipends for volunteer firefighters who are involved with, or trained in, the operations of firefighting and emergency response (e.g. Pay-per-Call, Points Based System, etc.). Stipends may only be provided for participation in operational (firefighting) activities, such as duty shifts, operational training, and/or responding to incidents.
• Costs to support explorer, cadet, and mentoring programs, such as:
    o One set of station duty uniforms (SAFER considers one set of station duty uniform as one pair of pants, one shirt, one hat, and one pair of boots)
    o Training (Non-Immediate Danger to Life and Health or IDLH)
    o One set of structural or wildland PPE as defined above, with the following two exceptions: 1) SCBA mask/face pieces are not eligible because PPE for explorers/cadets may not be used in an IDLH atmosphere, and 2) physicals for explorers/cadets are not required to meet NFPA 1582.
    o Insurance
    o One introductory physical exam per explorer/cadet
• New Length of Service Award Programs (LOSAP) or Retirement Program.
• Insurance packages (e.g., Accidental Death and Dismemberment (AD&D), workers compensation, disability, health, dental, life)
• Exercise equipment and gym memberships limited to no more than $10,000 (total per grant award).

Recruitment and Retention of Volunteer Firefighters Activity – Eligible Low Priority Costs
Examples of low priority initiatives that may receive funding include: **Low Priority** • New Member Costs - One set of station duty uniforms for each new recruit only (SAFER considers one set of station duty uniform as one pair of pants, one shirt, one hat, and one pair of boots) • Costs for advanced training not currently covered under the department's operating budget (e.g. extrication training, specialized equipment training, swift water rescue, etc.). Training requests must be detailed in the Request Details and Narrative Statement sections of the application and must closely correlate to the applicant's recruitment and/or retention goals.   o Reimbursement to members for lost wages, mileage/transportation, lodging, and/or per diem while attending advanced training are also eligible. Note that costs for mileage/transportation, lodging, and per diem must comply with the department's written travel policies and procedures. If policies are not established, costs will only be reimbursed at the Federal Government rate. • Individual desk computer or printer for Recruitment and/or Retention Coordinator, Program

Recruitment and Retention of Volunteer Firefighters Activity – Eligible Low Priority Costs

Manager, and/or Grant Administrator
• Awards/Incentive program for participation in operational (firefighting) activities, such as operational training and/or responding to incidents (e.g., length of service plaques, gift cards for top responders, non-uniform clothing)
    o Non-uniform clothing (limited to shirts, jackets, or pullovers) as part of an award program only
• LED/electronic sign when it is not included as part of a comprehensive marketing program
• Fire service association membership fees
• Projector and/or screen to support classroom training
• Payments for housing or rent
• Station Modifications/Remodeling/Renovation of Existing Facilities
    o Remodeling/renovations to an existing facility are allowable (e.g., converting space into bunkroom). The renovations must be minor interior alterations not to exceed $10,000 (total per grant award).
    o Remodeling/renovations may not change the footprint or profile of the building.
    o Any request for modifications to facilities may require Environmental and Historic Preservation (EHP) review (see Section D: Application and Submission Information - Environmental Planning and Historic Preservation [EHP]). Recipients are encouraged to have completed as many steps as possible for a successful EHP Review in support of their proposal for funding (i.e., coordination with their State Historic Preservation Office to identify potential historic preservation issues and to discuss the potential for project effects; compliance with all state and EHP laws and requirements).
    o Written approval must be provided by FEMA prior to the use of any SAFER Funds for remodeling or renovation. If awarded funds for remodeling or renovation, recipients may be required to submit evidence of approved zoning ordinances, architectural plans, any other locally required planning permits, and a notice of interest.

Recruitment and Retention of Volunteer Firefighters Activity – Eligible Non-Prioritized Costs
Examples of non-prioritized initiatives that may receive funding include: **Non-prioritized Costs** • Management and Administrative (M&A) costs up to three percent of the total awarded amount in accordance with 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Administrative costs must be identifiable and directly related to the implementation and management of the SAFER grant program. Salaries and fringe benefits for personnel directly supporting the grant are not required to be included in the M&A budget line item. • Indirect costs for national, state, local, or tribal volunteer firefighter interest organizations that are expended pursuant to Section D: Application and Submission Information – Indirect

Recruitment and Retention of Volunteer Firefighters Activity – Eligible Non-Prioritized Costs
Costs. Recipients must have an approved indirect cost rate agreement with their cognizant federal agency. • Up to $1,500 in grant writer fees for application preparation, but not grant administration. The fee must have been paid within 30 days of the end of the application period and prior to any contact with SAFER Program Office staff or an Offer of Award (see Appendix C: Award Administration Information, Section I. Grant Writer/Preparation Fees). • Audit costs proportional to the total SAFER grant award. Recipients of multiple federal funding sources can only charge a pro rata share of the audit cost(s) to the SAFER Award.

• Salary and benefits for firefighters • Retroactive payments or recognition for operational services rendered prior to the grant award are ineligible. • Costs incurred outside of the period of performance except for grant writer fees; see Appendix C: Award Administration Information, Section I. Grant Writer/Preparation Fees • Fire suppression equipment • Vehicles • Fire simulators, fire evolution, or fire training props (e.g., burn trailers, forcible entry, rescue/smoke maze, flashover simulators) • Sirens, warning lights for private vehicles, or other outdoor warning devices • Communication equipment including cell phones, pagers, portable radios, or Computer-Aided Dispatch (CAD) systems • Retroactive payments or recognition for non-operational activities (including payments, gift cards, recruitment bonuses, or stipends for recruiting firefighters) • Payments for travel to or participation in leisure or social activities such as theatre tickets, entertainment tickets, and trips (e.g., professional sporting events) • Costs associated with award banquets, such as food, photographers, refreshments, entertainment, or rental facilities. Reimbursement for actual awards (e.g., plaques and trophies) is eligible. • Costs for food or refreshments • Costs for training currently covered under the department's operating budget, e.g., tuition or instructor fees for department-mandated, basic-level training. • Services at a member's personal residence (e.g., internet access, plowing of driveways) • Furniture (except for newly converted bunkrooms), televisions, fixtures, appliances (e.g., refrigerators), and entertainment equipment • "Giveaways," such as pencils, pens, t-shirts, cups, mugs, or balloons, for recruitment events • Fees for courses and training that are available free of charge on the internet or at a state/local training facilities (e.g., NIMS 100, 700, 800) • Costs to fuel firefighting vehicles

Recruitment and Retention of Volunteer Firefighters Activity – Ineligible Costs

• Annual medical exams (not including NFPA 1582 physicals for new recruits) for any member
• Payments for student loans
• Mileage reimbursement for responding to incidents or periodic operational training at the fire house (mileage reimbursement is allowed for other types of training as explained under eligible costs)
• Station internet access/user fees and equipment to install internet (such as routers)
• Computers in common areas or individual computers for training/education
• Copiers/printers
• Additional ineligible costs for Explorer/Cadet/Mentoring Programs:
  o SCBA, including mask/face piece
  o Anything involving the IDLH atmosphere
  o Any activities precluded by the authority having jurisdiction
• Ineligible PPE expenditures:
  o Three-quarter length rubber boots
  o Self-Contained Breathing Apparatus (SCBAs) (not including SCBA masks/face pieces)
  o PASS Devices
  o Spare cylinders
  o Bomb disposal suits
  o PPE for hazardous materials and other specialized incidents
  o More than one set of PPE per member
  o PPE for existing members

Appendix C: Award Administration Information

Appendix C contains detailed information on SAFER Award Administration. Reviewing this information may help grant recipients in the programmatic and financial administration of their award(s).

Help FEMA Prevent Fraud, Waste, and Abuse

If applicants or recipients have information about instances of fraud, waste, abuse, or mismanagement involving FEMA programs or operations, they should contact the DHS OIG Hotline at (800) 323-8603, by fax at (202) 254-4297, or email DHSOIGHOTLINE@dhs.gov

I. Grant Writer/Preparation Fees (Recruitment and Retention of Volunteer Firefighters Activity Only)

Applicants under the Recruitment and Retention of Volunteer Firefighters Activity are allowed to hire and reimburse a grant writer to assist in the application process.

Fees for grant writers may be included as a pre-award expenditure. Fees payable on a contingency basis are not an eligible expense. For grant writer fees to be eligible as a pre-award expenditure, the fees must be specifically identified and listed in the Request Details section of the application. FEMA will only consider reimbursements for application preparation, but not administration, up to but not more than $1,500. Pursuant to 2 CFR Part 180, recipients may not use federal grant funds to reimburse any entity, including a grant writer or preparer, if that entity is presently suspended or debarred by the Federal Government from receiving funding under federally funded grants or contracts. Recipients must verify, through SAM.gov, that the contractor is not suspended or debarred from participating in specified federal procurement or non-procurement transactions pursuant to 2 CFR § 180.300.

By submitting the application, applicants are certifying all of the information contained therein is true and an accurate reflection of the organization and, regardless of the applicant's intent, the submission of information that is false or misleading may result in actions by FEMA that include, but are not limited to, the submitted application not being considered for award, temporary withholding of funding under the existing award pending investigation, or referral to the Office of the Inspector General.

Prior to submission of the application, please review all work produced by grant writers or other third parties for accuracy. In addition, the fees must have been paid within 30 days of the end of the application period and prior to any contact with SAFER Program Office staff or an offer of award. The following documentation shall be provided upon request:

- A copy of the grant writer's contract for services
- A copy of the invoice or purchase order
- A copy of the cancelled check (front and back) and bank statement

Applicants will be required to provide documentation to support these pre-award expenditures. Failure to provide the requested documentation may result in the grant writer fee being deemed ineligible and the grant reduced accordingly.

NOTE: FEMA requires that all grant writer or preparer information must be entered into the Overview section of the SAFER application, whether that person, entity, or agent is compensated or not.

II. Maintenance and Sustainment for SAFER Programs

The use of FEMA preparedness grant funds for the costs of repairs or replacement, as well as maintenance contracts, warranties, and user fees may be allowable.

The intent of eligible Maintenance and Sustainment activities is to provide direct support to the critical capabilities developed using FEMA and other DHS grants and support activities. Routine upkeep and the supplies, expendables, or one-time use items that support routine upkeep (e.g., gasoline, tire replacement, routine oil changes, monthly inspections, or grounds and facility maintenance) are the responsibility of the recipient and may not be funded with SAFER funding.

Generally, when purchasing a maintenance agreement, service contract, or extended warranty for systems or equipment, the period of coverage provided under such a plan may not extend beyond the period of performance of the grant with which the agreement, warranty, or contract is purchased.

