



U.S. DEPARTMENT OF HOMELAND SECURITY

FISCAL YEAR 2009

**STAFFING FOR ADEQUATE FIRE AND EMERGENCY
RESPONSE PROGRAM**

GUIDANCE AND APPLICATION KIT

NOVEMBER 2009



U.S. DEPARTMENT OF HOMELAND SECURITY

Title of Opportunity: Staffing for Adequate Fire and Emergency Response (SAFER) Program

Funding Opportunity Number: [if applicable, assigned by GPD/GMD]

Federal Agency Name: Department of Homeland Security, Federal Emergency Management Agency (FEMA) Grant Programs Directorate (GPD)

Announcement Type: Annual

Dates: Completed applications must be submitted **no later than 5 p.m. Eastern Time, Friday, December 18, 2009.**

Additional Overview Information:

As a result of the passage of the American Recovery and Reinvestment Act of 2009 (ARRA) and the Supplemental Appropriation Act, 2009 (P.L. 111-32), the Fiscal Year (FY) 2009 Staffing for Adequate Fire and Emergency Response (SAFER) Grants for the Hiring of Firefighters Activity will be awarded under conditions significantly different from those in effect prior to the passage of these Acts. The content of this Program Guidance and its official issuance reflects the Secretary's and the DHS/FEMA implementation of the provisions provided by these Acts. NOTE: These changes **ONLY** affect the FY 2009 grants and the FY 2010 SAFER grants when the FY 2010 solicitation becomes available. The new conditions are **NOT** retroactive to prior year grants nor will they remain in effect beyond FY 2010.

Under authorities provided under ARRA and P.L. 111-32, the following requirements are being waived for the FY09 SAFER program:

- Salary limits; there are no annual salary limits
- Cost-share; there is no prescribed cost-share
- Retention commitment; grantees that are rehiring laid off firefighters do not have to commit to retaining the SAFER-funded firefighters
- Period of performance; reduced for hiring grants from four years to two years.

The application period for this FY2009 SAFER solicitation begins on Monday, November 16, 2009, and ends on December 18, 2009.

Under the Hiring of Firefighters Activity in this solicitation, we will distinguish between grants to hire new firefighters and grants to rehire laid-off firefighters.

- Grants to hire **new firefighters** have a 2-year period of performance and require grantees to commit to retaining the SAFER-funded firefighters for one full year after the end of the period of performance. Federal funds may be used to pay for 100% of the actual salary and benefit costs of these newly hired firefighters without a local cost-share.

- Grants to **rehire laid-off firefighters** have a 2-year period of performance with ***no*** requirement to retain the firefighters beyond the period of performance. Federal funds may be used to pay for 100 percent of the actual salary and benefit costs of rehired firefighters with no requirement for a local cost-share.

Priorities for Hiring of Firefighters Activity grants remain largely unchanged from last year's grants in that they continue to focus on staffing standards established by the National Fire Protection Association (NFPA) and the Occupational Safety and Health Administration (OSHA).

Procurement Integrity

As an integral part of grant monitoring, the Department of Homeland Security's Office of Inspector General (OIG) and the Assistance to Firefighter Grants Program Office conduct audits and/or reviews of grant recipient activities. These audits or reviews ensure grant recipients adhere to proper procurement requirements. Anything less than full compliance with 2 CFR Part 215, Sections 40-48 "Procurement Standards" and 44 CFR Part 13.36 "Procurement" jeopardizes the integrity of the grant as well as the grant program. Therefore, we place a greater emphasis on oversight of grantees' procurement actions. Below, we reiterate the requirements and DHS' expectations of grantees when buying goods and services with Federal grant funds under the Recruitment and Retention of Volunteer Firefighters Activity

Competition: All procurement transactions shall be conducted in a manner providing, to the maximum extent practical, open and free competition. Grantees are expected to promote competition and ensure advantageous pricing by soliciting bids from multiple vendors and selecting the lowest bidder capable of meeting requirements. Purchases shall be made from the vendor whose bid is responsive to the solicitation and most advantageous to the grantee when price, quality, and other factors are considered. Grantees may use their own procurement procedures, which reflect applicable State and local laws and regulations, provided the procurements conform to applicable Federal laws and standards. Grantees, who fail to adhere to their own procurement policies, or otherwise fail to fully "compete" any purchase involving Federal funds, may find their expenditures questioned and subsequently disallowed.

Documentation: Grantees are required to maintain and retain backup documentation such as bids, quotes, and cost/price analyses on file for review by Federal personnel. Required documentation for federally funded purchases includes specifications, solicitations, competitive quotes or proposals, basis for selection decisions, purchase orders or contracts, invoices, and cancelled checks. Grantees who fail to fully document their purchases may find their expenditures questioned and subsequently disallowed.

Specifications: Specifications developed for solicitations shall clearly set forth all requirements the bidder shall fulfill in order for the bid or offer to be evaluated by the recipient. However, those specifications may not be so narrowly constructed or contain features which unduly limit, restrict, or eliminate competition unnecessarily. Grantees may, when developing their solicitations, list factors to be used in their evaluation of submitted proposals, as long as those evaluation factors are not found to limit competition. Finally, grantees cannot impose in-State or local geographical preferences in the evaluation of bids or proposals.

Grantees may not use specifications obtained from vendors for any purchase with Federal grant funds if the specifications are restrictive. It is the grantee's responsibility to assure vendor specifications are not used in a manner which would result in restricting or limiting competition from other vendors of similar products. If a vendor or manufacturer writes a grant or a specification for the solicitation for the purchase of a

specific product, that vendor or manufacturer cannot submit a bid for that purchase. See Conflicts of Interest below.

Grantees shall, on request, make available to DHS pre-award review and procurement documents, such as requests for proposals or invitations for bids, independent cost estimates, *etc.*, if (1) the purchase specifies a "brand name" product or (2) the proposed award is to be awarded to other than the apparent low bidder under a sealed bid process. Grantees found to be using proprietary, or otherwise limiting specifications, may find their expenditures questioned and subsequently disallowed.

Conflicts of interest: In order to ensure objective vendor performance and eliminate a real or apparent unfair competitive advantage, anyone who develops or drafts specifications, requirements, statements of work (including the grant application), invitations for bids, and/or requests for proposals shall be excluded from competing for such procurements. Additionally, no employee, officer, or agent of the grantee shall participate in the selection, award, or administration of a procurement supported by Federal funds if a real or an apparent conflict of interest could be involved. A conflict of interest could arise when any of the following conditions exists:

- a) An officer, employee, or agent of the grantee has a financial or other interest in the vendor selected for the procurement.
- b) Any member of the grantee's officers', employees', or agents' immediate family has a financial or other interest in the vendor selected for the procurement.
- c) An organization which employs a grantee's officer, employee, or agent is a vendor or has a financial or other interest in the vendor selected for the procurement.

For the purposes of this program, we consider volunteers of an organization and grant writers to be employees, officers, and/or agents of the grantee. As such, no volunteer or member of an organization or anyone involved in the application for funding can participate in, or benefit from, the procurement if Federal funds are involved. Grantees who purchase items with grant funds from vendors who employ any of their volunteers/members must document how they avoided a conflict of interest during the procurement process (*i.e.*, specific details regarding how the members/volunteers removed themselves, or how they were prevented from participating in the process). Grantees who fail to fully document their purchases may find their expenditures questioned and subsequently disallowed.

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PART I. FUNDING OPPORTUNITY DESCRIPTION

The Staffing for Adequate Fire and Emergency Response (SAFER) Grants are managed by the Federal Emergency Management Agency's Assistance to Firefighters Grants (AFG) Program Office. SAFER Grants provide financial assistance to help fire departments increase their cadre of frontline firefighters or to rehire firefighters that have been laid off. The goal is to assist local fire departments with staffing and deployment capabilities so they may respond to emergencies whenever they occur, assuring their communities have adequate protection from fire and fire-related hazards. The SAFER Grants have two activities to support this goal: (1) Hiring of Firefighters and (2) Recruitment and Retention of Volunteer Firefighters.

In Fiscal Year (FY) 2009, Congress appropriated a total of \$210 million to the Department of Homeland Security (DHS) for SAFER Grants. The FY 2009 appropriated funds are available for award until September 30, 2010.

Once awarded, the funds are available for expenditure by the grantee for the full period of grant performance. Each grant's period of performance is discussed in detail on page 10 of this guidance. The authority for SAFER is derived from the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. §2229a et seq.).

A. Federal Strategy

The SAFER Grants are an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness. The National Preparedness Guidelines and their work products are of particular significance. The National Preparedness Guidelines are an all-hazards guide for meeting the Nation's four core preparedness objectives: prevent, protect against, respond to, and recover from terrorist attacks and catastrophic natural disasters.

The National Preparedness Guidelines define a vision for what should be achieved in order to strengthen the security of the nation and provide guidance designed to forge a unified national consensus about what to do and how to work together at all levels of government. First responder participation is integral to the Guidelines' success. DHS expects its first responder partners to be familiar with this national preparedness architecture and to practically incorporate elements of this architecture into their planning, operations, and investments.

B. Legislative Changes

Cost sharing requirements were waived under Sec. 603 of Title VI of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) for FY 2009 and FY 2010. In addition, the Secretary has been granted an authority to issue waivers to many of the SAFER requirements that are reflected in the SAFER governing statute for FY 2009 and FY 2010. Under section 605 of the Supplemental Appropriation, 2009 (Public Law 111-32), the Secretary of Homeland Security was provided the authority to waive the requirements of subsection (a)(1)(B), subsection (c)(1), subsection (c)(2), and subsection (c)(4)(A) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) for the FY 2009 SAFER program. The authority to provide waivers was intended to facilitate the hiring of firefighters in order to increase incident scene safety.

The content of these specific subsections, i.e., the specific requirements that may be waived at the discretion of the Secretary, are as follows:

Subsection (a)(1)(B)(i): Grants made under this paragraph shall be for 4 years and be used for programs to hire new, additional firefighters.

Subsection (a)(1)(B)(ii): Grantees are required to commit to retaining for at least 1 year beyond the termination of their grants those firefighters hired under this paragraph.

Subsection (c)(1): Funds made available under this section to fire departments for salaries and benefits to hire new, additional firefighters shall not be used to supplant State or local funds . . .

