

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

**SECOND AMENDMENT**

THIS AMENDMENT (this “Amendment”) is made as of **APRIL 1, 2019**, in San Francisco, California, by and between the **COUNTY OF MONTEREY** (“MONTEREY”) 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 MONTEREY have entered into the Agreement (as defined below); and

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

NOW, THEREFORE, MONTEREY 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 MONTEREY for the Distribution of FY 2018 UASI Grant Funds” dated **November 1, 2018**, between MONTEREY and City, and here by amended by the:

- **First Amendment, dated February 1, 2019.**

**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 3.2, 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 HUNDRES TWENTY-ONE THOUSAND TWO HUNDRED SEVENTY-TWO DOLLARS (\$121,272)**. The City will not automatically transfer Grant Funds to MONTEREY upon execution of this Agreement. MONTEREY 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 MONTEREY.

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

In no event shall the amount of Grant Funds disbursed hereunder exceed **FOUR HUNDRES NINETY-TWO THOUSAND TWO HUNDRED SEVENTEEN DOLLARS (\$492,217)**. The City will not automatically transfer Grant Funds to MONTEREY upon execution of this Agreement. MONTEREY 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 MONTEREY.

**b. 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) Add the training funds, in the amount of \$370,945 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 April 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 MONTEREY:

SAN FRANCISCO DEPARTMENT OF  
EMERGENCY MANAGEMENT

By:

By:

\_\_\_\_\_  
MARY ELLEN CARROLL  
EXECUTIVE DIRECTOR

\_\_\_\_\_  
GERRY MALAIS  
EMERGENCY SERVICES MANAGER

Federal Tax ID #: 94-6000524

**Approved as to Form:**

Dennis J. Herrera  
City Attorney

By:

\_\_\_\_\_  
Jana Clark  
Deputy City Attorney

Appendices:

Amended Appendix A, Authorized Expenditures and Timelines, dated April 1, 2019

Amended Appendix C, Form of Reimbursement Request, dated April 1, 2019

## Appendix A — Authorized Expenditures and Timelines

ENTITY: **MONTEREY**

Total allocation to be spent on the following solution areas:

<b><u>IJ Number and Title</u></b>	<b><u>Program Description</u></b>	<b><u>Due Dates</u></b>	<b><u>Solution Areas</u></b>	<b><u>Amount</u></b>
<b><i>Project Title: Community Resiliency Planner</i></b>				
<b>IJ-7: Enhance Community Resilience</b>	Funds for Community Resiliency Planner position to address resource planning, key infrastructure as it relates to law enforcement protection and anti-terrorism with an emphasis on community outreach (fairs).	Project Completion date: 6/30/2020  Claim Submission due within 30 days of Project Completion	<b><u>Organization</u></b>	PROJECT NOT TO EXCEED <b>\$90,000</b>
<b><i>Project Title: Robot</i></b>				
<b>IJ-9: Enhance Multi-Jurisdictional All Hazards Incident Planning, Response &amp; Recovery Capabilities</b>	Funds to purchase upgraded robot for the Monterey County Sheriff SWAT Team to enhance its ability to respond to CBRNE and other possible terrorist events.	Project Completion date: 12/31/2019  Claim Submission due within 30 days of Project Completion	<b><u>Equipment</u></b>  <b>AEL# 03OE-07-ROBT</b>	PROJECT NOT TO EXCEED <b>\$31,272</b>
<b><i>Project Title: Tri Counties Training Program</i></b>				

<b>IJ-10: Training &amp; Exercise</b>	Funding to provide training for the South Bay Tri counties (Monterey, Santa Cruz, and San Benito) 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	Training	PROJECT NOT TO EXCEED <b>\$370,945</b>
		<b>TOTAL ALLOCATION</b>		<b>TOTAL NOT TO EXCEED: <u>\$492,217</u></b>

## **ORGANIZATION**

### *Reimbursement for Organization Requires:*

- **Personnel** – Prior to any expenditure for personnel, MONTEREY must submit completed job descriptions to the UASI detailing the planning activities the personnel will complete and the deliverables to be produced. Prior to reimbursement, MONTEREY must submit the following: all functional time sheets, payroll documentation showing payment of salaries and benefits, or cancelled checks; work product or certification that work was completed including a statement of completed activities.
- **Contracts** – All contracts must be pre-approved by the UASI prior to execution. In addition, MONTEREY must satisfy the following guidelines:
  - Procurement of contractual services 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, MONTEREY must transmit a sole source request to the UASI for submission to the State.
  - The contract must have a clearly stated scope of work and deliverables, deadlines for completion of work, and a schedule of contract payments.
  - All services must be performed and paid within the grant performance period.
- **Travel** - travel for planning activities must be pre-approved in accordance with the Bay Area UASI Travel Policy (adopted by the Approval Authority in August 2017) prior to scheduling. Invoices must include all backup documentation, including conference agendas, programs, brochures, lodging receipts, per diem calculations, airfare receipts/boarding passes, mileage calculations, other transportation receipts, and proof of payment.

## **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, MONTEREY must transmit the request to the UASI for request to the State.
- Prior to reimbursement, MONTEREY must submit all invoices, AEL numbers, and a list of all equipment ID numbers and the deployed locations.
- MONTEREY 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, MONTEREY 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. MONTEREY 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](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 MONTEREY for the Distribution of FY 2018 UASI Grant Funds" (the "Agreement"), dated NOVEMBER 1, 2018, and as amended by the Second Amendment dated APRIL 1, 2019, between the County of MONTEREY ("MONTEREY") and the City and County of San Francisco, MONTEREY 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:                    \$ \_\_\_\_\_

MONTEREY certifies that:

- (a) The total amount of funds requested pursuant to this Reimbursement Request will be used to reimburse MONTEREY 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 MONTEREY is in compliance with all Grant Assurances in Appendix B of the Agreement. Furthermore, by signing this report, MONTEREY 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. MONTEREY is aware that any false, fictitious or fraudulent information or the omission of any material fact, may subject MONTEREY 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 MONTEREY authorized to execute this Reimbursement Request on behalf of MONTEREY.

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"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<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:

\_\_\_\_\_  
Print Name

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_