The duration of an extended warranty purchased incidental to the original purchase of the equipment may exceed the period performance as long as the coverage purchased is consistent with that which is typically provided for, or available through, these types of agreements, warranties, or contracts. When purchasing a stand-alone warranty, or extending an existing maintenance contract on an already-owned piece of equipment or system, coverage purchased may not exceed the period of performance of the award used to purchase the maintenance agreement or warranty. As with warranties and maintenance agreements, this policy extends to licenses and user fees as well.

Even if purchased incidental to the original purchase of the equipment, the duration of an extended maintenance agreement or warranty must also be reasonable for the type of equipment or system being purchased. For example, if a vendor offers a 10-year extended warranty incidental to the purchase of a piece of equipment, but the useful life of that equipment being purchased is five years, the purchase of a 10-year extended warranty would not be a reasonable cost and may not be charged to the grant.

III. Taxes, Fees, Levies and Amendments

Taxes, fees, levies, or assessments that the recipient is legally required to pay and is directly related to any eligible SAFER program acquisition activity may be charged to an SAFER award pursuant to 2 C.F.R. § 200.470. These charges shall be identified and enumerated in the application's Narrative and the Request Details section of the acquisition activity.

Any avoidable and unreasonable costs that result from the action or inaction of a recipient (or recipient's agent), or that prevent that recipient from enjoying any lawful exemption, waiver, or reduction of any tax, fee, levy, or assessment directly related to any eligible SAFER Program acquisition activity, are not chargeable to any SAFER Award.

Example: Governmental entities and Public Safety Agencies are exempt from some Federal Communications Commission (FCC) fees, but only if the eligible organization submits an exemption or waiver request to the FCC.

Government entities are not required to pay FCC regulatory fees. Non-profit entities (exempt under Section 501 of the Internal Revenue Code) also may be exempt. The FCC requires that any entity claiming exempt status submit, or have on file with the FCC a valid IRS Determination Letter documenting its nonprofit status or certification from a governmental authority attesting to its exempt status. For more information, please visit http://www.fcc.gov/.

IV. Excess Funds

After completing the initial projects proposed in the recipient's application, some recipients may have unexpended funds remaining in their budget. These excess funds may result from any combination of hiring delays, under-budget acquisition activities, or competitive procurement processes.

With prior approval of the SAFER Program Office, these excess funds may be utilized to enhance or continue the approved project(s). FEMA expects excess funds to be obligated concurrent with an award's period of performance to address a known or critical need related to the awarded project(s).

V. Procurement Integrity

Through audits conducted by the Department of Homeland Security's Office of Inspector General (OIG) and FEMA grant monitoring, findings have shown that some SAFER recipients have not fully adhered to the proper procurement requirements when spending grant funds. Anything less than full compliance with federal procurement policies jeopardizes the integrity of the grant as well as the grant program. Below we highlight the federal procurement requirements for SAFER recipients when procuring goods and services with federal grant funds. DHS will include a review of recipients' procurement practices as part of the normal monitoring activities. **All procurement activity must be conducted in accordance with Federal Procurement Standards at 2 C.F.R. §§ 200.317 – 200.326.** Select requirements under these standards are listed below. The recipient must comply with all requirements of these standards, even if they are not listed below.

With the exception of State governments, which must comply with the terms of 2 C.F.R. § 200.317, the non-federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200.

When drafting bid specifications recipients (other than States) must ensure that all procurement transactions are conducted in a manner providing full and open competition. Pursuant to 2 C.F.R. § 200.319 (a), in order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- Placing unreasonable requirements on firms in order for them to qualify to do business
- Requiring unnecessary experience and excessive bonding
- Noncompetitive pricing practices between firms or between affiliated companies
- Noncompetitive contracts to consultants that are on retainer contracts
- Organizational *Conflicts of Interest*
- Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement
- Any arbitrary action in the procurement process

Generally, a recipient may seek to procure goods or services from prequalified lists of persons, firms, or products which are used in acquiring goods and services, e.g., Government Services Administration (GSA) schedule, a State schedule, or co-operative or group purchasing, as having satisfied AFG Program requirements for competition. In order for such procurements by entities other than State governments to be permissible, the following must be true:

- The procurement of the original contract or purchasing schedule and its use by the recipient complies with state and local law, regulations, and written procurement procedures
- The state or other entity that originally procured the original contract or purchasing schedule with the express purpose of making it available to the recipient and other similar types of entities; the contract or purchasing schedule specifically allows for such use and the work to be performed for the local

government falls within the scope of work under the contract as to type, amount, and geography

- The procurement of the original contract or purchasing schedule complied with all of the procurement standards applicable to a local government at 2 C.F.R. §§ 200.318 to 326
- With respect to the use of a purchasing schedule, the recipient must follow ordering procedures that adhere to state and local laws and regulations and the minimum requirements of full and open competition under 2 C.F.R. Part 200

If a recipient other than a State government seeks to use such a prequalified list, purchasing schedule, or other similar type of arrangement, it must first contact the SAFER Program Office.

To the greatest extent possible, FEMA recommends that federal grant funds be used for the purchase of goods and services manufactured, assembled, and distributed in the United States.

Pursuant to 2 C.F.R. § 200.319 (b), the recipient (other than States) must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Pursuant to 2 C.F.R. § 200.318(c)(1), the recipient (other than States) is required to maintain written standards of conduct covering *Conflicts of Interest* and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent *Conflict of Interest*. Such a *Conflict of Interest* would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non- federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

If the recipient (other than States) has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-federal entity must also maintain written standards of conduct covering organizational *Conflicts of Interest*. Organizational *Conflicts of Interest* means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. In accordance with FEMA's Grant Programs Directorate Information Bulletin No. 400, the non-federal entity must disclose in writing any potential *Conflicts of Interest* to FEMA. The Information Bulletin can be found at https://www.fema.gov/media-library/assets/documents/101236

NOTE: For the purposes of *Conflicts of Interest* under procurements executed by the recipient, FEMA considers volunteers of an organization and grant writers to be employees, officers, and/or agents of the recipient. As such, no volunteer or member of an organization or anyone involved in preparing the application for funding can participate in, or benefit from, the procurement if federal funds are involved.

Recipients who purchase items with grant funds from vendors who employ any of their volunteers/members will have to document how they avoided a *Conflict of Interest* during the procurement process (i.e., provide specific details regarding how the members/volunteers removed themselves or how they were prevented from participating in the process). Recipients may be required to provide this documentation upon request. Recipients who fail to fully document their purchases may find their expenditures questioned and subsequently disallowed. Remember that FEMA reserves the right to request and review any and all bids or specifications prior to purchase. Recipients may be subject to an audit after award.

Documentation
Recipients are required to maintain and retain the following:

- Backup documentation, such as bids and quotes
- Cost/price analyses on file for review by federal personnel
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient

FEMA requires that the recipient maintain the following documentation for federally funded purchases:

- Specifications
- Solicitations
- Competitive quotes or proposals
- Basis for selection decisions
- Purchase orders
- Contracts
- Invoices
- Cancelled checks

Recipients who fail to fully document their purchases may find their expenditures questioned and subsequently disallowed.

VI. Payments and Amendments

Payments

SAFER payment/drawdown requests are generated using the eGrants system.

SAFER payment/drawdown requests from state, local, or tribal government entities will be governed by applicable federal regulations in effect at the time a grant is awarded to the recipient and may be either advances or reimbursements.

Recipients should not expend funds or request drawdowns until all special conditions listed on the grant award document have been met and request for payment in the eGrants system has been approved.

Recipients should draw down funds based upon immediate disbursement requirements; however, FEMA strongly encourages recipients to draw down funds as close to disbursement or expenditure as possible to avoid accruing interest.

Advances

Recipients shall be paid in advance, provided they maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of the funds and their disbursement by the recipient, and financial management systems that meet the standards for fund control and accountability as established in 2 C.F.R. Part 200.

Although advance drawdown requests are permissible, recipients remain subject to applicable federal law in effect at the time a grant is awarded to the recipient governing interest requirements, including the *Uniform Administrative Requirements Cost Principles, and Audit Requirements for Federal Awards* at 2 C.F.R. Part 200 and the *Cash Management Improvement Act* (CMIA) and its implementing regulations at 31 C.F.R. Part 205. Interest under CMIA will accrue from the time federal funds are credited to a recipient's account until the time the recipient pays out the funds for program purposes.

Recipients must follow applicable federal regulations governing interest earned on payment advances in effect at the time a grant is awarded to the recipient, including 2 C.F.R. § 200.305. For the rate to use in calculating interest, please visit Treasury Current Value rate at: http://www.fms.treas.gov/cvfr/index.html.

Reimbursement

Payment by reimbursement is the preferred method when the requirements to be paid in advance, pursuant to 2 C.F.R. § 200.305, cannot be met. In accordance with U.S. Department of Treasury regulations at 31 CFR Part 205, if applicable, the recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds.

Rebates

Recipients shall disburse program income, rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments, in accordance with pursuant to 2 C.F.R. § 200.305.

The reduction of federal financial participation via rebates/refunds *may* generate excess funds for the recipient, if the recipient had already obligated their Cost Share match based upon the original award figures. If the recipient had already obligated their original Cost Share *prior* to the rebate, then the recipient may have minimum excess funds equal to the difference between the original Cost Share less the rebate adjusted Cost Share.

Payment Requests During Closeout

Up to 90 days after the expiration of the period of performance, during an award's closeout reconciliation, a recipient may only submit reimbursement payment requests.

Reimbursement payments are the only eligible type of requests to be submitted after a grant's period of performance has expired. The expenditure must have been obligated during the period of performance of the award. The recipient's request should contain clear and specific information certifying that the liquidation of federal funds is reimbursement for an obligation properly incurred during the active period of performance; FEMA may request documentation supporting the reimbursement for review.

Amendments

SAFER award amendments may be approved, on a case-by-case basis, for the following reasons:

- Extension of the period of performance in order to complete the scope of work under the Recruitment and Retention of Volunteer Firefighters Activity
- Changes to the activity, mission, and retroactive approval [pre-award] under Recruitment and Retention of Volunteer Firefighters Activity
- Closeout issues and some excess funds requests under both the Hiring of Firefighters Activity and Recruitment and Retention of Volunteer Firefighters Activity
- Staffing Maintenance Level Waivers under the Hiring of Firefighters Activity
- Cost over/under run (adding funds to award/non-closeout deobligation* of funds) under both the Hiring of Firefighters Activity and Recruitment and Retention of Volunteer Firefighters Activity
- Economic Hardship Waiver under both the Hiring of Firefighters Activity and Recruitment and Retention of Volunteer Firefighters Activity

Amendments will only be considered when submitted via the online eGrants system.

