Memorandum

MIAMI-DADE COUNTY

Date: January 20, 2005

Agenda Item No. 3(R)(1)(A)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: FY 2004 Metropolitan Medical Response System Program Grant

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RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing the County Manager to accept the FY 2004 Federal Emergency Management Agency (FEMA) Metropolitan Medical Response System (MMRS) program grant in the amount of $400,000 for the Office of Emergency Management (OEM). The grant is effective from the date of execution to March 31, 2006. No local match funds are required.

BACKGROUND

This federal sustainment grant continues to support the local MMRS program initiated by the Federal Department of Health and Human Services in 1997. The focus of this program is to prepare for Miami-Dade County's response to health and medical consequences of a weapon of mass destruction terrorist event. On an ongoing basis, the County coordinates the efforts of agencies to develop an integrated weapon of mass destruction response plan, identify training requirements, and acquire, maintain and replenish stockpiles of equipment and pharmaceuticals from prior MMRS grants.

The FY 2004 grant will continue to support these MMRS system components and partnerships with local, state and federal government agencies and local health care providers. The grant will also allow the County to expand the Turkey Point radiological emergency preparedness program included in the County's Comprehensive Emergency Management Plan for evacuating citizens to emergency reception centers. Decontamination facilities at medical facilities will be increased. Employees from Miami-Dade Fire Rescue, Corrections, and Health Department who staff the emergency reception centers and medical facilities will receive training to monitor and screen evacuees. Personal protective equipment will be purchased.

The identification of locations for the establishment of quarantine areas within the County as a plan of last resort will continue. Preparations for assessing incidents, determining appropriate disease control response, and dissemination of information to the public regarding sheltering will also continue. Particular emphasis is placed on improving inter-agency communications and acquiring technological capacity to share symptom detection and distribution patterns. Funds will also be used to expand and manage the stock of pharmaceuticals.

Susanne M. Torriente
Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: January 20, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 3(R)(1)(A)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(R)(1)(A)
01-20-05

RESOLUTION NO. _____

RESOLUTION AUTHORIZING APPROVAL OF A FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FOR THE OFFICE OF EMERGENCY MANAGEMENT FOR THE METROPOLITAN MEDICAL RESPONSE SYSTEM PROGRAM AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE MODIFICATIONS, ACCEPT AND EXPEND FUNDS, AND TO EXERCISE THE CANCELLATION PROVISION CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the Federal Emergency Management Agency grant for the Office of Emergency Management in the amount of $400,000 to sustain the development of a Metropolitan Medical Response System program, effective for the period October 1, 2004 through March 31, 2006, in substantially the form attached hereto and made a part hereof, an original of which is on file with the Clerk of the Board; and authorizes the County Manager to execute same for and on behalf of Miami-Dade County, to accept and expend funds and to file and execute any necessary modifications and the cancellation provision therein following the approval by the County Attorney's Office.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2005. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

By:_____
Deputy Clerk

Eric A. Rodriguez

FEDERAL EMERGENCY MANAGEMENT AGENCY

ASSISTANCE AWARD/AMENDMENT

1. ASSISTANCE INSTRUMENT
☐ COOPERATIVE AGREEMENT ☒ GRANT

2. TYPE OF ACTION
☒ AWARD ☐ AMENDMENT

3. INSTRUMENT NUMBER
EMW-2004-GR-0752

4. AMENDMENT NUMBER

5. EFFECTIVE DATE
October 1, 2004

6. CONTROL NUMBER
W384468Y

7. RECIPIENT NAME AND ADDRESS

Miami-Dade County Office of Emergency Management

9300 NW 41st Street

Miami FL 33178

8. ISSUING/ADMINISTRATION OFFICE

Federal Emergency Management Agency
Financial & Acquisition Management Div
Grants Management Branch
500 C Street, S.W., Room 350
Washington DC 20472

Specialist: Tanya D. Barnes, 202-646-3742

9. RECIPIENT PROJECT MANAGER
Charles Louis Cyrille, 305-468-5422

10. FEMA PROJECT OFFICER
Dennis Atwood, 202-646-2699

11. ASSISTANCE ARRANGEMENT
☒ COST REIMBURSEMENT
☐ COST SHARING
☐ FIXED PRICE
☐ OTHER

12. PAYMENT METHOD
☒ TREASURY CHECK
REIMBURSEMENT
☐ ADVANCE CHECK
☐ LETTER OF CREDIT

13. PAYMENT OFFICE

Federal Emergency Management Agency
Accounting Services Division
Disbursement & Receivables Branch
500 C Street, S.W., Room 723
Washington DC 20472

14. ASSISTANCE AMOUNT

PREVIOUS AMOUNT	$0.00
AMOUNT THIS ACTION	$400,000.00
TOTAL AMOUNT	$400,000.00

15. ACCOUNTING & APPROPRIATION DATA

SEE CONTINUATION PAGE

16. DESCRIPTION OF PROJECT

This award provides funding for the FY 04 MMRS Grant to Miami-Dade County Office of Emergency Management, Miami, FL.