Subsection (c)(2): No grant shall be awarded pursuant to this section to a municipality or other recipient whose annual budget at the time of the application for fire-related programs and emergency response has been reduced below 80 percent of the average funding level in the 3 years prior to November 24, 2003.

Subsection (c)(4)(A): Total funding provided under this section over 4 years for hiring a firefighter may not exceed \$100,000.

C. DHS Implementation of Waiver Authority

For this year's grant opportunity, DHS will reduce the requirement on the period of performance from four years to two years (subsection (a)(1)(B)(i)); DHS will waive the requirement to commit to retaining firefighters *rehired* under this program (subsection (a)(1)(B)(ii)); eliminate the requirement on the maintenance of expenditure requirement (subsection (c)(2)); and, eliminate the salary limitation (subsection (c)(4)(A)). In addition, all cost-sharing requirements for funds under the FY2009 (and 2010) appropriations were waived under Sec. 603 of Title VI of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

The requirement to maintain staffing levels (subsection (c)(1)) will remain in effect and **NOT** be waived. Additionally, grantees that are awarded funding to hire new firefighters will be required to commit to retaining the firefighters for one full year after the period of performance, i.e., DHS will **NOT** waive the requirement to commit to retaining the **newly-hired** firefighters funded by SAFER (subsection (a)(1)(B)(ii)).

D. Priority Development Process

The goal of the SAFER Grants is to enhance local fire departments' abilities to comply with staffing, response, and operational standards established by the National Fire Protection Association (NFPA) and the Occupational Safety and Health Administration (OSHA). Specifically, the grants focus on standards included in the deployment and assembly sections of NFPA 1710 and/or NFPA 1720, and the respiratory protection section of OSHA 1910.134 (see www.nfpa.org/SAFERActGrant for more details).

SAFER intends to improve local fire departments' staffing and deployment capabilities, so they may more effectively respond to emergencies whenever they may occur. It is hoped that as a result of the enhanced or restored staffing, a SAFER grantee's response time should be sufficiently reduced with an appropriate number of trained personnel assembled at the incident scene. Additionally, the enhanced or restored staffing levels should provide improved safety for firefighters by ensuring all frontline/first-due apparatus of SAFER grantees have a minimum of four qualified personnel to meet the NFPA standards referenced above. Ultimately, SAFER grantees should achieve more efficient responses and a safer incident scene; thereby ensuring communities have improved protection from fire and fire-related hazards.

Each year, the AFG Program Office holds a criteria development meeting to recommend funding priorities for SAFER and its other grant opportunities for the coming year. To do this, a panel of fire service professionals representing the nine major fire service organizations is convened. The organizations represented include:

- Congressional Fire Service Institute (CFSI)
- International Association of Arson Investigators (IAAI)
- International Association of Fire Chiefs (IAFC)
- International Association of Firefighters (IAFF)
- International Society of Fire Service Instructors (ISFSI)
- National Association of State Fire Marshals (NASFM)
- National Fire Protection Association (NFPA)
- National Volunteer Fire Council (NVFC)
- North American Fire Training Directors (NAFTD)

The criteria development panel is charged with making recommendations to the Department of Homeland Security and FEMA regarding the creation and/or modification of previously established funding priorities, developing criteria for awarding grants, and proposing any necessary changes for the administration of the SAFER Grants. The recommendations are considered by the Secretary and DHS/FEMA in the development of grant guidance.

SAFER Grants are comprised of two primary activities: (1) Hiring of Firefighters and (2) Recruitment and Retention of Volunteer Firefighters. Additional information regarding these activities is provided below.

E. Funding Priorities for Hiring of Firefighters Grants

For the FY 2009 SAFER Grant solicitation, FEMA distinguishes between the hiring of new firefighters and the rehiring of laid-off firefighters. Be advised that the FY 2009 SAFER award conditions do **NOT** apply to previous SAFER awards nor will they remain in effect beyond FY 2010.

Hiring of New Firefighters: FEMA has set aside no less than 15 percent of the 2009 appropriation for the hiring of new firefighters. These grants are awarded directly to volunteer, combination, and career fire departments to help the departments increase their cadre of frontline firefighters. Grants for the hiring of new firefighters have a two-year period of performance that provides fire departments with funding to pay 100 percent of the salaries and benefits of newly-hired firefighters (exclusive of overtime). Departments awarded grants for hiring new firefighters are required to commit to retaining the SAFER-funded firefighters for one full year after the two-year period of performance. Only firefighters hired after the award date may be funded by a SAFER Grant; firefighters hired prior to the award date are not eligible for SAFER funding. Grantees must maintain their staffing at the level that existed at the time of award. Grantees cannot layoff any firefighters during the two-year period of performance. If a SAFER grantee loses any firefighters for any reason (such as attrition or termination) during the two-year period of performance, they must fill the position(s) or lose funding for the position(s) until the vacancy or vacancies are filled. Failure on the grantee's part to adjust payment requests to reflect vacancies or staffing adjustments would be considered in default and require repayment of the Federal funds received. Extensions to a SAFER Grant's period of performance will not be allowed.

Rehiring of Laid-Off Firefighters: These grants are awarded directly to combination and career fire departments to enable them to restore their levels of staffing in order to attain a more effective level of response and a safer incident scene. In order for a position to be eligible for funding under the rehiring initiative, the position must have been the object of a layoff action that was effected between January 1, 2008, and October 31, 2009. Grants for rehiring of firefighters provide fire departments with funding to pay 100 percent of the salaries and benefits (exclusive of overtime) and have a two-year period of performance. There is no requirement for rehiring grantees to retain the SAFER-funded firefighters after the two-year period of performance. Only positions that were the object of a layoff action between January 1, 2008, and October 31, 2009, are eligible. Only firefighters hired **after** the award date may be funded by a SAFER Grant; firefighters hired prior to the award date are not eligible for SAFER funding. Grantees must maintain their staffing at the level that existed at the time of application as well as the SAFER-funded staffing for the two-year period of performance. Grantees cannot layoff any firefighters during the two-year period of performance.

If a SAFER grantee loses any firefighters for any reason (such as attrition or termination) during the two-year period of performance, they must fill the position(s) or lose funding for the position(s) until the vacancy or vacancies are filled. Failure on the grantee's part to adjust payment requests to reflect vacancies or staffing adjustments would be considered in default and require repayment of the Federal funds received. Extensions to a SAFER Grant's period of performance will not be allowed.

Regardless of whether an applicant is seeking to hire new firefighters or to rehire firefighters, the priorities of the two options are the same. Having more firefighters on staff should improve the local fire department's abilities to comply with staffing, response, and operational standards established by NFPA and OSHA. Compliance with these standards results in enhanced safety for the firefighters and more effective response for the community.

Meeting National Standards: The highest priority under the Hiring of Firefighters Activity is to provide funding to departments not in compliance, or who have fallen out of compliance, with national standards promulgated by the NFPA and OSHA and adopted by DHS who can be brought into compliance with the standards in the most economical manner.

Applications resulting in the largest percentage increase in compliance with the relevant section of NFPA 1710 and 1720 receive greater consideration than applications resulting in smaller percentage increases in compliance.

- **NFPA 1710** Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Department (Section 5.2.4.2 – Initial Full Alarm Assignment Capability). This standard applies primarily to all-career fire departments and combination departments at the combination department's election.
- **NFPA 1720** 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 may also apply to combination departments if the combination department does not elect to comply with the NFPA 1710 standard.

Note: SAFER Grants focus only on the "Deployment" or "Staffing and Deployment" sections of these two standards (respectively). The NFPA established a special link providing information about these two standards on the NFPA Web site at www.nfpa.org. For more information on the standards, contact NFPA at 1-800-344-3555, or e-mail questions to stds_admin@nfpa.org.

The specific OSHA Respiratory Protection standards to be addressed under SAFER are:

- **1910.134(g)(4)** Procedures for interior structural firefighting, which provide for employer assurances, most notably the two-in two-out rule.
- **1910.134(g)(4)(i)** This standard requires at least two employees enter the IDLH (immediate danger to life and health) atmosphere and remain in visual or voice contact with one another at all times.
- **1910.134(g)(4)(ii)** This standard requires at least two employees to be located outside the IDLH atmosphere.

Hiring Priorities: The Secretary, with guidance from the criteria development group, identified several different situations that affect firefighter staffing that could qualify for funding under this year's SAFER guidelines.

In 2009 SAFER Grants, the highest consideration will be given to those departments that have the largest staffing shortages impeding an effective response as defined by NFPA 1710 and 1720. For the purposes of the 2009 grant cycle, we consider a firefighting position that was lost to attrition and not subsequently refilled as a result of the economy to be the equivalent of a laid-off firefighter and eligible under a rehire request.

In order to preserve the original intent of the SAFER Grants, which was to increase the number of firefighters in departments in order to create safer and more effective response, applications seeking to hire new firefighters will receive a high consideration. DHS will reserve no less than 15 percent of the available funding to make awards for new firefighting positions.

Hiring New Firefighters: As stated above, applications seeking to hire new firefighters will receive a high consideration. Applicants will receive additional consideration if they can indicate in the application that they have formal policies in place governing their hiring and personnel practices and that these are available for review upon request. Also, volunteer and mostly volunteer departments seeking funding to hire new firefighters will receive additional consideration if the new positions will serve multiple roles such as chief officer, training officer, fire marshal, fire inspector, health/safety officer, or fire prevention/public education officer providing that the new firefighters' primary assignment remains that of an operational firefighter.

Training Requirements: As a condition of this grant, applicants **must provide assurance** their SAFER-funded firefighters (newly-hired or rehired firefighters) will be certified at the Firefighter I level within the first 12 months of employment **AND** be trained to Firefighter II level or equivalent before the end of the two-year period of performance. Applicants who fail to certify their SAFER-funded firefighters will achieve these training requirements are not considered for award. Grantees may be required to submit documentation of training and certification fulfillment within the stated deadlines. Grantees who fail to comply with these requirements may be required to return all, or a portion of, Federal funds disbursed under the grant and may be disqualified from

participation in future AFG and SAFER award cycles. The relevant NFPA standard for this training requirement is:

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

Applicants who will train their SAFER-funded firefighters to have EMS certification to the minimum level established by the local agency having jurisdiction within 24 months receive higher consideration.

Call Volume and Population Served: Department call volume and population served are both factored into the initial evaluation. Departments responding to a high number of incidents and protecting larger numbers of people receive higher consideration than departments responding to fewer incidents or protecting smaller jurisdictions.