These requests must contain specific and compelling justifications for the requested change.

FEMA strongly encourages the timely expenditure of grant funds by recipients to be consistent with the goals and objectives outlined in this NOFO.

A recipient may deobligate (return) unused funds (those remaining funds drawn down via payment request and/or remaining award funding that was never requested) to DHS prior to the end of an award's Period of Performance. To exercise this option, a recipient must submit a cost over/under run Amendment via the eGrants system and state in their amendment that the unliquidated funds (funds to be returned) are not necessary for the fulfillment or success of the grant's obligations or mission. The recipient must also indicate that it understands that the returned funds will be deobligated and unavailable for any future award expenses.

Deobligation of funds will decrease the federal portion of the grant and the amount of the recipient's Cost Share obligation. FEMA will confirm deobligation amendments with all points of contact; after confirmation of the recipient's intent to deobligate, FEMA will hold the approved deobligation request for 14 calendar days as a period for recipient reconsideration before processing the deobligation request.

VII. Recipient Responsibilities Post Award

SAFER grant recipients must agree to the following:
Recipients must perform all tasks (scope of work) as outlined in the application approved by FEMA within the period of performance, comply with the terms of this NOFO, comply with all the terms and conditions of their grant award, including any special conditions in accordance with the articles of agreement, and comply with all applicable Federal statutory and regulatory requirements. Recipients that do not fulfill their obligations under their SAFER grant will be considered in default and may be required to return the federal funds disbursed under the grant award.

Recipients under the Hiring of Firefighters Activity who lay off any operational personnel during the three- year period of performance will be considered in default of their grant and the award will be terminated. Recipients may be required to return the federal funds disbursed under the grant award.

Recipients under the Hiring of Firefighters Activity must agree to maintain operational staffing at the level that existed at the time of award and must also retain all SAFER-funded positions throughout the grant's full three year period of performance unless the grant recipient has been afforded a waiver of this requirement. At the time of award, recipients under the Hiring of Firefighters Activity must submit a current (pre-SAFER) roster listing paid operational/firefighting personnel, in support of NFPA 1710 or NFPA

1720, who are in full-time or job share positions. The program office will work with a recipient to establish the correct staffing maintenance number which combines the number of pre-SAFER and SAFER-funded operational positions. Once this is established, recipients must agree to maintain this number throughout the period of performance by taking active and timely steps to fill any vacancies.

Recipients who are unable (due to documentable economic hardship) to backfill non-SAFER operational positions that are vacated through attrition (e.g., resignation, retirement) after award may petition FEMA for a waiver of staffing maintenance requirements. An approved waiver allows a recipient to decrease and reestablish the staffing maintenance number agreed to at the time of award by the number of positions that a recipient is unable to fill. In order to qualify for this waiver, the economic hardship must affect the entire public safety sector in a recipient's jurisdiction, not only the fire department. Waivers will not be granted for SAFER-funded positions. Recipients who fail to maintain this level of staffing risk losing the federal funds awarded under this grant.

Since the goal of the SAFER grant program is to enhance incident scene safety, the primary assignment (more than 50 percent of duties) of all SAFER-funded firefighters must be an operational assignment (fire suppression) regardless of collateral duties, which includes staffing a fire suppression vehicle.

Recipients must retain grant files and supporting documentation in a manner consistent with 2 C.F.R. § 200.333 – no less than for three years after submission of the closeout report (see below), and in some cases longer pursuant to 2 C.F.R. § 200.333. FEMA may require access to any pertinent books, documents, papers, or records belonging to a recipient. The DHS Office of Inspector General or the Comptroller General of the United States may also require access to a recipient's books and records. The required documentation for federally-funded purchases should include specifications, solicitations, competitive quotes or proposals, basis for selection decisions, purchase orders or contracts, invoices, and cancelled checks. Recipients who fail to document purchases may find their expenditures will be questioned and disallowed.

A recipient must use, manage, and dispose of SAFER-funded equipment in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. § 200.313. With the exception of State governments, when original or replacement equipment acquired under an AFGP award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the recipient must request disposition instructions from FEMA. FEMA strongly recommends contacting a Fire Program Specialist or the SAFER Help Desk prior to the disposition of SAFER-funded equipment.

Recipients must provide periodic performance reports to FEMA. In all years of the grant's period of performance, for both the Hiring of Firefighters and the Recruitment and Retention of Volunteer Firefighters Activities, recipients must submit quarterly performance reports as well as a final performance report at grant closeout. Payments are requested online using the automated system and payments are based on actual expenses incurred during the period covered by the payment request. Quarterly performance reporting is required even if the recipient has not requested funding within the quarter.

At the end of the grant's period of performance, all recipients are required to produce a final report on how the grant funding was used and the benefits realized from the award. Recipients must submit a final financial report and a final performance report (e.g., closeout report) within 90 days after the end of the period of performance. After these reports have been reviewed and approved by FEMA, recipients are given an official notice that the closeout has been accepted and completed. Any remaining grant funds are de-obligated. The recipient is responsible for returning any funds that have been drawn down but remain unspent.

Notwithstanding any provision of other laws, firefighters hired under these grants shall not be discriminated against, or be prohibited from, engaging in volunteer firefighting activities in another jurisdiction during off-duty hours.

To the extent possible, recipients should seek, recruit, and appoint women and members of racial and ethnic minority groups within the applicant's department.

FEMA strongly encourages applicants, to the extent practicable, to seek, recruit, and hire military veterans to increase their ranks within their departments.

Assistance to Firefighters Grant Program (AFGP)

FY 2016 Staffing for Adequate Fire and Emergency Response (SAFER)

Frequently Asked Questions (FAQs)

What's new for FY 2016?

The following changes to FY 2016 SAFER Grant reflects DHS's implementation of Section 34 of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. § 2229a). Under this authority, the FY 2016 SAFER grant program requires the following:

- **Period of Performance:** The period of performance has been increased from two to three years for SAFER Hiring of Firefighter Activity grants. Extensions to the period of performance are not available for Hiring of Firefighter Activity grants.

- **Position Cost Limit:** SAFER Hiring of Firefighters Activity grant funds may not exceed a certain percentage of the usual annual cost of a first-year firefighter in that department at the time of the grant application. There is no waiver available for this requirement.

- **Cost Share:** SAFER Hiring of Firefighters Activity grant recipients are now required to contribute a Cost Share toward the actual cost of hiring firefighters under this program. Grant recipients can apply to waive this requirement.

- **No Supplanting Allowed:** SAFER Hiring of Firefighter Activity grant funds may only be used to hire new, additional firefighters and may not be used to supplant funds that would otherwise be available from State or local sources, or the Bureau of Indian Affairs. Grant recipients can apply to waive this requirement.

    - The Hiring of Firefighters Activity is no longer sub-divided into "Rehire," "Retention," "Attrition," and "New" positions.

- **Minimum Budget Requirement:** At the time of application, both SAFER Hiring of Firefighter Activity and Recruitment and Retention of Volunteer Firefighters Activity grant applicants are required to certify that their annual budget for fire-related programs and emergency response has not been reduced below 80% of the average funding level in the three years prior to November 24, 2003. Grant recipients can apply to waive this requirement.

- **Economic Hardship Waiver of Cost Share or Minimum Budget Requirement:** In cases of demonstrated economic hardship, and upon the request of the recipient, the Administrator may waive or reduce the Cost

Share requirement, the Minimum Budget Requirement, and/or the restriction on supplanting. Applicants must indicate their interest in a waiver within the FY 2016 SAFER application.

SAFER Hiring of Firefighter Activity grant recipients may apply for one, two, or all three of the available waivers.

SAFER Recruitment and Retention of Volunteer Firefighters Activity grant applicants may only apply to waive or reduce the minimum budget requirement.

- **Recruitment and Retention of Volunteer Firefighters Activity Eligible Costs:** Under the FY 2016 program, eligible costs are organized according to priority (High, Medium, Low, and Non-Priority). Non-prioritized costs include M&A, Indirect costs, grant writer fees, and audit costs.

What is the purpose of SAFER?
The purpose of SAFER Grants is to provide funding directly to fire departments and national, state, local, or tribal organizations representing the interests of volunteer firefighters to assist them in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire related hazards, and to fulfill traditional missions of fire departments.

To achieve this purpose, SAFER is a competitive/discretionary grant program comprised of two categories:

1) **Hiring of Firefighters Activity** grants provide financial assistance to help fire departments hire new firefighters. The goal is to assist departments to improve staffing levels to ensure they have adequate personnel to respond and safely perform at incident scenes, providing protection from fire and fire-related hazards in their communities. **This activity provides three-year grants to assist fire departments by paying the salaries and benefits of the SAFER-funded positions.**

2) **Recruitment and Retention of Volunteer Firefighters Activity** grants assist fire departments and national, state, local, or tribal organizations with the recruitment and/or retention of volunteer firefighters. The goal is to create a net increase in the number of trained, certified, and competent firefighters capable of safely responding to emergencies likely to occur within the fire department's geographic response area. **Recruitment and Retention of Volunteer Firefighters Activity grants can have a period of performance of up to four years.**

How much funding is available for the FY 2016 SAFER Grant Program?
A total of $345,000,000 has been appropriated for the FY 2016 SAFER Grants.

The appropriated funds are to be administered as indicated below as the result of a recommendation via the Criteria Development Panel (CDP) or as required by Section 34 of the Federal Fire Prevention and Control Act of 1974 (Pub. L. No. 93-498, as amended) (15 U.S.C. § 2229a):

- 10 percent is set aside for the recruitment and retention of volunteer firefighters activity (15 USC § 2229a(a)(2))
  - No more than 33 percent of the total amount allocated for the recruitment and retention of volunteers can be awarded to national, state, local, or tribal organizations that represent the interests of volunteer firefighters (CDP)

- 10 percent is set aside for grants awarded to volunteer or majority volunteer departments for hiring of firefighters. A majority volunteer fire department is made up of more than 50 percent of personnel who do not receive financial compensation for their services, other than life, health, and worker's compensation insurance, or a nominal stipend payment, including certain paid-on-call personnel. It may be necessary to go out of rank order to select a sufficient number of applications in order to meet the 10 percent requirement. (15 USC § 2229a(a)(1)(H))

If less than 10 percent of the funds available for the hiring of firefighters are awarded to volunteer and majority volunteer fire departments, the remaining funds must be transferred to provide grants for the recruitment and retention of volunteer firefighters (15 USC § 2229a(a)(1)(H))

What is the maximum amount of funding an applicant can be awarded?
There is no maximum award amount for grant awards made under the FY 2016 appropriations.

