

**AGREEMENT BETWEEN THE CITY AND COUNTY OF
SAN FRANCISCO AND THE COUNTY OF SONOMA
FOR THE DISTRIBUTION OF FY 2018 UASI GRANT FUNDS**

FIRST AMENDMENT

THIS AMENDMENT (this “Amendment”) is made as of **MAY 1, 2019**, in San Francisco, California, by and between the **COUNTY OF SONOMA** (“SONOMA”) and the City and County of San Francisco, a municipal corporation (“City”), in its capacity as fiscal agent for the UASI Approval Authority, acting by and through the San Francisco Department of Emergency Management.

RECITALS

WHEREAS, City and SONOMA have entered into the Agreement (as defined below); and

WHEREAS, City and SONOMA desire to modify the Agreement on the terms and conditions set forth herein;

NOW, THEREFORE, SONOMA and the City agree as follows:

1. Definitions. The following definitions shall apply to this Amendment:

a. Agreement. The term “Agreement” shall mean the “Agreement between the City and County of San Francisco and the County of SONOMA for the Distribution of FY 2018 UASI Grant Funds” dated **November 1, 2018**, between SONOMA and City.

b. Other Terms. Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

2. Modifications to the Agreement. The Agreement is hereby modified as follows:

a. Section 3.1, Duration of Term. Section 3.1 of the Agreement currently reads as follows:

The term of this Agreement shall commence on **NOVEMBER 1, 2018** and shall end at 11:59 p.m. San Francisco time on **FEBRUARY 28, 2020**.

Such section is hereby amended in its entirety to read as follows:

The term of this Agreement shall commence on **NOVEMBER 1, 2018** and shall end at 11:59 p.m. San Francisco time on **JUNE 30, 2020**.

b. Section 3.2, Maximum Amount of Funds. Section 3.2 of the Agreement currently reads as follows:

In no event shall the amount of Grant Funds disbursed hereunder exceed **ONE HUNDRED EIGHT THOUSAND DOLLARS (\$108,000)**. The City will not automatically transfer Grant Funds to

SONOMA upon execution of this Agreement. SONOMA must submit a Reimbursement Request under Section 3.10 of this Agreement, approved by the UASI Management Team and City, before the City will disburse Grant Funds to SONOMA.

Such section is hereby amended in its entirety to read as follows:

In no event shall the amount of Grant Funds disbursed hereunder exceed **TWO HUNDRED SIXTY-SEVEN THOUSAND, EIGHT HUNDRED SEVENTY-TWO DOLLARS (\$267,872)**. The City will not automatically transfer Grant Funds to SONOMA upon execution of this Agreement. SONOMA must submit a Reimbursement Request under Section 3.10 of this Agreement, approved by the UASI Management Team and City, before the City will disburse Grant Funds to SONOMA.

c. Appendix A, Authorized Expenditures and Timelines. Appendix A includes project descriptions, deliverables, not to exceed (“NTE”) amounts, and deadlines for deliverables.

Such Appendix is hereby amended to reflect the following:

- i) Eliminate the planning funds, in the amount of \$80,000 for North Bay Hub Risk/Capability Planner for Project 9; and,
- ii) Add the equipment funds, in the amount of \$36,663, for Portable Wireless Communication System – Cobham explorer 710 BGAN Terminal for Project 4; and,
- iii) Add the training funds, in the amount of \$203,209, for Training Program for Project 10.

A revised Appendix A is attached to this Amendment and incorporated by reference as though fully set forth herein. The attached Appendix A supersedes all prior versions of Appendix A.

c. Appendix C, Form of Reimbursement Request dated May 1, 2019. A revised Appendix C is attached to this Amendment and incorporated by reference as though fully set forth herein. The attached Appendix C supersedes all prior versions of Appendix C.

3. Effective Date. Each of the modifications set forth in Section 2 shall be effective on and after the date of this Amendment.