Firefighter Health Measures: Because the health and wellbeing of firefighters is of paramount importance, applicants who indicate their newly recruited firefighters will undergo an entry-level physical and receive immunizations receive higher consideration than applicants who do not specify these benefits will be provided. In order to qualify for consideration for this concern, the physicals must be consistent with those required under NFPA 1582.

Meeting the Four-Firefighter Standard: DHS recommends, based on guidance from the criteria development panel, that for the purposes of the SAFER Grants, a safe and efficient initial attack requires a minimum of four firefighters. Therefore, applicants who come into compliance with the minimum four firefighter standard for the first arriving engine (or vehicle capable of initiating suppression activities), by requesting the fewest number of additional personnel, receive higher consideration than applicants requesting a higher number of additional personnel.

Other Priorities: Fire departments having formal automatic and/or mutual aid agreements and applicants whose requests are based on a staffing needs assessment also receive higher consideration.

F. Funding Priorities for Recruitment and Retention of Volunteer Firefighters Grants

The purpose of these grants is to assist fire departments with the recruitment and retention of volunteer firefighters. The primary focus of this activity is 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 likely to occur within the grantee's geographic response area.

Meeting Staffing Standards: The highest priority under this SAFER activity is to assist departments experiencing a high rate of turnover and whose staffing levels that are significantly below the ideal staffing level required to comply with NFPA standards 1710 or 1720 (for more details, see page 4 of this document for details or contact NFPA directly at 1-800-344-3555, or e-mail questions to stds_admin@nfpa.org) and OSHA Respiratory Protection standards 1910.134(g)(4) (see page 4 of this document for details). Departments with the lowest retention rates and the highest attrition rates are given a high priority for funding.

Volunteer Membership: DHS concurs with the recommendation of the criteria development panel that departments or organizations with the highest percentage of volunteers or large numbers of volunteers benefit most from the recruitment and retention of volunteer firefighters. Therefore, applicants whose membership is comprised of mostly volunteer members, or with a significant number of volunteer firefighters, receive higher consideration.

Recruitment/Retention Plan: It is critical to have a plan for recruitment and/or retention activities. Accordingly, applications requesting funding for recruitment and/or retention programs based on formal plans receive higher consideration. Applicants should summarize the recruitment and retention plan in their narrative. A designated project coordinator and a marketing plan are necessary for successful implementation of any recruitment and/or retention program. Therefore, requests from departments that already have a coordinator and a marketing plan or that are requesting funding for a coordinator's position and a marketing plan receive higher consideration. In accordance with the recommendations of the criteria development panel, applications with recruitment and/or retention plans including accident and/or injury insurance and lost wages for members also receive a higher competitive ranking.

Continuity: Applicants receive higher consideration if their recruitment and retention activities are designed to continue beyond the grant's period of performance and not rely on future Federal dollars to sustain.

Call Volume and Population Served: Department call volume and population served are both factored into the initial evaluation. Departments responding to a high number of incidents and protecting larger numbers of people receive higher consideration than departments responding to fewer incidents or protecting a smaller jurisdiction.

Firefighter Health Measures: DHS recommends that, because the health and wellbeing of firefighters is of paramount importance, applicants who indicate their newly recruited firefighters will undergo an entry-level physical and receive immunizations receive higher consideration than applicants who do not specify these benefits will be provided. In order to qualify for consideration for this concern, the physicals must be consistent with those required under NFPA 1582.

Training Requirements: Applicants who indicate newly recruited firefighters will meet the minimum fire and EMS certification requirements prescribed by the locality or State within 24 months of appointment to the department receive additional consideration.

Regional Requests: Requests for recruitment and/or retention activities having a regional impact (i.e., an impact beyond the immediate boundaries of the applicant's first-due area) will receive a higher competitive advantage than applications benefitting only one applicant. An applicant may apply for both regional initiatives and internal needs on one application. Please note: The Hiring of Firefighters Activity is not eligible as a regional project—only Recruitment and Retention of Volunteer Firefighter Activities qualify as regional projects.

PART II. AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the FY 2009 SAFER Grants, describes the basic evaluation method used to determine final grant awards, and identifies all eligible applicants for funding.

Type of Award

DHS anticipates that 4,000 to 5,000 applications for assistance will be submitted during the FY 2009 SAFER application period. DHS also anticipates the total amount requested may total \$4 billion to \$6 billion. Finally, DHS expects that approximately 200 grants will be awarded from the \$210 million of available SAFER funding.

Authorizing Statutes

The authority for SAFER is derived from the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. §2229a et seq.). The authority for waiving certain provisions of the SAFER program is derived from Section 605 of the Supplemental Appropriations Act, 2009 (P.L. 111-32). Cost sharing requirements were waived under Sec. 603 of Title VI of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

Period of Performance

The period of performance for awards under SAFER will differ under the 2009 solicitation, depending on the activity under which the grant is awarded. Details on the period of performance follow:

- **Hiring of Firefighters Activity:** A recruitment period of 90 days, which begins when the application is approved for award, is provided for all grantees under the Hiring of Firefighters Activity regardless of whether the grant is for hiring new firefighters or for rehiring firefighters. The 2-year period of performance starts after the 90-day recruitment period, regardless of whether the grantee has been able to affect the hiring of the requested firefighters.
- **Recruitment and Retention of Volunteer Firefighters Activity:** A 90-day recruitment period is provided, and funding is provided for periods of up to 4 years.

The recruitment period allows each grantee time to recruit and hire their firefighters outside of the period of performance in order to maximize the availability of the funding. Without the grace of the recruitment period, grantees would be forced to conduct the

recruitment and hiring activities during the period of performance which would result in the loss of reimbursable performance time under the grant. However, the grantees under both activities, Hiring and Recruitment and Retention, are encouraged to initiate their grant activities as soon as possible and not wait until the end of the recruitment period. Grantees will be allowed to seek reimbursement for grant-related costs incurred during the recruitment period. Payment for these costs may be requested in the first quarter of the period of performance. For example, if a Hiring grantee hires their firefighters immediately after being informed of their award, they may obtain reimbursement for the costs incurred prior to the beginning of the period of performance. Any costs incurred during the recruitment period will be charged against the first year's budget.

There will be no extensions to any SAFER Grant's period of performance.

Available Funding

Congress appropriated a total of \$210 million for FY 2009 SAFER Grants.

Specific Funding Parameters

Funds are to be administered as indicated below.

- Fifteen percent of the appropriated amount is set aside for the hiring of new firefighters.
- Ten percent of the appropriated amount is set aside for the recruitment and retention of volunteer firefighters.
- Ten percent of the appropriated amount is set aside for grants awarded to volunteer or mostly volunteer departments for hiring of firefighters. For the purpose of fulfilling this statutory requirement, DHS considers a department to be "**mostly volunteer**" if 50 percent or more of its membership is made up of personnel who do not receive financial compensation for their services, other than life, health, and worker's compensation insurance, or a stipend payment such as paid-on-call. (To satisfy this statutory requirement, 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.)
- If less than 10 percent of the funds available for hiring of firefighters are awarded to volunteer and mostly volunteer fire departments, the remaining funds must be transferred to the component of SAFER providing grants for the recruitment and retention of volunteer firefighters.

There is no funding limit or any limit to the number of positions eligible for funding in an application for hiring new firefighters. However, DHS has found that applicants have more difficulty justifying large requests for new hires than smaller requests.

There is no maximum award amount for rehiring of firefighters applications. However, applications for the rehiring of laid-off firefighters are limited to a maximum of funding equivalent to the number of firefighters lost between January 1, 2008, and October 31, 2009.

SAFER Grantee Requirements

Grantees may draw the Federal share of the awarded amount on a reimbursement basis no more frequently than quarterly, i.e., reimbursement for actual salary expenses incurred in the previous quarter. Performance reports must be submitted within 30 days of the end of each quarter, and payment requests may be submitted with performance reports but no more frequently than quarterly. A performance report is due quarterly even if no payment is requested.

The SAFER-funded positions should be filled as soon as possible. Once the SAFER-funded firefighter is hired, the funded position must remain filled until the end of the period of performance. Should a SAFER grantee lose any firefighters during the two-year period of performance, the grantee must fill the vacated position or lose the SAFER funding for an equivalent number of positions. In other words, the number of SAFER-funded positions would be reduced by the number of vacant positions until the vacancy or vacancies are filled.

The intent of the SAFER program for 2009 is to address ineffective compliance with NFPA standards due to insufficient staffing levels. Those fire departments who are seeking to hire new firefighters or to rehire laid off firefighters in order to produce a more effective response and a safe incident scene are the priority. In order to assure that this intent is met, SAFER grantees will be prohibited from laying off any firefighters during the two-year period of performance.

PART III. ELIGIBILITY INFORMATION

This section describes the eligible applicants, expenses, and activities under the FY2009 SAFER funding opportunity.

A. Eligible Applicants

To be eligible to receive FY 2009 funding, applicants must meet National Incident Management System (NIMS) compliance requirements. The NIMS Capability Assessment Support Tool (NIMSCAST) will be the required means to report FY 2008 NIMS compliance for FY 2009 preparedness award eligibility.

For FY 2009 there are no new NIMS compliance objectives. If FY 2008 NIMS compliance was reported using NIMSCAST and the grantee has met all NIMS compliance requirements, then NIMSCAST will only require an update in FY 2009. Additional information on achieving compliance is available through the FEMA National Integration Center (NIC) at <http://www.fema.gov/emergency/nims/>.

Eligible Applicants in the Hiring of Firefighters Activity

- **Volunteer and combination fire departments** are eligible to apply for
 - Hiring of Firefighters Activity, or
 - Recruitment and Retention of Volunteer Firefighters Activity, or
 - Both activities. If the applicant wishes to apply for both activities, two separate applications must be completed, one for each activity. NOTE: Each department can submit only **one application per activity** per application period.
- **Career fire departments** are eligible to apply for funding **only** in the Hiring of Firefighters Activity.
- Municipalities and fire districts may submit applications on behalf of fire departments lacking the legal status to do so, such as those under the auspices of the municipality or district.
- Each eligible applicant is limited to one application for hiring per application period. In other words, an applicant may not submit two applications for the same activity (e.g., Hiring of Firefighters Activity) during a single application period. Should this occur, both applications would be disqualified from consideration for funding.