Can a department apply for both SAFER Grant categories - Hiring of Firefighters Activity and Recruitment and Retention of Volunteer Firefighters Activity?
Yes. However, departments interested in applying for both a Hiring of Firefighters Activity grant and a Recruitment and Retention of Volunteer Firefighters Activity grant must submit **two separate applications, one for each activity**. Each application will require its own unique narrative statement.

Are SAFER Grants "renewable" after the period of performance?
No. SAFER is a competitive/discretionary grant program. Program funds are not renewable and funding is only available to grant recipients during the period of performance associated with the award. Current or former grant recipients do not have a competitive advantage over applicants who have not previously received a SAFER Grant award.

Hiring of Firefighters Activity

Who is eligible to apply for funding in the Hiring of Firefighters Activity?
Career, combination, and volunteer fire departments may apply for funding in the Hiring of Firefighters Activity.

(UPDATED) What are eligible expenses in the Hiring of Firefighters Activity?
The only allowable costs under the Hiring of Firefighters Activity are salary and associated benefits (actual payroll expenses) for the SAFER-funded positions. Costs are reimbursable if they are included as part of the standard new hire package, available to all operational firefighter positions, and contractually obligated.

(NEW) Will the SAFER hiring grant pay for raises or increases to firefighter pay or benefits in years two and three?
No. The federal portion of grant funds for years one, two, and three is based on the usual annual cost of a first-year firefighter in your department at the time the grant application was submitted.

What are some ineligible expenses in the Hiring of Firefighters Activity?

- Pre-application costs, such as grant writer fees, administrative costs, and indirect costs associated with hiring of firefighters
- Costs to train and equip firefighters (however, the salaries and benefits of firefighters hired under the SAFER grants funding while engaged in training are eligible if the firefighter is employed by the department)
- Payments to vendors for uniforms and physicals
- Overtime costs (except overtime costs routinely paid as a part of the base salary or the firefighter's regularly scheduled and contracted shift hours in order to comply with the Fair Labor Standards Act [FLSA])
- Salaries and benefits of firefighters who are current employees or were hired prior to the award date
- Costs to fund promotions (e.g., pay a current member a higher salary by placing them in a new SAFER-funded position)

(UPDATED) What type of firefighter positions will be funded?
Funds may only be used to hire new, additional firefighters under the FY 2016 SAFER grant program. The Hiring of Firefighters Activity is no longer sub-divided into "Rehire," "Retention," "Attrition," and "New" positions.

Additionally, only full-time firefighter positions will be funded. Full-time positions are those funded for at least 2,080

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hours per year (e.g., 40 hours per week, 52 weeks per year). The grant program will consider funding job-share positions if sufficient justification is provided.

As the goal of SAFER Grants is to enhance incident scene safety, all applicants must certify that the primary assignment (more than 50 percent of time) of all SAFER-funded positions will be assigned to an operational fire suppression vehicle, regardless of collateral duties.

Volunteer and mostly volunteer fire departments may hire individuals to fill officer-level positions (e.g., chief, fire inspector, training officer, safety officer, etc.) in addition to their primary operational assignment.

What is a job-share position?
A job-share position is a full-time position occupied by more than one person. For FY 2016, there is no cap on the number of employees who may share a single job-share position.

(NEW) Is there a waiver that would allow us to retain firefighters facing layoff??
No. The SAFER grant may only be used to hire new, additional firefighters. There is no waiver for this option.

How much time does a department have to hire the SAFER-funded positions?
For all grant recipients awarded under the Hiring of Firefighters activity, a default 180-day recruitment period begins when the application is approved for award (i.e. award date).

The three year period of performance automatically starts after the 180-day recruitment period, regardless of whether the grant recipient has successfully hired the awarded positions.

If a grant recipient is able to hire their SAFER-funded firefighters during the 180-day recruitment period, the period of performance may begin at that time. However, grant recipients must submit an amendment requesting that the period of performance start before the end of the 180-day recruitment period.

Can the start date of the period of performance be delayed if a department is unable to hire the SAFER-funded positions during the 180-day recruitment period?
No. The period of performance cannot be delayed or started later than 180 days after the award date.

What is the Period of Performance under the Hiring of Firefighters Activity?
The FY 2016 SAFER Period of Performance for the Hiring of Firefighters Activity has increased to three years.

Are firefighters hired prior to an offer of award eligible under the Hiring of Firefighters Activity?
No. Firefighters hired prior to an offer of award are not eligible under the Hiring of Firefighters Activity.

(NEW) May we fill our awarded SAFER-funded positions with our current part-time employees? What about our current volunteers?
The FY 2016 SAFER program defines a new hire as a firefighter hired after the SAFER grant offer of award and is not an employee at the time of award. Part-time employees are considered employees.

Part-time employees are different than "volunteers." Volunteers do not receive salary or wages, but may receive life/health insurance, workers' compensation insurance, and/or a nominal stipend per call.

You must follow your department's hiring policies and procedures to fill a SAFER-funded positon. If allowed by your local hiring policy, you could open an FY 2016 SAFER position to someone who was a volunteer on the date of grant award.

How does SAFER define the "date of an award offer?" Is this the first day of the period of performance?
The SAFER Program defines the "date of an award offer" as the date that the award notification letter is sent to the applicant in the eGrants system.

What are the requirements for the matching funds in the Hiring of Firefighters Activity?
Hiring of Firefighters Activity grants are required to contribute non-Federal funds as described below.

Position Cost Limit (No Waiver Available):
The amount of Federal funding provided to a recipient for hiring a firefighter in any fiscal year may not exceed—

- in the first year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted;
- in the second year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted; and
- in the third year of the grant, 35 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.

"Usual annual costs" includes the base salary (exclusive of overtime) and standard benefits package (including the **average** health, dental, and vision costs, FICA, life insurance, retirement/pension, etc.) offered by fire departments to first-year firefighters.

Cost Share (Wavier Available):
In addition to the Position Cost Limit, the Federal portion of the costs of hiring new firefighters under this grant may not exceed:

- 75 percent of the actual costs incurred in the first year of the grant;
- 75 percent of the actual costs incurred in the second year of the grant; and
- 35 percent of the actual costs incurred in the third year of the grant.

What is a waiver?
In cases of demonstrated economic hardship, and upon the request of the recipient, the Administrator may waive or reduce the Cost Share requirement, the Minimum Budget Requirement, and/or the restriction on supplanting. SAFER Hiring of Firefighters Activity grant recipients may apply for one, two, or all three of the available waivers.

How do I apply for a waiver?
Applicants must indicate their interest in a waiver within the FY 2016 SAFER application. Upon receipt of the waiver request in the submitted SAFER application, the applicant will be contacted by the SAFER program office with detailed instructions as to how to submit all required supporting documentation. Only submitted applications that select a waiver option will be contacted by the SAFER program office.

Does a department have to retain the SAFER-funded positions after the grant concludes?
No. Awarded recipients have no obligation to retain the SAFER-funded positions after the conclusion of the period of performance for FY 2016 SAFER Awards.

How much time does a department have to fill an operational position that becomes vacant?
The SAFER Program considers six months to be a reasonable time to fill an operational position that becomes vacant during the period of performance. Departments must demonstrate that they are taking active and timely steps to fill any operational positions vacated during the grant period of performance.

Is an extension to the SAFER period of performance allowable under the Hiring of Firefighters Activity?
No. Extensions to the period of performance are not allowable under the FY 2016 Hiring of Firefighter Activity grants.

If you are also applying for a Recruitment and Retention of Volunteer Firefighters Activity grant, please see the question regarding extensions under the Recruitment and Retention of Volunteer Firefighters Activity section.

Can grant recipients submit a payment request for pre-award expenditures?
Pre-award expenditures are not reimbursable in the Hiring of Firefighters Activity. Only costs incurred during the grant period of performance are allowable. **Firefighters hired prior to the date of award are not eligible for SAFER Funding.** If you are also applying for a Recruitment and Retention of Volunteer Firefighters Activity grant, please see the question regarding pre-award expenditures under the Recruitment and Retention of Volunteer Firefighters Activity section.

The 2016 SAFER Notice of Funding Opportunity (NOFO) states that grant recipients cannot layoff any firefighters during the period of performance. If the department loses positions to retirement or other attrition, must it fill those vacancies?
Yes. During the grant period of performance, recipients of the FY 2016 SAFER Hiring of Firefighters Activity grant are required to maintain their staffing at the level that existed on the date of the award offer, in addition to the SAFER-funded positions.

Once awarded, grant recipients under the Hiring of Firefighters Activity must submit a current (pre-SAFER) roster listing all paid operational/firefighting personnel in support of NFPA 1710 or NFPA 1720, who are in full-time or job share positions on the date of the award offer. The program office will work with a grant recipient to establish the correct staffing maintenance number which combines the number of pre-SAFER and SAFER-funded positions. Once this is established, grant recipients must agree to maintain this number throughout the grant period of performance by taking active and timely steps to fill any vacancies.

Grant recipients who are unable to fill firefighting positions (due to documentable economic hardship) that are vacated through attrition (e.g., resignation, retirement) may petition FEMA for a waiver of staffing maintenance requirements. An approved waiver allows a grant recipient to decrease and reestablish the staffing maintenance number agreed to at the time of award by the number of positions that a grant recipient is unable to fill. In order to qualify for this waiver, the economic hardship must affect the entire public safety sector in a grant recipient's jurisdiction, not solely the fire department. **Waivers will not be granted for SAFER-funded positions. Grant recipients who fail to maintain this level of staffing risk losing the federal funds awarded under this grant.**

Will there be an option for veteran's funding in the FY 2016 SAFER Hiring grant program?
No. There is no option for veteran's funding in the FY 2016 SAFER Program.

Recruitment and Retention of Volunteer Firefighters Activity

Who is eligible to apply for funding in the Recruitment and Retention of Volunteer Activity?
Combination fire departments, volunteer fire departments, and national, state, local, or tribal organizations that represent the interests of volunteer firefighters may apply for funding in the Recruitment and Retention of Volunteer Firefighters Activity. Career fire departments are not eligible to apply for funding in this activity.

What are examples of eligible costs under the Recruitment and Retention of Volunteer Activity?
Applicants must correlate the activities for which funding is being requested with the identified recruitment or retention problems or issues being addressed. Additionally, FEMA will not fund a budget line item if an applicant does not provided sufficient information detailing how it will enhance recruitment and retention.

For specific examples of eligible costs, please refer to Appendix B – Programmatic Information and Priorities in the FY 2016 SAFER NOFO.