4. Legal Effect. Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first specified herein.

CITY AND COUNTY OF SAN FRANCISCO:

COUNTY OF SONOMA:

SAN FRANCISCO DEPARTMENT OF
EMERGENCY MANAGEMENT

By:

By:

MARY ELLEN CARROLL
EXECUTIVE DIRECTOR

CHRISTOPHER GODLEY
DIRECTOR, EMERGENCY MANAGEMENT

Federal Tax ID #: 94-6000539

Approved as to Form:

Dennis J. Herrera
City Attorney

By:

Jana Clark
Deputy City Attorney

Appendices:

Amended Appendix A, Authorized Expenditures and Timelines, dated May 1, 2019
Amended Appendix C, Form of Reimbursement Request, dated May 1, 2019

Appendix A — Authorized Expenditures and Timelines

ENTITY: **SONOMA**

Total allocation to be spent on the following solution areas:

<u>IJ Number and Title</u>	<u>Program Description</u>	<u>Due Dates</u>	<u>Solution Areas</u>	<u>Amount</u>
<i>Project Title: P25 Radios</i>				
IJ-4: Strengthen Communications Capabilities	Funds for P25 dual band radios.	Project Completion date: 12/31/2019 Final deadline for Claim Submittal: 1/31/2020	<u>Equipment:</u> AEL# 06CP-01-MOBL	PROJECT NOT TO EXCEED \$28,000
<i>Project Title: Portable Wireless Communication System – Cobham Explorer 710 BGAN Terminal</i>				
IJ-4: Strengthen Communications Capabilities	Funds to purchase a Cobham Explorer 710 BGAN Terminal.	Project Completion date: 6/30/2020 Final deadline for Claim Submittal: Within 30 days of project completion	<u>Equipment:</u> AEL# 06CC-04-EQSD	PROJECT NOT TO EXCEED \$36,663
<i>Project Title: Training Program</i>				
IJ-10: Training & Exercise	Funding to provide regional training in direct support of the goals and objectives pertaining to the prevention, protection, response and recovery from acts of terrorism.	Project Completion date: 6/30/2020 Final deadline for Claim Submittal: Within 30 days of project completion	<u>Training</u>	PROJECT NOT TO EXCEED \$203,209

		TOTAL ALLOCATION		TOTAL NOT TO EXCEED: <u>\$267,872</u>
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EQUIPMENT

Reimbursement for Equipment Requires:

- An approved EHP memo, if applicable.
- A performance bond is required for any equipment item that exceeds \$250,000, or for any vehicle, aircraft, or watercraft, regardless of the cost. Failure to obtain and submit a performance bond to the UASI may result in disallowance of cost.
- As allowable under Federal guidelines, procurement of equipment must follow local policies and procedures for competitive purchasing (provided they are not in conflict with Federal regulations which supersede them). If sole source approval is needed, SONOMA must transmit the request to the UASI for request to the State.
- Prior to reimbursement, SONOMA must submit all invoices, AEL numbers, and a list of all equipment ID numbers and the deployed locations.
- SONOMA must inventory, type, organize and track all equipment purchased in order to facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident.

TRAINING

Reimbursement for Training Requires:

- An approved EHP memo, if applicable.
- Training course expenses may include backfill/overtime, travel, tuition, per diem or other grant eligible expenses. Grant eligible training expenses are published in the FY 2018 Homeland Security Grant Program Guidance.
- When seeking reimbursement for grant eligible training expenses, SONOMA must submit completed ledger page indicating course title, feedback number, sub category (e.g., OT, BF, Course Development).
- Provide registration receipts and agendas.
- Provide copies of sign in sheets (must have supervisor's signature).

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- **All requests for reimbursements must be submitted within 30 days of project completion, unless an earlier deadline is set in this Appendix. SONOMA should submit reimbursement requests on a quarterly basis, as applicable.**

- **Authorized expenditures must fall into one of the following categories: Planning, Organization, Equipment, Training, or Exercises. Descriptions of authorized expenditures are in the following documents:**
- *FY 2018 Homeland Security Grant Program Notice of Funding Opportunity:* https://www.fema.gov/media-library-data/1526578809767-7f08f471f36d22b2c0d8afb848048c96/FY_2018_HSGP_NOFO_FINAL_508.pdf
- *California Supplement to the Federal Funding Opportunity Announcement*, dated September 2018, available at <http://www.caloes.ca.gov/GrantsManagementSite/Documents/FY%202018%20HSGP%20State%20Guidance.pdf> as “FY 2018 Homeland Security Grant Program California Supplement to the Federal Notice of Funding Opportunity.”
- *Authorized Equipment List:* <http://www.fema.gov/authorized-equipment-list>
- *Cal OES Rules and Regulations, including the Recipient Handbook:* <http://www.caloes.ca.gov/GrantsManagementSite/Documents/2018%20Subrecipient%20Handbook.pdf>
- **Any equipment purchased under this Agreement must match the UASI 2017 Grant Application Workbook. Any modification to the inventory list in that Workbook must receive prior written approval from by the Bay Area UASI Program Manager.**
- **No Management and Administration expenses are allowed, unless expressly identified and authorized in this Appendix.**
- **Sustainability requirements may apply to some or all of the grant funded projects or programs authorized in this Appendix. See Agreement, ¶3.12.**
- **All EHP documentation must be submitted and approved prior to any expenditure of funds requiring EHP submission.**

