



Form 101
2013 State Homeland Security Grant Program
Special Grant Conditions and Reporting Requirement Guidelines

1. Subrecipient agrees to comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements, as set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide, which can be accessed here:
<http://www.ojp.usdoj.gov/financialguide/GeneralInformation/index.htm>

2. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:
 - A. Administrative Requirements:
 - a. Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (44 CFR Part 13):
<http://www.ecfr.gov/cgi-bin/text-idx?SID=9a860da3ab321c886dcf785c239e4674&node=44:1.0.1.1.14&rgn=div5>
 - b. Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB-A110; 2 CFR Part 215):
<http://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a110/2cfr215-0.pdf>
 - B. Cost Principles:
 - a. Cost Principles for State and Local and Indian tribal Governments – 2 CFR Part 225 (OMB Circular A-87):
<http://www.ecfr.gov/cgi-bin/text-idx?SID=b84337439e6bbf63fa4e3f33bd12cc0c&node=2:1.1.2.10.6&rgn=div5>
 - b. Cost Principles for Education Institutions – 2 CFR Part 220 (OMB Circular A-21):
<http://www.ecfr.gov/cgi-bin/text-idx?SID=7fd96d2243aa88c76d60093f814ae1c3&node=2:1.1.2.10.4&rgn=div5>
 - c. Cost Principles for Non- Profit Organizations – 2 CFR 230 (OMB Circular A-122):
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr230_main_02.tpl



- d. Contract Cost Principles and Procedures, Contracts with Commercial Organizations -48 CFR 31.2:
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title48/48cfr31_main_02.tpl
- e. Office of Justice Programs Financial Guide -
<http://www.ojp.usdoj.gov/financialguide/GeneralInformation/index.htm>

C. Audit Requirements:

Sub-recipient agrees to comply with all applicable Rhode Island State Purchasing Laws pursuant to Rhode Island General Law Title 37 Chapter 2, as well as local regulations. <http://www.purchasing.ri.gov/PROCREGS2011.pdf>

- a. Audits of States, Local Governments, and Non-Profit Organizations - (OMB Circular A-133):
http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf
- b. Office of Justice Programs Financial Guide 3.19:
<http://www.ojp.usdoj.gov/financialguide/GeneralInformation/index.htm>
- c. Sub-recipient agrees to use federal funds granted under this award to supplement, and not to supplant, state or local funds for homeland security preparedness.
- d. Sub-recipient understands and agrees that use of any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without express prior written approval of the Office of Domestic Preparedness, is strictly prohibited.
- e. Sub-recipient is prohibited from transferring funds between programs (i.e., State Homeland Security Program, Law Enforcement Terrorism Prevention Program and Citizens Corps Program etc.).



3. Reporting requirements and Financial Guides:

Sub-recipient agrees to meet reasonable fiscal and administrative requirements to account for its federal grant funds in accordance with OMB Circular A-102 (http://www.whitehouse.gov/omb/circulars_a102/) or Rhode Island Emergency Management Agency (RIEMA) may require, including, but not limited to, submitting: quarterly financial reports, quarterly progress reports and final financial reports.

- a. Quarterly financial and progress reports must be signed by an Authorized Agency Official and submitted to RIEMA within fifteen (15) days after the close of each calendar quarter as follows:

<u>Quarter dates</u>	<u>Due Date</u>
January 1 to March 31	April 15
April 1 to June 30	July 15
July 1 to September 30	October 15
October 1 to December 31	January 15

- b. An Inventory Report Form (Form 107) shall be submitted to RIEMA annually each January 15 with the Quarterly Progress and Quarterly Financial Report during the performance period, and continued submission is required annually until final disposition of the equipment is acquired. RIEMA will provide Inventory Forms to jurisdictions annually to assist with annual reporting requirements. Failure to comply with this provision may result in the withholding of sub-grant funds until the delinquent report is received.
- c. Sub-recipient further agrees to establish fiscal control accounting procedures which meet minimum requirements of these guidelines to ensure proper disbursement of, and accounting for, grant funds. Such accounting procedures must provide for an accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. Sub-recipients that are not a state or quasi-governmental entity are required to maintain a separate bank account for each grant.
- d. RIEMA recognizes that the costs associated with equipment lists that were submitted as part of the grant applications may only have been estimates. Therefore should a cost savings be realized, during an equipment acquisition process, sub-recipient may return excess funds to RIEMA or petition RIEMA to change the quantity of a particular item, or request that it be allowed to purchase an additional item. However, requests to purchase items not on the approved award must be submitted to RIEMA and DHS for final approval.