What are some ineligible expenses in the Recruitment and Retention of Volunteer Activity?
Examples of ineligible expenses include but are not limited to the following:
- Costs incurred outside of the period of performance except for grant writer fees
- Computers in common areas or individual computers for training/education
- Salary and benefits for firefighters

- Fire suppression equipment
- Vehicles
- Fire simulators, fire evolution, or fire training props (e.g., burn trailers, forcible entry, rescue/smoke maze, flashover simulator, etc.)
- Retroactive payments or recognition for non-operational activities (including payments, gift cards, recruitment bonuses, or stipends for recruiting firefighters)
- Annual medical exams (not including NFPA 1582 physicals for new recruits) for any member
- Costs for training currently covered under the department's operating budget, such as tuition or instructor fees for department-mandated, basic-level training
- "Giveaways," such as pencils, pens, t-shirts, cups, mugs, or balloons for recruitment events

For the full list of ineligible costs, please refer Appendix B – Programmatic Information and Priorities in the FY 2016 SAFER NOFO.

What is a waiver?
In cases of demonstrated economic hardship, and upon the request of the recipient, the Administrator may waive or reduce the Minimum Budget Requirement under the Recruitment and Retention of Volunteer Firefighters Activity.

How do I apply for a waiver?
Applicants must indicate their interest in a waiver within the FY 2016 SAFER application. Upon receipt of the waiver request in the submitted SAFER application, the applicant will be contacted by the SAFER program office with detailed instructions as to how to submit all required supporting documentation. Only submitted applications that select a waiver option will be contacted by the SAFER program office.

How is "new recruit" defined according to the SAFER Program?
SAFER defines a "new recruit" to be a volunteer firefighter who **joins** the department after the date of the award offer.

Is communications equipment eligible under FY 2016 SAFER?
No. All communications equipment including cell phones, pagers, portable radios, or Computer-Aided Dispatch systems are ineligible under FY 2016 SAFER.

Can Personal Protective Equipment (PPE) be purchased under the Recruitment and Retention of Volunteer Firefighters Activity? What are the requirements?
Yes. OSHA-required and NFPA-compliant PPE is eligible only for **new recruits only**, and reimbursement will be limited to the number of new recruits who have successfully passed an NFPA 1582-compliant physical exam and are certified as "fit for duty." Only actual costs are allowed and will be paid on a reimbursable basis; costs may be limited to reasonable amounts as determined by FEMA based on current market research. Grant recipients will be required to provide documentation of completed NFPA 1582 physicals as well as documentation, including invoices and receipts, to support the purchase of the PPE.

Please refer to Appendix B – Programmatic Information and Priorities in the FY 2016 SAFER NOFO for additional details on eligible PPE expenditures and requirements.

What activities are allowable under the Recruitment and Retention of Volunteer Firefighters Activity for new recruits only?
PPE, station duty uniforms, and physicals are only eligible for new recruits.

What types of tuition reimbursement are ineligible?
The FY 2016 SAFER Grant does not limit the type of tuition reimbursement one can apply for, and it does not have to be related to fire science or related fields.

Do Recruitment and Retention of Volunteer Firefighters Activity grant recipients need to submit training certificates?
While grant recipients are not required to submit these documents, training certificates, as well as any grant-related documents, must be retained by the grant recipient for a minimum of three years after the submission of the final expenditure report. Please note that FEMA can ask to review your grant file.

Can a grant recipient submit a payment request for pre-award expenditures?
Generally, except for grant writer fees, pre-award expenditures are not reimbursable in the Recruitment and Retention of Volunteer Firefighters Activity. Only costs incurred during the grant period of performance are allowable.

See the Pre-award Cost section in the FY 2016 NOFO for the specific requirements pertaining pre-award costs

Is there a matching funds requirement for the Recruitment and Retention of Volunteer Firefighters Activity?
No. There is no matching funds requirement for this activity and no maximum federal share limit.

Is an extension to the SAFER period of performance allowable under the Recruitment and Retention of Volunteer Firefighters Activity?
Extensions to the period of performance may be granted when, due to circumstances beyond the control of the grant recipient, activities associated with the award cannot be completed within the stated performance period. Extensions are not guaranteed and are not automatically approved.

Extensions will only be considered through formal requests, via the eGrants system, and must contain specific and compelling justifications as to why an extension is required.

Are administrative or indirect costs eligible?
Administrative or indirect costs are allowable but are limited to a **combined total** of three percent of the total awarded amount, unless a grant recipient has a previously negotiated and approved Indirect Cost Rate Agreement.

This indirect cost rate is established by a federal department or agency for the grant recipient's organization that the grant recipient uses to compute the dollar amount they can charge to the grant for indirect costs incurred during the execution of the grant agreement. (Information about Indirect Cost Rate Agreements can be found at http://rates.psc.gov/.)

Prior to submitting any claims for reimbursement of indirect costs, applicants must first submit a copy of their negotiated and approved Indirect Cost Rate Agreement to FEMA for review and approval. The indirect cost rate is applicable as long as it is consistent with the established terms of the agreement.

What is a "nominal stipend?"
Nominal stipends are eligible for firefighters where the primary duty is an operational assignment (fire suppression), regardless of collateral duties. A stipend is nominal if it does not exceed 20 percent of what the fire department would otherwise pay to hire a full-time firefighter to perform the services for which the stipend is provided. The nominal stipend may include reimbursements to volunteer firefighters for approximate out-of-pocket expenses they incur. Whether a stipend falls above or below the 20 percent threshold may be determined in one of two ways. Departments that maintain paid full time firefighters on their payrolls may compare the stipend to the salary they pay a full time firefighter who performs similar services to determine whether the stipend is more or less than 20 percent of that salary. Departments that do not maintain full time firefighters on their payrolls may make the determination based on a comparison to the salary paid to a full time firefighter in a neighboring jurisdiction, elsewhere in the state, or ultimately the nation. They may also utilize data from the Department of Labor's Bureau of Labor Statistics.

If a stipend paid exceeds 20 percent of the prevailing wage, then the firefighter receiving compensation would not qualify as a volunteer and is considered an employee who may be covered by the FLSA minimum wage and overtime provisions. Therefore they would not be eligible to receive a stipend under the grant.

How do you define a paid-on-call firefighter?
Paid-on-call firefighters are paid a stipend for each event to which they respond. Paid-on-call firefighters may be considered paid firefighters or volunteer firefighters, depending on whether the stipend they receive is nominal. A department whose membership is comprised of all volunteer firefighters, including any paid-on-call firefighters who receive only a nominal stipend, will be considered a volunteer fire department for purposes of this SAFER Program. A department whose membership is comprised of any paid-on-call firefighters who receive more than a nominal stipend will be considered a combination fire department for the purposes of this SAFER Program.

Eligibility

Who is eligible for SAFER Funding?
Eligible departments or organizations are limited to one application for Recruitment and Retention of Volunteer Firefighters Activity and/or one application for Hiring of Firefighters Activity per application period. Your organization type determines your eligibility for SAFER application categories.

Entity	Volunteer Fire Departments	Combination Fire Departments	Career Fire Departments	National, state, local, or tribal volunteer firefighter interest organizations
Hiring of Firefighters Activity	✓	✓	✓	
Recruitment and Retention of Volunteer Firefighters Activity	✓	✓		✓

Can a career fire department apply under the Recruitment and Retention of Volunteer Firefighters Activity?
No. Career fire departments are not eligible for funds in the Recruitment and Retention of Volunteer Firefighters Activity. They are only eligible for funding in the Hiring of Firefighters Activity.

I represent a volunteer firefighter interest organization that received a Fire Prevention and Safety (FP&S) Grant. Are we eligible for a SAFER Grant also?
Yes. National, state, local, or tribal volunteer firefighter interest organizations that represent the interests of volunteer firefighters are eligible to receive funding under the Recruitment and Retention of Volunteer Firefighters Activity regardless of whether they received a FP&S Grant. However, these organizations are not eligible for funding in the Hiring of Firefighters Activity.

If my fire department was recently awarded an AFG Grant, can we still apply for SAFER?
Yes. While the SAFER Grants and the Assistance to Firefighters Grants (AFG) are administered by the same office, there are no restrictions with respect to having concurrent awards. However, the SAFER award should supplement the AFG award and cannot be for the same activities for the same members.

Is an independent rescue squad or emergency medical services unit eligible for SAFER Funding?
No. Independent rescue squads or emergency medical services unit are not eligible for SAFER Funding. Only fire

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departments and national, state, local, or tribal volunteer firefighter interest organizations are eligible for SAFER Grants.

If my department was awarded a prior-year SAFER Grant that still has an active performance period, is it eligible to apply for a SAFER Grant this year?
Yes. Applicants are eligible to receive more than one SAFER Award. Applicants wishing to apply for additional grants are subject to the same guidelines and requirements as discussed in the FY 2016 SAFER NOFO and must indicate if the activities they are requesting are new initiatives or if they are building upon the previously awarded program. The grant activities requested in the new application should supplement the current award and cannot be for the same activities for the same members as the currently awarded SAFER Grant.

Definition of Applicant Types

How do I determine whether I represent a volunteer, combination, or career fire department?

- A **volunteer fire department** has an all-volunteer force of firefighting personnel. For a fire department to have an all-volunteer force, no member may receive financial compensation (in the form of salary or wages) for their services other than life and health insurance, workers' compensation insurance, and/or a nominal stipend per call. FEMA considers a department to be majority volunteer if more than 50 percent of its membership is made up of personnel who do not receive financial compensation for services.

- A **career department** has an all-paid force of firefighting personnel other than paid-on-call firefighters (fire departments that provide reimbursement on a paid-on-call basis are considered to be a combination fire department for the purposes of this program).

- A **combination department** has paid firefighting personnel and volunteer firefighting personnel. At a minimum, a combination fire department must have at least one active firefighter who receives financial compensation for services (including paid-on-call) and at least one active firefighter who does not receive financial compensation for services other than life, health, and workers' compensation insurance. Additionally, a department whose membership is comprised of paid-on-call firefighters is considered a combination fire department for the purposes of this program.

How do you define a national, state, local, or tribal volunteer firefighter interest organization?
These are defined as organizations that support or represent the interests of firefighters in front of legislative bodies at the local, state, tribal, and federal level. Such organizations include, but are not limited to, state or local firefighter and/or fire chiefs' associations, volunteer firefighter relief organizations, and associations. FEMA shall make the final determination as to whether an applicant is an appropriate volunteer firefighter interest group.

The SAFER Grants prohibit "for-profit" organizations from applying for grant funding. How do I determine if my department is for-profit?
If you are a municipally-based organization, (i.e., an organization providing services on behalf of a governmental entity), or if you are registered with the IRS as a 501(c)(3) corporation, you are NOT a for-profit organization and are therefore eligible to receive SAFER Funding.