Ineligible Applicants:

- 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
- Local and statewide organizations representing the interests of volunteer firefighters, supporting firefighter volunteerism, or otherwise having an interest in volunteer firefighters
- For-profit fire departments and organizations (i.e., do not have specific nonprofit status or are not municipally based)
- Fire stations that are part of, controlled by, or under the day-to-day operational direction of a larger fire department or agency, or are not independent
- Ambulance services, Emergency Medical Services organizations, rescue squads, auxiliaries, dive teams, and urban search and rescue teams
- State and local agencies, such as forest service, fire marshals, emergency management offices, hospitals, and training offices
- Non-Federal airport and/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

Eligible Applicants in the Recruitment and Retention of Firefighters Activity:

- **ONLY volunteer and combination fire departments are eligible to apply for this activity** (see “Appendix 1. SAFER Grants Definitions”). However, they also may apply for funding in the Hiring of Firefighters Activity, or for both activities. If the applicant wishes to apply for funding in both activities, two separate applications must be submitted, one for each funding activity.
- **Regional Projects.** Statewide or local organizations representing the interests of volunteer firefighters and individual fire departments (volunteer or combination) may apply for funding for regional projects. An individual fire department may act as a “host applicant” and apply for regional projects on their own behalf and any number of neighboring fire departments. For example, a host applicant could apply for a regional media campaign promoting volunteerism. The applicant must include, in the narrative section of the application, a list of participating third-party organizations that will benefit from the regional project if the project is approved. In completing the “Department Characteristics” section of the application, the regional applicant must include data approximating the characteristics of the entire region affected by the grant. 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 conflicting with, or duplicating, the host applicant's project. The host applicant may also apply for other needs beyond the regional project as long as they specify in the narrative section of the application which requested activities are for the regional request.

- Each eligible applicant is limited to one application for recruitment and retention (and/or one application for hiring), per application period.

Ineligible Applicants:

- Career fire departments
- 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 (i.e., do not have specific nonprofit status or are not municipally based)
- Fire stations that are part of, controlled by, or under the day-to-day operational direction of a larger fire department or agency, or are not independent
- Ambulance services, Emergency Medical Services organizations, rescue squads, auxiliaries, dive teams, urban search and rescue teams
- State and local agencies, such as a forest service, fire marshals, emergency management offices, hospitals, and training offices
- Non-Federal airport and/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

B. Eligible (Allowable) Expenses

1. Eligible Expenses in the Hiring of Firefighters Activity

The only eligible costs under the Hiring of Firefighters Activity are the salary and associated benefits for the new firefighters or the rehired firefighters. SAFER funding will pay for 100 percent of the salary and benefit costs for each funded position. There is no limit imposed on any funded position other than the fact that the reimbursable costs must be actual costs incurred. Firefighters hired prior to award are not eligible for SAFER funding.

Overtime costs are not eligible. However, costs for overtime, in order to comply with the Fair Labor Standards Act (FLSA), which fire departments routinely pay as a part of the base salary or the firefighter's regularly scheduled and contracted shift hours, are eligible. Pre-award or pre-application costs, such as grant-writer fees, administrative costs, and indirect costs associated with hiring of firefighters, are not eligible. Costs for training and equipping firefighters are not eligible. However, the salaries and benefits of firefighters hired under the SAFER Grants while they are engaged in training are eligible. Costs for uniforms and physicals are not eligible. In addition, funds to support additional hired positions or funds received from Federal, State, or local sources cannot be used to supplant normal operating budgets.

Applications for rehiring laid-off firefighters are limited to requesting the number of firefighters the applicant laid off between January 1, 2008, and October 31, 2009. No other positions qualify for rehiring under the Hiring of Firefighters Activity. Applicants requesting to rehire firefighters are not eligible to request funding for hiring new firefighters.

Other Considerations: Changes in scope are not allowed once an application has been submitted. Applicants may **NOT** reduce the number of positions requested in their application, nor may they change or modify the grant's period of performance. Failure to maintain the awarded positions will be considered a default of the grant agreement, and may require the return of all the Federal funds disbursed under the grant.

Only full-time positions will be funded. However, recognizing many departments have shifts exceeding a 40-hour work week, a full-time position is one funded for at least 2,080 hours per year (i.e., 40 hours per week, 52 weeks per year). However, if the grantee has sufficient justification, DHS will also consider funding the job-sharing of a full-time position. 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. Please note, however, since the number of scheduled shifts a department typically uses is three or four, the number of individuals who may share in a SAFER-funded position is limited to four. Part-time positions will not be funded unless they are combined to equal a full-time position.

Volunteer and mostly volunteer fire departments may hire individuals to fill officer-level positions such as chief, fire inspector, training officer, safety officer, etc. However, since the purpose of the SAFER Grants is to enhance incident scene safety, all applicants will certify that all SAFER-funded firefighters respond to emergency calls regardless of their collateral duties.

2. Eligible Expenses in Recruitment and Retention Activities

Applicants who propose to initiate both a recruitment and retention plan as a part of their application receive equal consideration for the recruitment activities and the retention activities. Proposals for this activity may include providing incentives for

volunteer firefighter members to continue their service in a fire department. Examples of initiatives that may receive funding include, but are not limited to:

- Insurance packages such as accidental death and dismemberment (AD&D), disability, health, dental, life, etc.
- Reimbursement to the member while attending required basic training, i.e., compensation for lost wages, mileage, lodging, per diem
- Marketing costs to recruit new volunteer members
- Salary and benefits for a recruitment and retention coordinator
- Physicals (consistent with NFPA 1582)
- Explorer, cadet, and mentoring programs
- Staffing needs assessment
- Tuition assistance for higher education (including college tuition) and professional certifications (**Note:** Coursework or certifications in this category should be above and beyond what the department typically funds for required minimum-staffing firefighter certification. Books and lab fees are eligible, but computers are not.)
- Length of service awards and other retirement benefits (however, payments may not be retroactive for service prior to award)

With proper justification, applications for funding in the Recruitment and Retention of Volunteer Firefighters Activity could include activities requiring up to four years to complete. Additionally, applications for Recruitment and Retention Activities may include reasonable costs in their application for administering the grant.

For each activity requested, the applicant must establish the link between the activities being requested and the identified recruitment and/or retention problems or issues. DHS will not fund activities where the applicant has not made a sufficient correlation between the activity and its positive effect on the recruitment and/or retention of volunteer firefighters.

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.

In order to help alleviate the financial burden of start-up costs that is prevalent with successful recruitment programs, DHS will allow Recruitment and Retention grantees to charge the SAFER Grant for the costs for physicals and personal protective equipment

for their newly recruited members. In the 2009 grant cycle, DHS will allow Recruitment and Retention applicants to request funds (in their application) for up to four sets of turnouts to be used for training the new recruits. Additionally, after award, grantees may request funds (in an amendment to their grant) for costs incurred for providing the new recruits' physicals. Be aware, any physical charged to the grant must meet standards outlined in NFPA 1582. Grantees' new members must obtain physicals prior to the grantee requesting funds for the four sets of training turnouts detailed in their application (i.e., the new recruits must pass the physical before the training turnouts may be purchased). The turnout gear that is purchased for training purposes must remain available for future recruits and cannot be issued to any department members.

After completion of the training, grantees may request funds for turnout gear for their new recruits via amendment. The number of turnouts is limited to the number of new recruits that received a NFPA compliant physical who are certified at the Firefighter I level (NFPA 1001). Only actual costs are allowed and will be paid on a reimbursable basis. However, the allowable costs may be limited to costs determined to be reasonable by DHS. Grantees are required to provide documentation of training as well as documentation to support the purchase of the turnouts.

C. Cost Sharing

The American Recovery and Reinvestment Act of 2009 (ARRA) waived the prescribed cost-share for the SAFER grantees receiving awards from the FY 2009 appropriations. Therefore, there is no required cost sharing, matching, or cost participation for the Hiring of Firefighters Activity of the 2009 SAFER Grants. One hundred percent of the actual salary and benefits for the SAFER-funded firefighters will be fully funded for the 2-year period of performance.

Under the Recruitment and Retention of Volunteer Firefighters Activity, there is no cost-share requirement and no maximum Federal funding limit.

D. Restrictions

Please see Part IV. E. Funding Restrictions for Management & Administration (M&A) limits and guidance for SAFER (eligible and ineligible costs).

E. Other

- 1. Training Requirements for Hiring of Firefighters Activity.** As a condition of this grant, applicants **must provide assurance** their newly-hired firefighters or rehired firefighters will be certified at the Firefighter I level within the first 12 months of employment **AND** their new recruits will be trained to Firefighter II level or equivalent before the end of the two-year period of performance. Applicants who fail to certify their SAFER-funded firefighters will achieve these training requirements are not considered for award. Grantees may be required to submit documentation of training and certification fulfillment within the stated deadlines. Grantees who fail to comply with these requirements may be required to return all, or a portion of, Federal funds disbursed under the grant and may be disqualified from participation

in future AFG and SAFER award cycles. The relevant NFPA standard for this training requirement is:

- **NFPA 1001** Standard for Firefighter Professional Qualifications (Firefighter-I and Firefighter-II).

2. Meeting National Staffing Standards. The highest priority under this SAFER activity is to assist departments experiencing a high rate of turnover and whose staffing levels are significantly below the ideal staffing level required to comply with NFPA standards 1710 or 1720 and OSHA Respiratory Protection standards 1910.134(g)(4). (See “Section C. Funding Priorities for Hiring of Firefighters” for details, contact NFPA directly at 1-800-344-3555, or e-mail questions to stds_admin@nfpa.org.) Departments with the lowest retention rates and the highest attrition rates are given a high priority for funding.

3. Volunteer Membership. DHS concurs with guidance from the criteria development panel that departments or organizations with the highest percentage of volunteers or large numbers of volunteers benefit most from the recruitment and retention of volunteer firefighters. Therefore, applicants whose membership is comprised of mostly volunteer members, or with a significant number of volunteer firefighters, receive higher consideration.

Recruitment/Retention Plan: It is critical to have a plan for recruitment and/or retention activities. Accordingly, applications requesting funding for recruitment and/or retention programs based on formal plans receive higher consideration. Applicants should summarize the recruitment and retention plan in their narrative. A designated project coordinator and a marketing plan are necessary for successful implementation of any recruitment and/or retention program. Therefore, requests including a coordinator’s position and a marketing plan receive higher consideration. In accordance with the recommendations of the criteria development panel, applications with recruitment and/or retention plans including accident and/or injury insurance and lost wages for members also receive a higher competitive ranking.