4. Payment methodology and grant closeout:

- a. RIEMA shall only remit funds to sub-recipients upon receipt of a Grant Reimbursement Form (Form 106), signed by an Authorized Agency official, and supporting documentation to meet CFR 13.20 Subpart C (An awarding agency may review the adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to award.)
- b. Equipment or services provided, including vendor invoices, purchase orders, signed packing slips to certify receipt of goods and proof of payment such as cancelled checks.
- c. Exercises or training, copies of training announcement including date, time, instructors and or speakers, location, topic(s), sign in sheet with attendee's name and instructor's signature to prove attendance. Payroll records or proof of payment (i.e. a spread sheet with attendee's name, rates of pay and number of hours worked and signed by Municipal Finance Official) must be provided for each attendee.
- d. Form 106 may be submitted at any time during the grant period. Reimbursement payments will be processed as they are submitted. Any unused balance existing at the grant end dates shall revert back to RIEMA.
- e. If all of the documents are not included, the reimbursement will be mailed back to the sub-recipient without being processed.

5. Project monitoring and evaluation:

Sub-recipient agrees to fully cooperate with periodic programmatic, fiscal monitoring, records review, and site visits that shall be conducted by RIEMA. Sub-recipient agrees to submit timely and accurate Quarterly Progress and Quarterly Financial Progress Reports to RIEMA and to participate in RIEMA sponsored surveys and all other required reports related to any RIEMA-administered grant program. RIEMA reserves the right to deny payment to any approved programs for failure to comply with these provisions. A written response will be provided when payment is in question.

6. Maintenance of records:

Authorized Official Initial - _____



All grant documents, including, but not limited to, invoices, purchase orders, packing slips, equipment make, model, and serial numbers, must be maintained for a minimum of three (3) years after RIEMA closeout date or audit.

7. Inspection and audit:

Sub-recipients that expend \$500,000 or more in a year in federal funds must provide for an independent audit of their activities. These audits should be made annually but not less frequently than every two (2) years. Accounts and records of all sub-recipients which disburse or utilize grant funds must be accessible to authorized officials for the purpose of sub-grant audit and examination. A copy of said audit must be forwarded to RIEMA. Contracts made by sub-recipients must provide for audit of contractor's records pertaining to the use of grant funds. All required records shall be maintained until the audit is completed and all questions arising there from, are resolved, or for three years after the end of the sub-grant period, whichever is later. If any litigation, claim, negotiation, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until completion of the action and resolution of all issues which arise from it. OMB Circular A-133:

http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf

8. Property acquired with grant funds:

RIEMA requires that property acquired with grant funds be tagged and tracked, detailing description of the property, serial or identification number, source of property, name of owner, acquisition date, cost, location, condition and disposition data.

Title to property acquired in whole or in part with grant funds shall vest in the sub-recipient, subject to divestment at the option of RIEMA, where its use for homeland security purposes is discontinued. Sub-recipients shall exercise due caution in the use, maintenance, protection and preservation of such property.

An Inventory Report (Form 107) shall be submitted to RIEMA annually each January 15 with the Quarterly Financial Report during the performance period, and continued submission is required annually until final disposition of the equipment is acquired.

9. Civil Rights Requirements:

All recipients and sub-recipients, regardless of the type of entity or the amount awarded, are subject to the prohibitions against discrimination in any program or activity and may be required by the Office of Civil Rights (OCR) of the U.S. Department of Justice, through selected compliance reviews, to submit data to ensure their services



are delivered in an equitable manner to all segments of the service population and their employment practices comply with equal employment opportunity requirements. 28 CFR 42.202(n)