Completing the Application

When can I apply?
Applications will be accepted only from 8:00 a.m. Monday, January 9, 2017 until 5:00 p.m. Eastern Time (ET) on Friday, February 10, 2017.

When is the grant application due?
The application deadline is Friday, February 10, 2017. Applications must be received by 5:00 p.m. ET. Applications received after the close of the application period will not be accepted.

How do I access the FY 2016 SAFER eGrant application?
Applications under the FY 2016 SAFER will only be accessible at https://portal.fema.gov. The application will also be linked via the US Fire Administration's (USFA) Website http://www.usfa.fema.gov and the Grants.gov Website http://www.grants.gov.

Can I apply for the FY 2016 SAFER Grant using a paper application process?
No. All FY 2016 SAFER applications must be completed online through the eGrants system.

Regional Applications

Who may apply for a regional grant?
Eligible volunteer and combination fire departments may apply for regional grants in the Recruitment and Retention Activity if their request will have an impact beyond the immediate boundaries of the applicant's first-due area. An eligible applicant will serve as the "host applicant" and apply on behalf of the other fire departments benefitting from the grant.

Note: The Hiring of Firefighters activity is not eligible as a regional project.

I'm planning to submit an application as the host department for a regional project. How do I answer the questions in the Applicant Characteristics sections of the online application?
When completing the Request Details and Narrative Statement sections of the application, the applicant must include a list of participating third-party organizations that will benefit if awarded. In completing the Applicant Characteristics sections of the application, the regional applicant must include data that approximates the characteristics of all fire departments affected by the grant.

I'm applying as the host for a regional project, but I also have needs in my own department. Can I include my own department needs in the application?
Yes. An eligible applicant may act as a "host applicant" and apply for support of both a regional initiative and its own department's internal needs on one application.

A regional host must include a list of all the participating organizations benefitting from a proposed regional project, and provide clear and detailed information on which activities are regional specific versus those that are host specific.

If awarded, the host applicant must agree to be responsible for all aspects of the grant. This includes, but is not limited to, accountability for the assets and all reporting requirements. Regional host applicants and participating partner agencies must execute a Memorandum of Understanding (MOU) or equivalent document, signed by all parties participating in the award, prior to submitting an application under the Regional Program activities.

Technical Assistance to Applicants

Where can I obtain technical assistance in filling out the application?
The SAFER Program Help Desk at 866-274-0960 will be available to provide technical assistance with completing your SAFER Application.

Normal business hours for the Help Desk are Monday through Friday from 8:00 a.m. to 4:30 p.m. Eastern Time. During the application period, **January 9, 2017 – February 10, 2017**, the Help Desk will be staffed between the hours of 8:00 a.m. and 4:30 p.m. ET, Monday through Friday; and until 5:00 p.m. ET on **February 10, 2017**. However, these hours may change as the application period progresses. The toll-free number also accepts voicemail messages after hours or if the line is busy. In addition, questions may be faxed to 866-274-0942 or e-mailed to FireGrants@fema.dhs.gov.

What is the "Request Details" section of the application?
The Request Details section is where applicants answer activity specific questions and enter the budget details of their grant proposal.

Do I need to register in SAM.gov?
Yes. Per 2 CFR § 25.205, SAM registration is required to receive a SAFER Grant Award. SAM registration is only active for one year and must be renewed annually; therefore, please ensure that your entity has a valid and active registration in SAM.gov prior to submitting your application.

Payments and amendments are also contingent on the information provided in SAM, so it is imperative that the information in the application is correct, current, and matches the information in SAM.gov. Please ensure that your organization's name, address, DUNS number, and EIN are up to date in SAM, and that the DUNS number used in SAM is the same one used to apply for all other FEMA awards.

Please also refer to the SAM.gov Get Ready Guide available on the AFG Website at http://www.fema.gov/welcome-assistance-firefighters-grant-program for additional assistance.

National Standards for SAFER

What standards does SAFER involve?
The industry minimum standards to be addressed by SAFER are the staffing and deployment sections of: **NFPA 1710, Section 5.2.4.1 (Single Family Dwelling Initial Full Alarm Assignment Capability)**, which primarily applies to all-career fire departments and at the combination department's election; and **NFPA 1720 Section 4.3 (Staffing and Deployment)**, which primarily applies to all-volunteer fire departments and combination departments that do not elect to comply with NFPA 1710. The NFPA established a link providing information regarding these standards: www.nfpa.org/SAFERActGrant

NFPA 1001
Standard for Firefighter Professional Qualifications (FFI and II)
This standard identifies the minimum job performance requirements for career and volunteer firefighters whose duties are primarily structural in nature. The purpose of this standard is to specify the minimum job performance requirements for firefighters. It is not the intent of the standard to restrict any jurisdiction from exceeding these requirements.

NFPA 1582
Standard on Comprehensive Occupational Medical Program for Fire Departments
To help fire departments ensure that personnel are medically capable of performing their required duties, the 2013 NFPA 1582 incorporates current research and knowledge to present the latest provisions for a comprehensive occupational medical program. The Standard provides separate chapters for the medical evaluation of candidates/prospective employees and for the occupational medical and fitness evaluations for fire department members. Requirements are equated against the essential job tasks based on several NFPA Professional Qualification Standards and apply to career, volunteer, private, industrial, governmental, and military fire departments. For specific physical requirements, Recruitment and Retention applicants should refer to **NFPA 1582 Chapter 6, Medical Evaluations**

of **Candidates 6.1** and **Chapter 9, Essential Job** Tasks — Specific Evaluation of Medical Conditions in Members (http://www.nfpa.org/freeaccess).

National Fire Incident Reporting System (NFIRS)

Do applicants who apply for a SAFER Grant have to report to the National Fire Incident Reporting System (NFIRS)?
No. FEMA does not require FY 2016 SAFER Applicants to report to NFIRS.

National Incident Management Systems (NIMS)

Do fire departments that receive SAFER Grants have to comply with the requirements of the National Incident Management System (NIMS)?
Yes. Any applicant who receives an FY 2016 SAFER Award must achieve the level of NIMS compliance required by the authority having command and control jurisdiction over the applicant's emergency service operations, prior to the end of the grant's period of performance. SAFER applicants are not required to be in compliance with the National Incident Management System (NIMS), either to apply for SAFER Funding or to receive a SAFER Award.

For Regional applications, are all of the benefiting fire departments required to be NIMS compliant or just the host applicant?
All departments receiving equipment or services from a regional SAFER Grant must be compliant with all local edicts regarding NIMS.

What are some ineligible expenses in the Hiring category?

1. Pre-application costs, such as grant writer fees, administrative costs, and indirect costs associated with hiring or rehiring of firefighters
2. Costs to train and equip firefighters (However, the salaries and benefits of firefighters hired under the SAFER Grants funding while engaged in training are eligible if the firefighter is employed by the department.)
3. Uniforms and physicals
4. Overtime costs (except overtime costs routinely paid as a part of the base salary or the firefighter's regularly scheduled and contracted shift hours in order to comply with the Fair Labor Standards Act [FLSA])
5. Salaries and benefits of firefighters who are current employees or were hired prior to the award date (except under the retention activity)
6. To fund promotions (e.g., pay a current member a higher salary by placing them in a new SAFER-funded position

If a fire department receives a SAFER Award, how much time does it have to hire the positions?

1. For all grantees under the Hiring of Firefighters category, a default 180-day recruitment period begins when the application is approved for award.
2. The two year period of performance automatically starts after the 180-day recruitment period, regardless of whether the grantee has successfully hired or rehired the requested firefighters.
3. If a grantee is able to rehire or hire their SAFER-funded firefighters during the 180-day recruitment period, the period of performance may begin at that time. For grantees awarded under the Retention category, the period of performance can begin immediately. However, in both cases, grantees must submit an amendment requesting that the period of performance start before the end of the 180-day recruitment period. The period of performance cannot be started later than 180 days after the recruitment period.

The following costs are the initial non salary costs that the City would be responsible for each Firefighter.

Uniforms and Gear:

- 1-set of gear: $2,692.00
- 1 complete uniform $900.00
- 1 Portable radio $800.00

Total: $4,392.00

Note: Some of these costs may be offset due to equipment already on hand depending on sizes and number of Firefighters added.

City of Mount Holly
Informational Item

To:	Mayor and City Council	**Date:**	January 18, 2017
From:	Miles Braswell, Asst. City Manager	**Meeting Date:**	January 23, 2017

Agenda Item to be considered:

South Gateway Monument Sign Update

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request :

Recent right-of-way information has been obtained from NCDOT regarding the location of the existing south gateway monument sign. This sign is located on Hwy. 273, near I-85.

Until recently, it was understood that the existing sign was located outside of the eighty (80') NCDOT right-of-way, from communications with NCDOT. When Sign Connection went to Gaston County for permitting the new sign, the County verified through tax maps and recorded plats that this information may be wrong. The County then contacted NCDOT, with NCDOT informing the Gaston County that the right-of-way in this particular location is one hundred fifty (150') feet.

To move the new sign out of the right-of-way, the sign would be further away from Highway 273, making the sign hard for motorist to see.

After discussions with Sign Connection, the City feels that a copy change (defined in the City of Mount Holly Zoning Ordinance) will be the appropriate process, which includes upfitting the existing sign with a new sign panel, new stone façade and new capstones. The intent is to make this existing sign look like the four (4) new signs throughout the City. The difference between this upfitted sign and the four others is that the upfitted sign will be six (6") inches less in height and forty two and one half (42.5") inches shorter in width.

The Archie Small bronze plaque and existing wooden panel will still be removed prior to this work taking place.

This is for information purposes only.

Fiscal Impact:			
Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	$		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: *Open comments to City Council as they may arise.*

Result of City Council Decision:

None Required – Informational Item Only

Attachments: None

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	January 19, 2017
From:	Miles Braswell, Asst. City Manager	**Meeting Date:**	January 23, 2017

Agenda Item to be considered:

Miles McClellan Construction Company, Inc. - Minority Outreach Plan and Participation Goals

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request :

During the February 8, 2016 City Council meeting, a Historically Underutilized (HUB) Participation and Approval Goal and Outreach Plan was approved. This HUB goal states that the City shall have a ten (10%) percent verifiable percentage goal for participation by minority businesses in the total value of work for building projects awarded by the City and costing more than $300,000 or more.

For Construction Manager at Risk contracts, North Carolina General Statute143-128.1 (c) states the following: A construction manager at risk and first-tier subcontractors shall make a good faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities.