Continuity: Applicants receive higher consideration if their recruitment and retention activities are designed to continue beyond the grant’s period of performance.

Call Volume and Population Served: Department call volume and population served are both factored into the initial evaluation. Departments responding to a high number of incidents and protecting larger numbers of people receive higher consideration than departments responding to fewer incidents or protecting a smaller jurisdiction.

Firefighter Health Measures: The criteria development panel recommended the health and well-being of firefighters is of paramount importance. Therefore, applicants who indicate their newly recruited firefighters will undergo an entry-level physical and receive immunizations receive higher consideration than applications that do not indicate these benefits will be provided.

Training Requirements: Applicants who indicate newly recruited firefighters will meet the minimum fire and EMS certification requirements prescribed by the locality or State within 24 months of appointment to the department receive additional consideration.

PART IV. APPLICATION AND SUBMISSION INFORMATION

This section summarizes the process for applying for the FY 2009 SAFER Grant opportunity and describes the submission deadlines and funding restrictions, including eligible and ineligible costs.

A. How to Apply for Funding

Eligible applicants should apply for a SAFER Grant online via the DHS “E-Grant” application process. The automated online grant application can be accessed through the U.S. Fire Administration (USFA) Web site at www.usfa.fema.gov, www.grants.gov, the AFG Program Web site at www.firegrantsupport.com, or accessed directly at <https://portal.fema.gov>. The online grant application provides many built-in “Help” screens and drop-down menus to assist you throughout the application process. The application can be saved and retrieved as many times as necessary until the deadline or submittal. The Program Office staffs a Help Desk for any applicants who have questions or need technical assistance. The Help Desk number is 1-866-274-0960.

Grant Writers: You may decide to hire or engage a grant writer to assist you in the application process. However, as the applicant, you are responsible for the cost of these services as well as the information included in your application. By submitting the application, you are certifying all of the information included is true and an accurate reflection of your department or organization. Therefore, prior to submission, it is essential you review all work produced by grant writers or other third parties on your behalf. Applicants who falsify their applications or misrepresent their organizations in any manner will have their applications deemed ineligible by the AFG Program Office and referred to the DHS Office of Inspector General for further action, as appropriate.

B. Content and Form of Application

The program title listed in the CFDA is the Staffing for Adequate Fire and Emergency Response (SAFER) Grants. The CFDA number is 97.083.

1. SAFER Online Application

The automated SAFER Grant application is designed with many built-in “Help” screens and drop-down menus to assist you throughout the application process. The application can be saved and retrieved as many times as necessary until the deadline or submittal. However, ***once an application is submitted, it cannot be changed.***

- **Volunteer and combination fire departments** are eligible to apply for funding in the
 - Hiring of Firefighters Activity, or

- Recruitment and Retention of Volunteer Firefighters Activity, or
- Both activities. To do this, **two separate applications must be completed, one for each activity.**

NOTE: Each department can submit only **one application per activity** per application period. In other words, an applicant may not submit two applications for the Hiring of Firefighters Activity or two applications for the Recruitment and Retention Activity during a single application period. **Should this occur, both applications would be disqualified from consideration for funding.**

- **Career fire departments** are eligible to apply for funding only in the Hiring of Firefighters Activity.
- The automated system will not allow you to submit an incomplete application, i.e., the system will alert you if you have not provided required information.
- **Once the electronic application is submitted, it cannot be changed.**

2. Paper Applications

Paper applications are accepted but discouraged because of the inherent delays and mistakes associated with processing them. However, if you do not have Internet access and cannot submit an electronic application, call the Program Office Help Desk directly (1-866-274-0960) to request a paper application be sent to you via regular mail. **The only legitimate paper application is the application the AFG Program Office sends to you—do not use any paper application you do not receive directly from the AFG Program Office.** Any paper application not in the correct format will be deemed ineligible. Do not print the screens from the online application and submit them as your application.

We will not send the paper application via overnight delivery, fax, or e-mail.

Paper applications do not have the built-in “help” screens available to online applicants, and there are no assurances your paper application is complete when you mail it. Also, if awarded, applicants who submit paper applications must continue to manage their grants via mail, including payment requests, requests for modifications, reporting, etc.; whereas, online applicants can perform all of these functions online.

3. DUNS Number

Effective October 1, 2003, all Federal grantees are required to obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number, a unique nine-character identification number provided by the commercial company Dun & Bradstreet. This number is required for all Federal grant applications, and it is the applicant’s responsibility to obtain one. Organizations should verify they have a DUNS number, or take the steps necessary to obtain one, as soon as possible.

Requests should be submitted well in advance of the application period because it may take up to 2 weeks or more to obtain the number. Application extensions are not granted for applicants who are unable to obtain their DUNS number prior to the end of the application period. Applicants can obtain a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711.

The Federal Government uses the DUNS number to identify related organizations receiving funding under grants and cooperative agreements and to provide consistent name and address data for online grant applications. Additional information about DUNS numbers can be found on the Dun & Bradstreet Website (<https://eupdate.dnb.com/requestoptions/government/ccreq>).

4. Application Process

Log in: The system allows one authorized representative of a department to log in and create a username and password. The selection of the authorized representative is at the discretion of each applicant. Previous grant applicants for the Assistance to Firefighters, Fire Prevention and Safety, or SAFER Grants **must use the same username and password used for their previous applications**. Call the AFG Program Help Desk if you need assistance (1-866-274-0960).

Application Period: Applications for SAFER Grants will be accepted from on or about **November 16, 2009**, through 5 p.m. Eastern Time on **December 18, 2009**.

- Monitor the AFG and USFA Web sites for up-to-date information regarding application period dates. Completed applications must be submitted electronically or otherwise received by the AFG Program Office on or before the close of business (5 p.m. Eastern Time) on the last day of the application period.
- No late, incomplete, or faxed applications are accepted.
- No electronically submitted applications other than those submitted via the online grant application system will be accepted.
- No application may be changed once submitted.

5. Application Details

Fundable Activities: There are two activities for which applicants may request funding under the SAFER Grants: (1) Hiring of Firefighters (hiring new or rehiring laid-off firefighters) and (2) Recruitment and Retention of Volunteer Firefighters.

Type of Applicant: The SAFER application has different versions depending on the type of applicant declared at the beginning of the application.

- **Fire departments** applying for Hiring of Firefighters or fire departments eligible for Recruitment and Retention of Volunteer Firefighters grants answer general questions about their organization and community, as well as questions specific to

the proposed project. The answers to these questions are used during the initial phase of evaluation to determine whether the organization serves an urban, suburban, or rural community. Characteristics such as population served, number of stations, call volume, and number of civilian and firefighter casualties, and the number of firefighter positions, is required.

- **State or local volunteer interest groups** answer a number of general questions regarding their organization and a series of activity-specific questions relative to the Recruitment and Retention project they propose and the activities they select.

Department Characteristics: The application includes general questions about the department (or organization) applying for funding and their community, as well as questions regarding the proposed activity. After completing the general questions, the applicant answers a series of questions relative to the selected activity.

Request Details: This section of the application contains activity-specific questions that allow DHS to understand the nature of the request and to evaluate how closely the request adheres to the established priorities. Applications most consistent with the established priorities score the highest in this phase of the evaluation.

Applicants should be sure each of the requested activities, i.e., each line-item in the Request Details section of the application, is fully described in the Project Description portion of the Narrative Statement. Each element should provide the panelists with information regarding how the proposed activity is related to the applicant's hiring program or recruitment and retention program. The applicants should also provide details regarding who is eligible for initiatives funded under the grant and discuss any prerequisites. For example, an organization might not pay stipends unless their members participate in a minimum number of operational activities.

Narrative Statement: After answering all the questions in the application, the applicant must provide a written Narrative Statement describing the planned activity. The narrative section of the application should provide specifics about the proposed project(s). The specific elements that must be addressed in the narrative are detailed in the sections below.

We recommend applicants type their narrative offline using any word processing software, such as Word, Word Perfect, Notepad, etc. Do **NOT** type your narrative using only capital letters. Once the narrative is complete, copy it or "cut-and-paste" it from the word processing document into the Narrative Statement block in the application. Space for the narrative is limited; it should not exceed six pages. Once you save your narrative to the application, you should log-out of your application and then log back into your application to assure that your attempt to save the narrative was successful.

1) Elements of the Narrative Statement for Hiring of Firefighters Activity. The narrative statement for applications requesting funding in the Hiring of Firefighters Activity must include the following six elements. Each element will be evaluated independently by the peer review panelists:

- (a) **Project description:** This statement should describe what the applicant needs the grant funds for, i.e., how the newly-hired firefighters will be used within the department, and a description of the specific benefit these firefighters will provide for the fire department and community. If the applicant is re-hiring laid-off firefighters, the narrative should explain when they were laid-off and how the layoffs have affected the service to the community.
- (b) **Impact on daily operations:** This statement should explain how the community and current firefighters are at risk without the requested firefighters, and to what extent that risk will be reduced if the applicant is awarded.
- (c) **Financial need:** This statement should explain the applicant's inability to address the need without Federal assistance.
- (d) **Minority recruitment:** This statement should describe the applicant's efforts to ensure, to the extent possible, that they will seek, recruit, and hire members of racial and ethnic minority groups and women to increase their ranks within the department.
- (e) **Financial obligation:** This statement should include plans to retain the new firefighter positions.
- (f) **Volunteer discrimination:** This statement should explain how the applicant plans to meet the requirement ensuring firefighters in positions filled under SAFER Grants are not discriminated against for, or prohibited from, engaging in volunteer activities in another jurisdiction during off-duty hours.

Note: These elements carry equal weight when factored into the peer review panelists' scores.