- a. Americans with Disabilities Act.
All federal grant recipients must comply with the American with Disabilities Act (ADA).
<http://www.ada.gov/pubs/adastatute08.htm>
- b. No person shall on the grounds of race, color, or religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, specifically the nondiscrimination provision that appears at 42 U.S.C. § 3789c) (1).
<http://www.justice.gov/crt/about/spl/42usc3789d.php>
- c. Recipients/sub-recipients of funds under the Act are also subject to the provisions of Title VI of the Civil Rights Act of 1964
<http://www.justice.gov/crt/about/cor/coord/titlevi.php>
- d. Section 504 of the Rehabilitation Act of 1974, as amended
<http://www.dol.gov/oasam/regs/statutes/sec504.htm>
- e. Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681
<http://www.dol.gov/oasam/regs/statutes/titleix.htm>
- f. Age Discrimination Act of 1975, 42 U.S.C. §6102
http://www.dol.gov/oasam/regs/statutes/age_act.htm
- g. DOJ Non-Discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G.
<http://www.justice.gov/crt/about/cor/byagency/dojvi.pdf>
- h. Reporting of Adverse Finding of Discrimination.
It is the responsibility of all grantees, sub-recipients, and contractors under grants, to report to the Office of Justice Programs, Office for Civil Rights and the Rhode Island Division of Legal Services within the Department of Administration, any finding of discrimination after a due process hearing, on the basis of race, color, religion, national origin or sex by a federal or state court or administrative agency pursuant to 28 C.F.R. Part 42.204(d).



i. Equal Opportunity Program Requirements.

It is the responsibility of all sub-recipients to ensure that their employment practices comply with Equal Opportunity Requirements, 28 CFR 42.207, 42.301 et seq., Rhode Island General Laws Title 28 Chapter 5 through 6; and Gubernatorial Executive Orders governing the promotion of a diverse workforce, equal opportunity, and the prevention of sexual harassment and including where applicable, the requirement of sub-recipients to formulate, implement and file an Equal Opportunity Employment Plan with RIEMA and the Office of Justice Programs, Office for Civil Rights.

10. Application of Sub-grant Conditions to Contractors

Whenever a sub-recipient may choose to implement a project by further sub-granting to an implementing sub-recipient or an independent contractor, all or any part of the amount of this award, the sub-recipient shall include the provisions of these standard sub-grant conditions in a further sub-grant award or contract which shall be reduced to writing and submitted to RIEMA on sub-recipient's letterhead for prior approval. Such implementing sub-recipients or independent contractors, when utilized by the sub-recipient, may be responsible for the day-to-day operations of the project, including hiring, terminations, and budget revisions, however, only when the contracts between the sub-recipients and the implementing sub-recipients or independent contractors so specify. A signed copy of all such contracts must be forwarded to RIEMA.

11. Ethical Standards/prohibited political activity

It is the responsibility of all sub-recipients to comply with applicable provisions of:

- a. Rhode Island General Law Chapter 14 Title 36
<http://webserver.rilin.state.ri.us/Statutes/TITLE36/36-14/INDEX.HTM>
- b. Code of Ethics and the provisions of the Hatch Act, which limits the political activity of public employees
<http://www.osc.gov/hatchact.htm>

12. Congressional Budget and Impoundment Control Act of 1974, as amended. Grant awards are conditional, and subject to congressional or executive action including budget deferral.

<http://www.house.gov/legcoun/Comps/BUDGET.pdf>

13. Interest Earned on Federal Funds



Political subdivisions, (including cities, towns, counties and special districts created by State law) shall account for interest earned on Federal funds. Local units of government may keep interest earned on Federal grant funds up to \$100 per **federal fiscal year**. This maximum limit is not per award; it is inclusive of all interest earned as a result of all Federal grant program funds received per year. Interest earned in excess of \$100, excluding Local Law Enforcement Block Grants (LLEBG) and Juvenile Accountability Incentive Block Grants (JAIBG) must be remitted to the United States Department of Health and Human Services, Division of Payment Management Services, PO Box 6021, Rockville, MD 20852.

Nonprofit organizations shall account for interest earned on Federal funds. Nonprofit organizations may keep interest earned on Federal grant funds up to \$250 **per federal fiscal year**. This maximum limit is not per award; it is inclusive of all interest earned as a result of all Federal grant program funds received per year. Interest earned in excess of \$250, must be remitted to the United States Department of Health and Human Services, Division of Payment Management Services, P.O. Box 6021, Rockville, MD 20852.

14. NIMS Compliance

Sub-recipients are required to meet certain National Incident Management System (NIMS) compliance requirements. All emergency preparedness response, and/or operation of resources and/or activities awarded through this grant are compelled to complete training programs consistent with the NIMS National Standard Curriculum Development Guide. Minimum training includes IS-700 NIMS: An Introduction.

I have read, initialed, and understand the eight (8) pages of general grant Conditions/Assurances and hereby agree to comply with them.		
Signature of Authorized Official	Date	Agency
Name (Printed)	Title	Grant ID No.
Signature of RIEMA Official	Date	
Name (Printed)	Title	