The City's HUB Policy has been shared with Miles McClellan Construction Company, Inc., in an effort to inform them of our 10% minority participation goal. In turn, Miles McClellan has presented their M/W/SBE and HUB Outreach Plan. Their project HUB participation goal of 10% meets the City's requirement.

This plan was presented during the Construction Committee on January 19, 2017.

On behalf of the staff representatives to the Construction Committee, we recommend that Miles McClellan's M/W/SBE and HUB Outreach Plan be approved as it meets the City's adopted HUB goal and outreach plan.

Fiscal Impact:			
Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	***$***		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Approval of Miles McClellan's M/W/SBE and HUB Outreach Plan

Result of City Council Decision: ______

Attachments: None

M/W/SBE and HUB OUTREACH PLAN

The City of Mount Holly and Miles•McClellan have a commitment to Minority/Women and Small Business Enterprises (M/W/SBE) Participation for the North Fire Station, Public Works Administration Building, Maintenance Shop and Storage Building as outlined below:

Project Goals
The M/W/SBE (HUB) participation goals established for the aforementioned projects has been set at 10%.

History of Success
Miles•McClellan has a successful history of including M/W/SBE Contractors on projects in which we participate. This isn't just an obligation; M•M is passionate about providing opportunities for business owners from all walks of life. We are well aware of the impact companies can have by supporting each other's business goals. We have always met or exceeded participation goals on all our North Carolina projects.

Meeting The Goals
Our project leadership, as well as the subcontracting team, is responsible for meeting/exceeding all M/W/SBE goals. The plan will be clearly communicated and defined to support the policies of The City of Mount Holly. Our staff shares accountability for the M/W/SBE plan and goals. Results will be capacity building for M/W/SBE firms and progress will be monitored and reported monthly throughout the project.

Inclusion From The Start
Miles•McClellan has well established relationships in the state and local contracting community. These relationships have enabled our firms to develop proven strategies that maximize M/W/SBE participation. In order to achieve maximum M/W/SBE participation we start during pre•construction. By using our M/W/SBE subcontractor database, as well as resources available through local and state agencies, we will identify M/W/SBE contractors in the various trades. Part of our role will be to identify the availability of these companies and develop bid packages accordingly.

M/W/SBE Identification
Firms will be identified and communicated with in order to solicit interest from qualified M/W/SBE trade contractors, subcontractors, vendors, and suppliers.

Technical Assistance to M/W/SBE Firms
We will offer assistance to M/W/SBE firms with completing the pre-qualification application and understanding compliance requirements. Additionally, we will offer assistance to these forms as follows:
• Procore (on-line estimating & project management system) use

• How to do business with Miles•McClellan - review of subcontract
• Jobsite safety training
• Submission of contract paperwork

First Tier Participation
Our goal is to develop the bid packages to maximize M/W/SBE opportunities. Since bonding is an important issue for M/W/SBE subcontractors, Miles•McClellan can, with discretion, use otherwise qualified non-bonded M/W/SBE subcontractors with additional restrictions on payment methods. In the past, Miles•McClellan has subcontracted with M/W/SBE firms that cannot obtain bonding due to economic issues. As part of those contracts, we require subcontractors that do not have bonding to report all expenses for secondary vendors. We work to diminish the risk of liens by checking with the secondary vendors to ensure all invoices are paid as promised and make payments using joint checks.

Second Tier Strategy
In addition to attempting to prequalify as many first tier M/W/SBE firms as possible, we recognize that the successful contractor in many bid packages may not be an M/W/SBE. With that in mind, we focus on participation at the second and third tier levels as well. The following strategies will be utilized.
• Provide all first tier subcontractors with information on building partnerships with M/W/SBE contractors, vendors, and temporary labor firms through the various reporting agencies available in Gaston County and beyond; Provide lists of qualified M/W/SBE second tier contractors and suppliers to the prime bidders; Allow time for firms to network during pre-bid meetings.7
• Require all second tier subcontractors to comply with additional M/W/SBE participation within their own scope of work; Encourage selecting vendors who have M/W/SBE status at the third-tier level to maximize opportunities to small- and minority-owned businesses.

Communication
On-going communication is an important part of monitoring how well the plan is implemented. Miles•McClellan will have open dialogue with all M/W/SBE subcontractors and vendors at every level to ensure payments are being received on time and all contract issues are being resolved in a timely manner. A conflict resolutions process will be used to handle any grievances expressed by any firm.

Monitoring and Reporting
We will track all participation throughout the project and are experienced in providing the required reports and documentation associated with the tracking process.
• Consistent tracking and monitoring participation throughout the construction phases
• Each project manager is responsible for meeting the M/W/SBE goal on each of the bid packages that he or she manages.
• Each subcontractor and vendor will be required to submit a monthly summary along with their request for payment that reflects their progress toward the inclusion goal
• All required reports will include data on participation by ethnicity, gender, and size, scope of service for both contract award and actual paid out dollar values

• The progress toward inclusion goals will be discussed at regular staff meetings and prime contractors will be expected to discuss progress

Leadership through Example

Miles•McClellan always conducts our business in the manner we expect from those we select as subcontractors. From choosing M/W/SBE vendors ourselves, to ensuring that we are thorough in our reporting, honesty in our relationships, and timeliness in our payments and other commitments, we demonstrate great respect for our partners in this project — and expect the same from all parties. In return, we will expect all M/W/SBE partners to confirm proper certification as per the policies of the City of Mount Holly in order for their contract dollars to be counted toward the project's goal. And that they will continually work hard to build capacity and experience.

OUTREACH PLAN AND GUIDELINES FOR RECRUITMENT AND SELECTION OF MINORITY BUSINESSES FOR PARTICIPATION IN THE CITY OF MOUNT HOLLY'S BUILDING CONSTRUCTION OR REPAIR CONTRACTS

In accordance with G.S. 143-128.2, these guidelines establish goals for minority participation in single-prime bidding, separate-prime bidding, Construction Manager-at-Risk, and alternative contracting methods on the City of Mount Holly's ("City") building construction projects in the amount of $300,000 or more or $100,000 or more if State funds are involved.

The City's goal for minority participation for public building construction is ten percent (10%).

A. INTENT

The intent of these guidelines is that the City, as awarding authority for construction projects, and the contractors and subcontractors performing the construction contracts awarded, shall cooperate and in good faith do all things, legal, proper and reasonable to achieve the goal of ten percent (10%) for participation by minority businesses in each construction project pursuant to NCGS 143-128.2. Nothing in these guidelines shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible, responsive bid or bids.

B. DEFINITIONS

1. Minority person – a person who is a citizen or lawful permanent resident of the United States and who is:

   a. Black, that is, a person having origins in any of the black racial groups in Africa;

   b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central American, or the Caribbean Islands, regardless of race;

   c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, or the Pacific Islands;

   d. American Indian, that is, a person having origins in any of the original peoples of North America; or

   e. Female

2. Minority Business Enterprise ("MBE") – means a business

   a. In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and

   b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.

3. Socially and economically disadvantaged individual – means the same as defined in 15 U.S.C. 637: Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities. Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged.

4. Public Entity – means State and all public subdivisions and local government units.

5. Owner – City of Mount Holly.

6. Designer – Any person, firm, partnership, or corporation, which has contracted with City to perform architectural or engineering work.

7. Bidder – Any person, firm, partnership, corporation, association, or joint venture seeking to be awarded a public contract or subcontract.

8. Contract – A mutually binding legal relationship, or any modification thereof, obligating the seller to furnish equipment, materials or services, including construction, and obligating the buyer to pay for them.

9. Contractor – Any person, firm, partnership, corporation, association, or joint venture which has contracted with City to perform construction work or repair.

10. Subcontractor – A firm under contract with the prime contractor or Construction Manager-at-Risk for supplying materials or labor and materials and/or installation. The subcontractor may or may not provide materials in the subcontract.

C. GOOD FAITH EFFORTS BY CITY TO UTILIZE MINORITY BUSINESSES

1. The City shall utilize the list of minority businesses maintained by the NC Office of Historically Underutilized Businesses.

2. For each building contract put out for bids subject to this Plan, the City shall hold a pre-bid conference to orient contractors and subcontractors to this Plan as well as bid procedures and regulations. Minority businesses that have requested notices from the public entity for public construction and repair work and minority businesses that otherwise indicated to the Office of Historically Underutilized Businesses an interest in the type of work being bid or the potential contracting opportunities within the proposal shall be notified of the pre-bid conference. Further, the City shall, at least 10 days prior to the scheduled day of bid opening, notify those minority businesses which had received notice of the pre-bid conference. The notification shall include the following:

   a. A description of the work for which the bid is being solicited.

   b. The date, time and location where bids are to be submitted.

   c. The name of the individual with the City who will be available to answer questions about the project.

d. Where bid documents may be reviewed.

e. Any special requirements that may exist.

3. The City shall utilize media, as appropriate, likely to inform potential minority businesses of the bid being sought.

4. The City shall maintain records that include:

   a. Contractors or subcontractors notified of the project, and the number of contractors and subcontractors that are included on the above list.

   b. Contractors or subcontractors that bid or otherwise responded to notice of the project, and the number of those contractors and subcontractors that are included on the above list.

   c. Contractors or subcontractors awarded contracts as part of the project, and the number and identity of those contractors and subcontractors that are included on the above list.

   d. The percentage of work on the project that is being performed by minority businesses appearing on the above list.

D. GOOD FAITH EFFORTS BY CONTRACTORS TO UTILIZE MINORITY BUSINESSES

1. Each bidder, which shall mean first-tier subcontractors for construction manager at risk projects, shall identify and submit with its bid:

   a. A list of minority businesses that it will use on the project, to include a description of the work to be performed by the minority businesses, the total minority business contracting amount, and the percentage of the amount toward the total project cost.

   b. In addition to (a) above, an affidavit listing the good faith efforts it has made pursuant to NCGS 143-128.2(f) and the total dollar value of the bid that will be performed by minority businesses. Each good faith effort is worth 10 points, and bidders must earn a minimum of 50 points in order to be considered a responsive bidder.

   c. In lieu of (a) and (b), a bidder that performs all of the work under a contract with its own workforce may submit an affidavit to that effect.

2. Within five business days after award of contract, the lowest responsible, responsive bidder shall provide to the City a list of all identified subcontractors that the contractor will use on the project and either: (a) an affidavit including a description of the portion of the work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the 10% goal OR (b) documentation of its good faith effort to meet the goal, including advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract.