2) Elements of the Narrative Statement for Recruitment and Retention of Volunteer Firefighters Activity. The narrative statement for applications requesting funding in the Recruitment and Retention of Volunteer Firefighters Activity must include the following four elements. Each element will be evaluated independently by the peer review panelists:

- (a) **Project description:** This statement should describe how the applicant will use the grant funds. The project description should include the following:
 - i. How the recruitment of new volunteer firefighters and/or retention of current volunteer firefighters will impact the department's or organization's identified operational needs or capabilities
 - ii. A description of the specific benefit these firefighters will provide for the fire department(s) or community

- iii. A description of the recruitment and/or retention problems or issues the department has identified
 - iv. How the activities being requested address those identified needs
 - v. Specifics about the recruitment and/or retention plan
 - vi. What specific benefit the efforts would provide the surrounding community or communities
 - vii. Specify which of the activities are for the regional request and which activities are exclusive to the host applicant, if applicable
- (b) **Impact on daily operations:** This statement should explain how the community and current firefighters (or geographic area of concern for an eligible organization) are at risk without the requested firefighters, and to what extent that risk will be reduced if the applicant is awarded.
- (c) **Financial need:** This statement should explain the applicant's inability to address the need without Federal assistance.
- (d) **Minority recruitment:** This statement should describe how the applicant will ensure, to the extent possible, that they will seek, recruit, and retain members of racial and ethnic minority groups and women to increase the ranks within their fire department.

Note: These elements carry equal weight when factored into the peer review panelists' scores.

Project Period of Performance. Due to the inherent delays in many staffing activities, SAFER grants' period of performance does NOT start on the date of the award. The period of performance under the Hiring of Firefighters Activity starts 90 days after the award date. The 90-day period between award and the start of the period of performance is an allowance designed to provide sufficient time for grantees to recruit their new firefighters.

The performance period for grants awarded under the Hiring of Firefighters Activity is two years starting at the end of the 90-day recruitment period. Grantees hiring new firefighters under the Hiring of Firefighters Activity must also commit to retaining their SAFER-funded firefighters for one full year after the two-year period of performance. Grantees rehiring laid-off firefighters do not have to commit to retaining the SAFER-funded firefighters after the two-year period of performance.

The performance period for grants awarded under the Recruitment and Retention of Volunteer Firefighters Activity can be up to four years depending on the request and the approved scope of work. A recruitment and retention grant's period of performance also starts at the end of the 90-day recruitment period.

The grantees under both activities, Hiring and Recruitment and Retention, are encouraged to initiate their grant activities as soon as possible and not wait until the end of the recruitment period. Grantees will be allowed to seek reimbursement for grant-related costs incurred during the recruitment period. Payment for these costs may be requested in the first quarter of the period of performance. For example, if a Hiring grantee hires their firefighters immediately after being informed of their award, they may obtain reimbursement for the costs incurred prior to the beginning of the period of performance. Any costs incurred during the recruitment period will be charged against the first year's budget.

The recruitment period allows each grantee time to recruit and hire their firefighters outside of the period of performance in order to maximize the availability of the funding. Without the grace of the recruitment period, grantees would be forced to conduct the recruitment and hiring activities during the period of performance which would result in the loss of reimbursable performance time under the grant.

6. Application Tutorial:

An applicant tutorial will be available on the AFG Program Web site at www.firegrantsupport.com. This tutorial explains the SAFER Grant priorities for funding, the application process, and information to assist applicants with developing a comprehensive, competitive, and well-organized application.

Additionally, the tutorial is accessible while the application is on screen. By selecting the "Tutorial" link on the application screen, the user can view the tutorial information about the sections of the application on which they currently are working.

C. Submission Dates and Times

Submitting the Online Application. Completed applications must be submitted electronically **no later than 5 p.m. Eastern Time, on Friday, December 18, 2009**. If you have any technical problems with completing or submitting your online application, please call the Help Desk to report the problem and obtain assistance. The Help Desk can be reached at 1-866-274-0960. You will be automatically notified via e-mail that DHS has received your application. Late applications will neither be considered nor reviewed.

Submitting a Paper Application. Paper applications are discouraged, but if used, they must be submitted by mail and postmarked no later than four calendar days before the end of the application period. Assuming a December 18, 2009, end-date (or deadline), applications postmarked with dates after December 15, 2009, will not be accepted unless they are received before the application deadline. Paper applications must be mailed to the following address:

SAFER Grants Office Technical Assistance Center
c/o U.S. Fire Administration
16825 South Seton Avenue
Emmitsburg, Maryland 21727-8998

D. Funding Restrictions

This funding opportunity is not subject to Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs."

E. Additional Funding Restrictions

- DHS grant funds may only be used for the purpose set forth in the grant and must be consistent with the statutory authority for the award.
- Grant funds may not be used for matching funds for 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 be considered as a default of the grant agreement, and may require the return of all the Federal funds disbursed under the grant.
- Pre-award costs are not allowable.
- Changes in scope are not allowed once an application has been submitted. Applicants may **NOT** reduce the number of positions requested in their application, nor may they change or modify the grant's period of performance.
- Failure to maintain the awarded positions will be considered as a default of the grant agreement, and may require the return of all the Federal funds disbursed under the grant.

Allowable (Eligible) Expenses and Cost Restrictions in the Hiring of Firefighters Activity:

1. The only eligible costs under the Hiring of Firefighters Activity are the costs for salary and associated benefits (actual payroll expenses) for the new or rehired SAFER-funded firefighters incurred during the recruitment period and/or the period of performance. SAFER funding will pay for 100 percent of the salary and benefit costs for each funded position. Firefighters hired prior to award are not eligible for SAFER funding. However, the salaries and benefits of SAFER-hired firefighters while they are engaged in training are eligible.
2. Applications for rehiring laid-off firefighters or to fill positions that were left vacant due to the economic hardship are limited to the number of firefighters the applicant laid off between January 1, 2008, and October 31, 2009. No other positions qualify for rehiring under the Hiring of Firefighters Activity.

3. Only full-time positions will be funded. A full-time position is defined as one position that is funded for at least 2,080 hours per year (i.e., 40 hours per week, 52 weeks per year). However, recognizing that many departments have shifts exceeding a 40-hour work week, if the grantee has sufficient justification, DHS will also consider funding the job-sharing of a full-time position. A job-share position is a full-time position occupied by more than one person. *For 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. Please note, however, since the number of scheduled shifts a department typically uses is three or four, the number of individuals who may share in a SAFER-funded position is limited to four. Part-time positions will not be funded unless they are combined to equal a full-time position.
4. Only actual costs incurred for the SAFER-funded salaries and benefits may be charged to the grant. SAFER funds may not be used for non-SAFER firefighters.
5. Overtime costs are not eligible for SAFER reimbursement. However, those overtime costs fire departments routinely pay to comply with the Fair Labor Standards Act (FLSA) that are part of the base salary or the firefighter's regularly scheduled and contracted shift hours, are eligible for funding.

Ineligible Expenses for the Hiring of Firefighters:

1. Pre-award or pre-application costs, such as grant-writer fees, administrative costs, and indirect costs associated with hiring of firefighters
2. Part-time positions (unless they are combined to equal a full-time position)
3. Most overtime costs, with the exception of those overtime costs routinely paid to comply with the FLSA
4. Costs for uniforms, physical examinations, training, and equipment, including personal protective equipment
5. Funds to support additional hired positions or funds received from Federal, State, or local sources cannot be used to supplant normal operating budgets.

Allowable (Eligible) Expenses for Recruitment and Retention Activities:

1. Costs for approved activities incurred during the recruitment period and/or the period of performance.
2. Applicants who propose to initiate both a recruitment and retention plan as a part of their application will receive equal consideration for the recruitment activities and the retention activities. Proposals for this activity may include providing incentives for volunteer firefighter members to continue their service in a fire department. Examples of initiatives that may receive funding include, but are not limited to, the following:

- Insurance packages such as accidental death and dismemberment (AD&D), disability, health, dental, life, etc.
 - Reimbursement to the member while attending required basic training, i.e., compensation for lost wages, mileage, lodging, per diem
 - Fuel reimbursement for responding to incidents or other operational activities
 - Salary and benefits for a recruitment and retention coordinator
 - Marketing costs to recruit new volunteer members
 - Physicals (consistent with NFPA 1582)
 - Turnout gear after the new recruit undergoes a physical and is certified Firefighter I
 - Explorer, cadet, and/or mentoring programs
 - Staffing needs assessment
 - Tuition assistance for higher education (including college tuition) and professional certifications. (**Note:** Coursework or certifications in this category should be above and beyond what the department typically funds for required minimum-staffing firefighter certification)
 - Length of service awards and other retirement benefits (retroactive payments are NOT eligible)
2. With proper justification, applications for funding in the Recruitment and Retention of Volunteer Firefighters Activity could include activities requiring up to four years to complete. For each activity requested, the applicant must establish the link between the activities being requested and the identified recruitment and/or retention problems or issues. DHS will not fund activities where the applicant has not made a sufficient correlation between the activity and its positive effect on the recruitment and/or retention of volunteer firefighters.
 3. 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.
 4. Applications for Recruitment and Retention Activities also may include reasonable costs for administering the grant.

Ineligible Expenses for the Recruitment and Retention Activities:

Limited funding available for SAFER activities precludes the award of funding for operational activities, such as the purchase of firefighting equipment and vehicles. As stated above, personal protective clothing may be funded for the newly recruited firefighters, but personal protective equipment for other members is not eligible.

1. Costs incurred prior to award
2. Payments or recognition for service prior to award (i.e., no retroactive payments)
3. Administrative costs are limited to five percent of the awarded amount per year
4. Cash payments (unless the payments are for participation in activities directly linked to operational services, *i.e.*, responding to incidents, attending training, providing operational stand-by services)
5. Payments for travel for pleasure
6. Costs associated with award banquets (reimbursement for actual awards, *i.e.*, plaques, and trophies, is eligible)
7. Costs for training regularly covered under the department's normal operating budget, such as tuition or instructor fees for department-mandated, basic-level training
8. Uniforms
9. "Give-aways" such as pencils, pens, cups, mugs, balloons, etc.

Grants awarded under the Recruitment and Retention Activity may not be subgranted to any other organization or agency for implementation or administration.

F. Other Submission Requirements

Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this grant opportunity. Federal employees may not receive funds under this award.

Changes in scope are not allowed once an application has been submitted. Applications will be considered/evaluated in their entirety. Grants for Hiring of Firefighters will be awarded for the specific number of positions requested in the application, but the awarded number of positions may be adjusted during negotiations with DHS. No changes to the number of awarded positions will be considered AFTER award. Applications for Recruitment and Retention may be adjusted during negotiations prior to award.

PART V. APPLICATION REVIEW INFORMATION

A. Review Criteria

The application will be reviewed by both DHS/FEMA (Program Office) and the Grant Programs Directorate (GPD) for consistency with the goals and objectives stated in Part I of this guidance.