Appendix C -- Form of Reimbursement Request

REIMBURSEMENT REQUEST

_____, 2020

UASI Management Team
711 Van Ness Avenue, Suite 420
San Francisco, CA 94102

Re: FY 18 UASI Grant Reimbursement Request

Pursuant to Section 3.10 of the "Agreement between the City and County of San Francisco and the County of SONOMA for the Distribution of FY 2018 UASI Grant Funds" (the "Agreement"), dated NOVEMBER 1, 2018, and as amended by the First Amendment dated MAY 1, 2019, between the County of SONOMA ("SONOMA") and the City and County of San Francisco, SONOMA hereby requests reimbursement as follows:

Total Amount of
Reimbursement
Requested in this
Request: \$ _____

Maximum Amount of
Funds Specified in
Section 3.2 of the
Agreement: \$ _____

Total of All Funds
Disbursed Prior to this
Request: \$ _____

SONOMA certifies that:

- (a) The total amount of funds requested pursuant to this Reimbursement Request will be used to reimburse SONOMA for Authorized Expenditures, which expenditures are set forth on the attached Schedule 1, to which are attached true and correct copies of all required documentation of such expenditures.
- (b) After giving effect to the disbursement requested pursuant to this Reimbursement Request, the Funds disbursed as of the date of this disbursement will not exceed the maximum amount set forth in Section 3.2 of the Agreement, or the not to exceed amounts specified in Appendix A for specific projects and programs.

- (c) The representations, warranties and certifications made in the Agreement are true and correct in all material respects as if made on the date hereof, and SONOMA is in compliance with all Grant Assurances in Appendix B of the Agreement. Furthermore, by signing this report, SONOMA certifies to the best of their knowledge and belief that the report is true, complete and accurate and expenditures, disbursements, and cash receipts are for the purpose and objectives set forth in the terms and conditions of the federal award. SONOMA is aware that any false, fictitious or fraudulent information or the omission of any material fact, may subject SONOMA to criminal civil or administrative penalties for fraud, false statements, false claims or otherwise.
- (d) No Event of Default has occurred and is continuing.
- (e) The undersigned is an officer of SONOMA authorized to execute this Reimbursement Request on behalf of SONOMA.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

SCHEDULE 1 TO REQUEST FOR REIMBURSEMENT

The following is an itemized list of Authorized Expenditures for which reimbursement is requested:

Project	Payee	Amount	Description	If final claim for project, check box
				<input type="checkbox"/>

The following are attached as part of this Schedule 1 (Please check items that are applicable):

Planning:

- Invoice/Payroll Charges
- Payroll Register
- Cleared Check Payment
- Job Description
- Functional Timesheets
- Deliverables/Progress Reports

Organization:

- Invoice/Payroll Charges
- Payroll Register
- Cleared Check Payment
- Job Description
- Functional Timesheets
- Deliverables/Progress Reports

Equipment:

- Invoice
- Cleared Check Payment
- Purchase Order
- Packing Slip
- EHP Approval
- EOC Approval
- Watercraft or Aviation
- Sole Source
- Performance Bond
- Equipment Ledger (Please submit electronic copy to Grants Specialist)

Training:

- Invoice
- Cleared Check Payment
- Training Feedback Number
- EHP Approval
- Certificates/Proof of Participation
- Sign In Sheet
- Agenda

Exercise:

- Invoice
- Cleared Check Payment
- After Action Report
- EHP Approval
- Overtime Authorization

For inquiries/questions, please contact:

_____ Phone #: _____ Email: _____
 Print Name