RESOLUTION FOR THE CITY OF MOUNT HOLLY TO ADOPT AN OUTREACH PLAN AND TO ESTABLISH A VERIFIABLE PERCENTAGE GOAL FOR PARTICIPATION BY MINORITY BUSINESSES IN THE AWARDING OF BUILDING CONSTRUCTION CONTRACTS PURSUANT TO N.C.G.S. 143-128.2

WHEREAS, the North Carolina General Assembly passed N.C.G.S. 143-128.2 to enhance and improve the good faith efforts to recruit and select minority businesses for participation in public building construction or repair contracts; and,

WHEREAS, N.C.G.S. 143-128.2 requires each city, county, or other local public entity to adopt, after notice and a public hearing, an appropriate verifiable percentage goal for participation by minority businesses in the total value of work for building projects costing $300,000 or more; and,

WHEREAS, notice of the public hearing was duly published in the Gaston Gazette on February 3, 2016, and the required public hearing was held on February 8, 2016; and,

WHEREAS, N.C.G.S. 143-128.2(b) requires a public entity awarding a building contract where the total cost equals or exceeds $300,000 to establish, prior to solicitation of bids, good faith efforts that it will take to make it feasible for minority businesses to submit successful bids or proposals for the contracts for building projects; and,

WHEREAS, N.C.G.S. 143-128.2(e)(1) requires a public entity awarding a building construction or repair contract where the total cost exceeds $300,000, prior to awarding a contract, to develop and implement a minority business participation outreach plan; and,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY:

1. That the City of Mount Holly shall have a 10% verifiable percentage goal for participation by minority businesses in the total value of work for building projects awarded by the City of Mount Holly and costing $300,000 or more.

2. That the City of Mount Holly shall follow the guidelines of the "Outreach Plan and Guidelines for Recruitment and Selection of Minority Businesses for Participation in the City of Mount Holly's Building Construction or Repair Contracts" for minority business participation in building construction or repair contracts.

3. That this resolution shall become effective upon its adoption.

READ, APPROVED, AND ADOPTED, this _______ day of February, 2016.

____
Bryan M. Hough, Mayor

Attest:

____
Amy Miller, City Clerk

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	January 19, 2017
From:	Miles Braswell, Asst. City Manager	**Meeting Date:**	January 23, 2017

Agenda Item to be considered:

Prequalification Scoring for the Construction Manager at Risk Subcontractors

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request :

During the December 12, 2016 City Council meeting, a resolution was adopted that created a Policy for Prequalification of Bidders on Construction Projects. Since this time, City staff has worked with Miles McClellan Construction Co., Inc. to develop a Prequalification questionnaire. This questionnaire asks specific questions and requests information on potential subcontractors for the new Fire Station and the new Public Works Facility. A score is associated with each response, for a total of thirty (30) points maximum on each questionnaire.

North Carolina General Statute 143-128.1(c) states the following: a public entity and the construction manager at risk shall jointly develop the assessment tool and criteria for that specific project, which must include the prequalification scoring values and minimum required score for prequalification on that project.

To comply with this Statute, the Construction Committee met on January 19, 2017 to review the Prequalification Packages and discussed the minimum required score.

On behalf of the staff representatives to the Construction Committee, we recommend that a score of twenty six (26) be the minimum score to prequalify subcontractors on the new Fire Station and Public Works Facility projects. Only prequalified bidders may submit a bid on these projects.

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	*$*		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Approval of a minimum score of 26 for the prequalification packages for the new Fire Station and Public Works Facility.

Result of City Council Decision:**_____**

Attachments: None

City of Mount Holly
Action Agenda Item

To:	City Council	**Date:**	January 19, 2017
From:	Danny Jackson, City Manager	**Meeting Date:**	January 23, 2017

Agenda Item to be considered: ***Agenda Item #10 – Discussion of funding for the Gaston County CLT Airport Economic Positioning Strategy***

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request : ***Mr. Mark Cramer, Executive Director for the Greater Gaston Development Corporation (GGDC) appeared before the City Council at the January 9, 2017 Regular Meeting to discuss a proposal to be a part of a Economic Development Plan in the Charlotte Airport Area. The proposal involved Gaston County being named in the development plan for marketing purposes. The GGDC has approached various cities in Gaston County to seek support both in concept and financially. On Monday I will be seeking direction from the City Council, in order that I can respond to the request made by the GGDC. Please see the attached presentation made by Mr. Cramer at the January 9th Meeting.***

Fiscal Impact:			
Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☒ YES	☐ NO	☐ N/A
Total City Dollars:	$		
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation: To be discussed at the meeting on Monday night.

Result of City Council Decision:

Attachments: PowerPoint Presentation made at the January 9, 2017 City Council Meeting

GGDC

Gaston County CLT Airport
Positioning Strategy

Mount Holly City Council
January 9, 2017

PRESENTATION OUTLINE

- Concept
- Charlotte's Airport Area Development Plan
- The Gaston County-Wide Opportunity
- Execution and Management
- Funding
- Deliverables and Broader Objectives

GGDC

CONCEPT

- Develop a strategy to <u>maximize</u> the benefits throughout our County and cities of our unique position adjacent to the CLT Airport and its Intermodal Center
- <u>Leverage</u> the almost $1M spent by CLT during 2016 to develop its CLT Airport Area Development Plan
- Become an integral and complementary part of the CLT Plan and thus part of the <u>"CLT Airport Story"</u>
- <u>Shape our own destiny</u> as it relates to CLT and future economic opportunities

GGDC

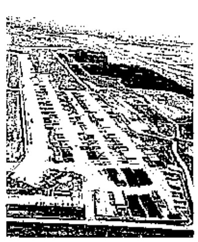
Charlotte-Douglas International Airport

- 5th busiest airport in the U.S.
- 6th busiest airport in world
- 44.9 million travelers in 2015
- $10-12 Billion economic impact to region
- 100,000 jobs direct/indirect

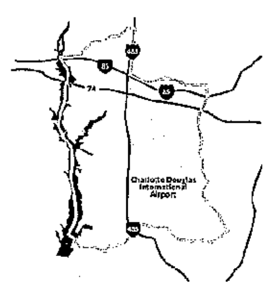
GGDC

Charlotte Regional Intermodal Center at CLT

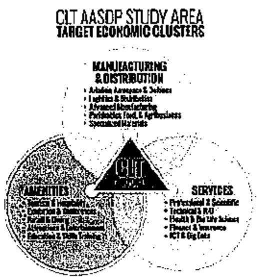
- Can lift 200,000 containers annually and can expand to 600,000 annually
- The facility is expected to generate $7.6 billion in regional economic development throughout the next 20 years.
- It also promises to create more than 7,000 jobs in Charlotte and the surrounding region by 2030



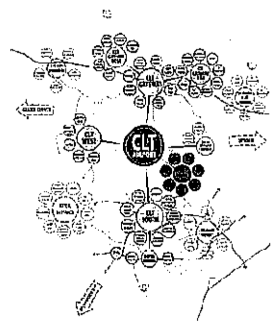
CLT Airport Area Development Plan



GGDC



GGDC



GGDC

PRIMARY ELEMENTS OF *DRAFT* SCOPE OF WORK

A. OPPORTUNITY ASSESSMENT
- Existing Conditions and Planning
- Case Study and Trend Identification
- Real Estate Market and Economic Opportunity Analysis
- Identify *Target Economic Clusters/Markets/Opportunity Corridors/Nodes*
- Assess and Identify *Enabling Transportation Improvements*

B. ECONOMIC-DRIVEN LAND USE AND DEVELOPMENT PROGRAM
- *Prioritization and Phasing* of Opportunity Nodes/Corridors/Areas
- Identify Land Use Scenarios
- Economic-Driven Land Use and Development Program Focus
- Site Concepts for *Priority Opportunity Corridors and Nodes*
- Assess and Identify *Catalyst Projects (i.e., Montcross)*
- Assess Economic Impacts and Benefits

GGDC

DEVELOPING THE POSITIONING STRATEGY

C. RECOMMENDED DEVELOPMENT FRAMEWORK AND ACTION PLAN
- Land Use and Development *Concept Framework*
- Development *Implementation Action Plan*
- Target end-users, incentives and inducements
- *Branding* and *Identity Recommendations*
- Strategy-Focused *Marketing Materials*

- Why this Approach?
  - Outcome-Oriented Process
  - Economic-Driven
  - Action Plans, Focused Marketing Assistance

GGDC

MOUNT HOLLY AND GASTON COUNTY OPPORTUNITY

- Leverage the almost $1 million Charlotte planning effort
  - Use data and analysis from CLT study
  - CLT leadership supports compatible plan and will assist
  - Engage same consultant team
- Capitalize on Gaston's unique proximity and access to CLT
- Provide special focus and strategy for recruiting relating to CLT and Intermodal Center users and associated companies
- Become part of the "CLT Story" when companies are recruited to the region

GGDC

COLLABORATIVE ACTION

- Public-Private Collaborative Approach
- Steering Committee of Key Gaston Players will guide effort
  - CLT will have representative
- Technical Committee of managers/planners/MPO/other staff
- GGDC will play same role as in GO Campaign
  - Coordinate securing funding
  - Contract administration
  - Fiscal management and accountability
  - Support work of Steering and Technical Committee

GGDC

FUNDING

- Public-Private Partnership
  - Goal is 50-50 funding split between public and private
  - Estimate for total cost of project is $230,000
  - 75% of private sector funding committed
  - Seeking $17,500 (maximum) from City of Mount Holly
    - Balance of public funding from Gaston County, Gastonia and Belmont
    - Will also approach smaller municipalities for $3,500 each and will reduce proportionate shares for larger municipalities if secured
  - Possible to split funding between fiscal years if needed
  - For Mount Holly investment of $17,500 become part of $230,000 Plan

GGDC

STRATEGY DELIVERABLES

1. Development phasing strategy and Plan to Implement
2. Recommendations on development deal structures
3. Analysis of economic impact (Tax revenue, employment, property tax values) of targeted development
4. Action Plan for development (nodes, corridors, catalysts)
5. Recommended Land Use and development concepts
   - Also includes transportation recommendations
   - Strategy focused renderings, marketing collateral and website
   - Identify potential partners and marketing targets

GGDC

BROAD-SCOPE OBJECTIVES

1. Position Gaston County and its municipalities as THE FIRST AND BEST Option outside of Charlotte for CLT and Intermodal Center-related development
2. Put Gaston County on the new CLT Airport map
3. Feed into and inform planning and economic development strategies of Mount Holly, Gaston County, etc.
4. Identify the best development opportunities for Gaston County and it municipalities and target those companies
5. Support economic analysis for Catawba Crossings East-West Transportation Corridor Study

GGDC

GGDC

Contact:

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mcramer@gastondevcorp.com

THANKS FOR MOUNT HOLLY'S SUPPORT!

GASTON OUTSIDE GO