B. Review and Selection Process

Following the close of the application period, submitted applications will undergo a two-phase evaluation: (1) an evaluation by an automated grant application system and (2) the peer review evaluation. The automated evaluation assesses each application's relationship to the grant's priorities (see Part I Funding Opportunity Description and pages 24 through 26 for evaluation criteria) and assigns each application a score with the highest scores representing the applications most consistent with the grant's priorities. The applications with sufficient scores after the automated evaluation are evaluated by a panel of peer reviewers from the fire service. The initial evaluation scores are combined with the scores received during peer review, each representing 50 percent of the total application score with respect to the final award determinations. The individual elements within the Narrative Statement (such as program description, cost-benefit analysis, impact on daily operations, financial need, etc.) receive equal consideration when determining the score of the application narrative.

Phase 1—Automated Evaluation Process. All complete and eligible applications are evaluated based on the substance of the application relative to the established SAFER Grant funding priorities. The answers to activity-specific questions as well as information under Department Characteristics provide the basis to determine the application's standing, relative to stated priorities. This initial evaluation assesses how closely each application matches the program's established priorities (see information on the funding priorities in Part 1 Funding Opportunity Description). Applications that are most consistent with the established priorities score the highest in this phase of the evaluation. This initial evaluation is used to determine which applications are in the competitive range and will proceed to the second phase of the evaluation, i.e., peer review.

Applications most consistent with the SAFER Grant funding priorities score higher in the automated evaluation than those applications not aligned with the priorities. The scores of the applications closely aligned with the funding priorities are combined later with the scores the applications receive during peer review evaluations, each representing 50 percent of the total application score with respect to the final award determinations.

Phase 2—Peer Review Process. A panel of at least three peer review panelists performs the second phase of the applications' evaluations. These panelists evaluate the application using the Narrative Statement, along with the answers to the general questions and the activity-specific questions, to determine the worthiness of the request for an award. The panelists use the established evaluation criteria in the assessment of the applications (see pages 24 through 26 for more detail regarding evaluation criteria). Each application is judged on its own merits and is not compared to other applications.

Reasonableness of Requests. The panelists consider all expenses budgeted as part of the cost-benefit determination and may recommend appropriate adjustments. Regardless of the eligibility of any costs requested or the panelists' determination, DHS 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.

- The individual elements within the Narrative Statement (such as program description, financial need, impact on daily operations, etc.) receive equal consideration when determining the total score of the application's Narrative Statement.

The applications will also be reviewed and recommended for funding by the DHS/FEMA. Applicants who falsify their application or misrepresent their department or organization in any material manner will have their applications deemed ineligible by the AFG Program Office and referred to the OIG for further action as appropriate.

C. Award Procedure

As stated earlier, each application is initially evaluated based on the answers to the activity-specific questions. The applications that best address the established funding priorities are subject to a second-level review. This second-level review is conducted via a panel of peer reviewers who assess the application's merits with respect to the detail provided in the narrative for the activity, the applicant's financial need, and the purported benefit to be derived for the cost. The peer reviewers independently score each application, discuss the merits and shortcomings of the application, and reconcile any major scoring discrepancies, if necessary. A consensus is allowed but not required.

The application scores from the automated evaluation are combined with the peer review scores to determine the final scores. The applications are then ranked according to the final scores. Applications that make it into the "fundable range" undergo a technical review by a subject matter specialist who assesses and validates the technical assertions made in the application.

The Program Office reviews the applications for eligibility to assure the funds will be spent in an economical and efficient manner. With this review, the Program Office will make award recommendations and/or recommendations calling for adjustments in the awarded activities to the grants management specialists at DHS. The specialists contact the applicants to discuss and/or negotiate the content of the application before final award decisions are made.

A sufficient number of awardees will be selected from this one application period to obligate all of the funding available under the FY 2009 appropriation.

D. Anticipated Announcement and Award Dates

FEMA will evaluate the submitted applications within 90 days following the close of the application period. Award decisions will be made on a rolling basis over the entire period the funding is available. The bulk of the awards will be announced as decisions are made within six months of the panel review. For the FY2009 funding cycle, the final awards will be made prior to September 30, 2010. Awards will not be made in any specified order, i.e., not by State, program, or any other characteristic.

PART VI. AWARD ADMINISTRATION INFORMATION

This section summarizes the administration of awards including award procedures and grantee responsibilities.

A. Notice of Award

Awards will be made using the results of peer-reviewed applications as the primary basis for decisions, regardless of program area.

Upon approval of an application, the grant will be awarded to the grant recipient. The date in which this action takes place is considered the “award date.” Once an award has been approved, a notice will be sent to the authorized grantee official. The authorized grantee official should carefully read all award and special condition documents, i.e., the award package articles of agreement. This notification includes instructions on how to access the award.

The length of the period of performance will differ depending on the activity for which the grant is awarded. The period of performance begins on the Project Period/Budget Period start date listed in the award package. Any unobligated funds will be deobligated at the end of the closeout period. There will be no extensions to the period of performance.

B. Specific Responsibilities of SAFER Grantees

A tutorial for SAFER grantees is available on the AFG Web site to assist in the administration of grants. It is highly recommended grantees review the grantee tutorial for insight into administering their grants.

Grant recipients (grantees) must agree to the following:

(1) Perform all tasks (scope of work) outlined in the grantee’s application and approved by the AFG Program Office and comply with all special conditions in accordance with the articles of agreement and within the period of performance. Grantees that do not fulfill their obligations under these grants will be considered in default and may be required to return the Federal funds disbursed under the grant award.

(2) Grantees under the Hiring of Firefighters Activity must train their SAFER-funded firefighters to the Firefighter-I level (NFPA 1001) within the first 12 months of employment **AND** train the SAFER-funded firefighters to Firefighter-II level (NFPA 1001 or equivalent) before the end of the two-year period of performance.

(3) Grantees under the Hiring of Firefighters Activity are not permitted to layoff any firefighters during the two-year period of performance.

(4) Grantees under the Hiring of Firefighters Activity must agree to maintain the SAFER-funded positions throughout the two-year period of performance. Grantees who fail to maintain this level of staffing risk losing the Federal funds awarded under this grant. Firefighters hired prior to the award are not eligible for SAFER-funding.

(5) Grantees who are using SAFER funding to hire new firefighters must commit to retaining the SAFER-funded firefighters for one full year after the end of the two-year period of performance. Grantees that are using SAFER funding to rehire laid-off firefighters are NOT subject to this requirement.

(6) Retain grant files and supporting documentation for three years after receipt of the official notification that the grant has been closed. The AFG Program Office may require access to any pertinent books, documents, papers, or records belonging to a grant recipient. The DHS Office of Inspector General or the Comptroller General of the United States may also require access to a grantee's books and records.

(7) Provide periodic performance reports in conjunction with the quarterly automated payment requests to the AFG Program Office. 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, grantees must submit performance reports with each payment request, as well as a final performance report at grant closeout. Payment requests are requested on-line within the automated system and payments are based on actual expenses incurred during the preceding quarter. Reporting is required even though the grantee is not requesting funding.

At the end of the grant's period of performance, all grantees are required to produce a final report on how the grant funding was used and the benefits realized from the award. Grantees must submit a final financial report and a final performance report within 90 days after the end of the period of performance. After these reports have been reviewed and approved by DHS, grantees are given an official notice the close-out has been accepted and completed. Any remaining grant funds are deobligated. The grantee is responsible for returning any funds that have been drawn down but remain unliquidated.

(8) Administer the grant in accordance with the administrative rules for Federal grants and cooperative agreements, specifically 44 CFR part 13.

(9) Follow the audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations, which calls for grantees who expend \$500,000 or more in Federal funds in a year (from all Federal sources) to have a single audit performed in accordance with the Circular. (For more information about the Circulars, go to www.whitehouse.gov/omb/circulars.)

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

(11) Homeland Security Presidential Directive-5 requires that, beginning October 1, 2005, all recipients of Federal preparedness funds (including recipients of Federal grants and contracts) adopt the National Incident Management System (NIMS) as a condition for the receipt of the Federal funds. Recipients of FY 2009 SAFER Grants will be considered to be in compliance with the NIMS requirement if the grantee: (a) has an operational knowledge of the Incident Command System (ICS); (b) has an understanding of NIMS' principles and policies; and (c) agrees to adopt and/or comply with all directives, ordinances, rules, orders, edicts, etc., passed down by the local or State authorities with respect to incident management. Responders who have already been trained in ICS do not need retraining if their previous training is consistent with DHS standards. In order for us to document compliance, grantees will be required to certify their compliance with the NIMS/ICS requirements as part of their grant closeout process. Grantees may contact their State Emergency Preparedness Officer or State Fire Marshall for local NIMS compliance requirements.

(12) To the extent possible, grantees should seek, recruit, and appoint members of racial and ethnic minority groups and women to increase their ranks within the applicant's department.

C. Monitoring

Grant recipients will be monitored periodically by DHS staff, both programmatically and financially, to ensure the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of desk-based reviews and on-site monitoring visits. Monitoring involves the review and analysis of the financial, programmatic, performance, and administrative issues relative to each project, and it identifies areas where technical assistance and other support may be needed.

D. Administrative and National Policy Requirements

The recipient must, in addition to the assurances made as part of the application, comply with all applicable statutes, regulations, executive orders, OMB circulars, terms and conditions of the award, and the approved application.

1. Standard Financial Requirements. The grantee shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

1.1 -- Administrative Requirements.

- 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)

1.2 -- Cost Principles.

- 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
- 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
- 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)
- Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

1.3 -- Audit Requirements.

- Audits of States, Local Governments, and Non-Profit Organizations (OMB Circular A-133)

1.4 -- Duplication of Benefits. There may not be a duplication of any federal assistance, per A-87, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Circular may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing grant agreements.

- 2. Payment.** DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. In order to receive funding from a SAFER Grant, the grantee must complete a Standard Form 1199A, Direct Deposit Form.

NOTE: FUNDS WILL NOT BE AUTOMATICALLY TRANSFERRED UPON ISSUANCE OF THE GRANT. YOU MUST SUBMIT A REQUEST FOR REIMBURSEMENT IN ORDER FOR THE FUNDS TO BE TRANSFERRED TO YOUR ACCOUNT.

- 3. Non-supplanting Requirement.** Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or grantees may be required to supply documentation certifying that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

4. Administrative Requirements.

4.1 -- Compliance with Federal Civil Rights Laws and Regulations. The grantee is required to comply with Federal civil rights laws and regulations.

Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following:

- *Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000 et seq.* – Provides that no person *on the grounds of race, color, or national origin*, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with Limited English Proficiency (LEP). (42 U.S.C. §2000d et seq.)
- *Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §1681 et seq.* – Provides that no person, *on the basis of sex*, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. §794* – Provides that no otherwise qualified individual with a disability in the United States, shall, *solely by reason of his or her disability*, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975, as amended, 20 U.S.C. § 6101 et seq.* – Provides that no person in the United States shall, *on the basis of age*, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

4.2 – Certifications and Assurances. Certifications and assurances regarding the following apply:

- *Lobbying Section 319 of Public Law 101-121, as amended.* – Prohibits the use of federal funds in lobbying members and employees of Congress, as well as employees of federal agencies, with respect to the award or amendment of any federal grant, cooperative agreement, contract, or loan. DHS has codified restrictions upon lobbying at 6 CFR Part 9. (31 U.S.C. §1352) (Refer to form included in application package.)
- *Drug-free Workplace Act, as amended, 41 U.S.C. §701 et seq.* – Requires the recipient to publish a statement about its drug-free workplace program and give a copy of the statement to each employee (including consultants

and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out. Also, place(s) where work is being performed under the award (i.e., street address, city, state and zip code) must be maintained on file. The recipient must notify the Grants Officer of any employee convicted of a violation of a criminal drug statute that occurs in the workplace.

- *Debarment and Suspension.* – Executive Orders (E.O.) 12549 and 12689 provide protection from fraud, waste, and abuse by debarment or suspending those persons that deal in an irresponsible manner with the Federal government. The recipient must certify that they are not debarred or suspended from receiving federal assistance.
- *Federal Debt Status* – The recipient may not be delinquent in the repayment of any federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefit overpayments. (OMB Circular A-129) (Refer to SF 424, item number 17.)
- *Hotel and Motel Fire Safety Act* – The recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds, complies with the Hotel and Motel Fire Safety Act of 1990 (15 U.S.C. §2225a).

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

4.3 -- Royalty-free License. Applicants are advised that FEMA reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (b) any rights of copyright to which an award recipient or sub-recipient purchases ownership with Federal support. Award recipients must agree to consult with FEMA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

4.4 -- FEMA GPD Publications Statement. Applicants are advised that all publications created with funding under any grant award shall prominently contain the following statement: "This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."

4.5 -- Equipment Marking. Awardees may consider marking equipment in the

following manner, "Purchased with funds provided by the U.S. Department of Homeland Security," in order to facilitate their own audit processes, as well as Federal audits and monitoring visits, which may result from receiving Federal funding. Equipment maintenance requirements are outlined in 44 CFR Part 13.32.

4.6 -- Disadvantaged Business Requirement. Applicants are advised that, to the extent that recipients of a grant use contractors or subcontractors, such recipients shall use small, minority, women-owned or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

E. Reporting Requirements

Reporting requirements must be met throughout the life of the grant in conjunction with the quarterly automated payment requests to the AFG Program Office. Throughout the grant's period of performance, for both the Hiring of Firefighters and the Recruitment and Retention of Volunteer Firefighters Activities, grantees must submit quarterly performance reports with each payment request. Payment requests are requested online within the automated system and payments are based on actual expenses incurred during the preceding quarter. Periodic performance reports are required even though the grantee is not requesting a payment.

Recipients of any AFG grants awarded on or after October 1, 2009, also will be required to submit a semi-annual Federal Financial Report (FFR). The FFR is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements throughout the government. The FFR, to be submitted using the online e-grant system, will be due semi-annually **based on the calendar year or Federal fiscal year** beginning with the period after the award is made. Grant recipients will be required to submit a FFR throughout the entire period of performance of the grant.

Reporting Periods for the FFR:

January 1 through June 30	(Report due by July 31)
July 1 through December 30	(Report due by January 30)

At the end of the grant's period of performance, all grantees are required to produce a final report on how the grant funding was used and the benefits realized from the award. Grantees must submit a final financial report and a final performance report within 90 days after the end of the period of performance. After these reports have been reviewed and approved by DHS, grantees receive an official notice the closeout has been accepted and completed. Any remaining grant funds are deobligated. The grantee is responsible for returning any funds that have been drawn down but remain unliquidated.

- 1. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds 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 U.S. Government Accountability Office, *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/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of SAFER assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

- 2. Monitoring.** Grant recipients will be monitored periodically by DHS staff, both programmatically and financially, to ensure the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Programmatic monitoring is done to ensure consistency of project investments with regional and national goals and policies, as well as to help synchronize similar investments ongoing at the Federal, State, and local levels.

Monitoring is accomplished through a combination of desk-based reviews and on-site monitoring visits. Monitoring involves the review and analysis of the financial, programmatic, performance, and administrative issues relative to each program and identifies areas where technical assistance and other support may be needed.

The recipient is responsible for monitoring award activities to provide reasonable assurance that the Federal award is administered in compliance with requirements. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

- 3. Grant Closeout Process.** Within 90 days after the end of the period of performance, grantees must submit final financial and performance reports detailing all accomplishments throughout the project. After these reports have been reviewed and approved by FEMA, a close-out notice is sent to the grantee to indicate close out the grant is complete. The notice will indicate the project 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 notification. The grantee is responsible for returning any funds that have been drawn down but remain as unliquidated on grantee financial records.

PART VII. FEMA CONTACTS

This section describes several resources that may help applicants with completing a SAFER Grants application.

- 1. AFG Help Desk.** AFG staffs a Help Desk throughout the application period. The Help Desk staff can provide assistance with navigation through the automated, online application as well as provide programmatic assistance regarding questions of eligibility.

The Help Desk can be contacted at 1-866-274-0960 or via e-mail at firegrants@dhs.gov. The help desk hours of operation during the application period are from 8:00 a.m. to 4:30 p.m., Monday through Friday. All times listed are Eastern Time.

- 2. FEMA Regional Fire Program Specialists.** Each of the FEMA Regions has specialists who can assist applicants with the application process. The specialists are listed on the AFG Web site www.firegrantsupport.com.

PART VIII. OTHER INFORMATION

A. National Standards for Deployment Staffing

SAFER Grants are designed to help fire departments meet national standards promulgated by the NFPA and the Occupational Health and Safety Administration. The specific standards to be addressed through SAFER are detailed in Part I of this guidance.

B. Excess Funds

Occasionally, due to successful competitive bid processes, over estimation of costs, etc., some grantees have funds remaining after the completion of their obligations outlined above. The following applies to SAFER grantees that have excess funds:

Hiring of Firefighters Activity Grantees. Grantees that complete the approved scope of work and still have grant funds available must return all excess funds to the AFG Program Office.

Recruitment and Retention of Volunteer Firefighters Activity Grantees. Grantees that have completed the approved scope of work in this activity and still have grant funds available may use the excess funds to continue with recruitment or retention activities provided they are consistent with the original scope of work and conducted within the originally approved period of performance. This shall be done through the amendment request process. Regardless of any amendment, there will be no extensions to any SAFER Grant's period of performance.

APPENDIX 1. SAFER GRANTS DEFINITIONS

For the purposes of the SAFER Grants, the following definitions shall apply:

(1) Automatic-aid: An agreement whereby fire departments are dispatched simultaneously on the initial alarm or where fire departments participate in “closest-unit” response dispatching.

(2) Benefits: Includes regular compensation paid to employees during periods of authorized absences from the job, such as vacation leave, sick leave, military leave, etc., provided such costs are absorbed by all organization activities in proportion to the relative amount of time or effort actually devoted to each; and employer contributions or expenses for social security, employee insurance, workmen’s compensation, pension plan costs, and the like, provided such benefits, whether treated as indirect costs or as direct costs, 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 to such awards and other activities. Overtime expenses, other than those meeting FLSA requirements are **not** eligible as benefits costs.

(3) Career Fire Department: An agency or organization in which all members receive financial compensation for their services (organizations that provide reimbursement on a paid-on-call basis are considered to be a “combination fire department” for the purposes of this program).

(4) Combination Fire Department: An agency or organization in which at least one active firefighter receives financial compensation for their services (including paid-on-call) and/or at least one active firefighter does not receive financial compensation for their services, other than life, health, and workers’ compensation insurance.

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

(6) Fire Department: An agency or organization that has a formally recognized arrangement with a State, territory, local, 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.

(7) Firefighter: An individual having the legal authority and responsibility to engage in fire suppression; being employed by a fire department of a municipality, county, or fire district; being 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.

(8) Initial Full Alarm Assignment: Those personnel, equipment, and resources ordinarily dispatched upon notification of a structural fire.

(9) Mostly Career: A department is considered mostly career if 50 percent or more of their active firefighting membership is salaried staff.

(10) Mostly Volunteer: A department is considered mostly volunteer if more than 50 percent of their active firefighting membership is NOT compensated for their service other than a nominal stipend and/or insurance.

(11) Mutual-aid: An agreement whereby assisting fire departments are dispatched into another fire department's jurisdiction only when the first-arriving unit on a scene calls for assistance, or when specially requested by dispatch.

(12) Non-supplanting: The SAFER Grant will not provide assistance to fund positions currently funded by the applicant. In other words, grantees cannot use Federal grant dollars to substitute for their own budget. Grantees must maintain the number of firefighters they stipulated at the time of application, plus the funded SAFER positions, throughout the period of performance.

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

(14) State: For the purpose of these grants, "State" is defined as 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.

(15) Statewide or Local Firefighter Interest Organizations: Statewide and local firefighter interest groups are organizations that support or represent the interests of firefighters in front of legislative bodies at the local, State, and Federal level. Such organizations include State or local firefighter and/or fire chiefs' associations, fire department auxiliaries, volunteer firefighter relief organizations, and associations. DHS shall make the final determination as to whether an applicant is an appropriate firefighter interest group.

(16) 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, as well as OSHA Respiratory Protection standard 1910.134(g)(4)(i) and 1910.134(g)(4)(ii).

(17) Volunteer Fire Department: An agency or organization in which no member receives financial compensation (in the form of salary or wages) for their services other than life and health insurance, workers' compensation insurance and/or stipend per call. We consider a department to be "mostly volunteer" if more than 50 percent of its

membership is made up of personnel who do not receive financial compensation for their services.