The total amount obligated under this agreement is $400,000.00. The Period of Performance is October 1, 2004 to March 31, 2006.

The terms and conditions are attached as Agreement Articles.

END OF AWARD
(Page 1 of 14)

17. RECIPIENT REQUIREMENT
☒ RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO THE ISSUING/ADMIN OFFICE IN BLOCK 8.
☐ RECIPIENT IS NOT REQUIRED TO SIGN THIS DOCUMENT.

18. RECIPIENT (Type name and title)

19. ASSISTANCE OFFICER (Type name and title)
Sylvia A. Carroll
Assistance Officer

20. SIGNATURE OF RECIPIENT | DATE

21. SIGNATURE OF ASSISTANCE OFFICER Sylvia A. Carroll | DATE SEP 17 2004

FEMA Form 40-21, APR 85 REPLACES EDITION OF JUL 84, WHICH IS OBSOLETE.

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CONTINUATION PAGE

A.1 PRICE/COST SCHEDULE

ITEM NO.	DESCRIPTION OF SUPPLIES/SERVICES	QTY	UNIT	UNIT PRICE	AMOUNT
1		1.00	Lot	$400,000.00	$400,000.00
	MMRS Grant Funding				
	FUNDING/REQ NO: 1: $400,000.00 W384468Y				
			GRAND TOTAL ---		$400,000.00

ACCOUNTING AND APPROPRIATION DATA:

ACRN	APPROPRIATION	REQUISITION NUMBER		AMOUNT
1	2004-64 -6760RB-6600 - -4101-D	W384468Y	P	$400,000.00

PROGRAM NAME: METROPOLITAN MEDICAL RESPONSE SYSTEM PROGRAM

CFDA: 97.071

GRANTEE: Miami-Dade County Office of Emergency Management

AGREEMENT NO.: EMW-2004-GR-0752

AMENDMENT NO.: N/A

ARTICLE I – AUTHORIZATION:

A. Homeland Security Act of 2002, Public Law 107-296
B. Defense Against Weapons of Mass Destruction Act of 1966
C. National Defense Authorization Act for FY 1997, as amended

ARTICLE II – PROGRAM NARRATIVE DESCRIPTION

The Grantee shall perform the work described in the Program Narrative Statement, which is included as part of the application package dated August 19, 2004.

ARTICLE III – PERIOD OF PERFORMANCE/BUDGET PERIOD

A. **Project Period:** The Project Period shall be a maximum of eighteen (18) months from the effective date of this Grant Agreement, and will correspond to the applicable approved Budget Period unless extensions have been approved.

B. **Costs:** The Grantee shall only incur costs or obligate funds within the Budget Period for approved activities or within the approved Period of Performance if continuation award has been authorized. All additional funding under this Grant is subject to the availability of funds and the needs of the Federal Government.

ARTICLE IV – AMOUNT OF AWARD

A. **Approved Budget:** The approved budget for this award by category is:

OBJECT CLASS	CFA	S	SP	TOTAL
Personnel	75,000.00	45,000.00		120,000.00
Fringe Benefits				
Travel				
Equipment	50,000.00	30,000.00		80,000.00
Supplies	100,000.00	60,000.00		160,000.00
Contractual				
Construction				
Other	25,000.00	15,000.00		40,000.00
TOTAL DIRECT				
Indirect Charges				
TOTAL BUDGET	250,000.00	150,000.00		400,000.00
FEDERAL SHARE	250,000.00	150,000.00		400,000.00

B. There is no cost-share or match required for this funding. The Department of Homeland Security will pay up to 100% of the costs identified in the approved budget listed under Article IV. A. Approved Budget. The maximum funding amount is $400,000. If costs exceed the maximum amount of DHS approved funding, the Grantee shall pay the costs in excess of the approved budget .

ARTICLE V – RESPONSIBILITIES

A. The purpose of the FY 2004 MMRS Grant is to provide funding for:

1. the creation of new MMRS jurisdictions in those states and territories that do not have a MMRS;

2. obtaining FY 2004 capability objectives and or processes;

3. sustainment for existing jurisdictions; and

4. special projects, as applicable.

B. Objectives:

The Project Manager is: Charles Louis Cyrille
Emergency Management Coordinator
Miami-Dade County Office of Emergency Management
9300 NW 41st Street
Miami, FL 33178
Tel: (305) 468-5422
Fax: (305) 468-5401
Email: Charles.Cyrille@miamidade.gov

B. DHS Project Officer: The DHS Project Officer (PO) shall be an official who will be responsible for the technical monitoring of the stages of work and technical performance of the activities described in the program narrative statement.

The DHS Project Officer is: Mr. Dennis Atwood
DHS/FEMA
Preparedness Division
500 C Street, SW, Room 202
Washington, DC 20472
202-646-2699
Fax: 202-646-4137
FEMA-mmrsadmin@dhs.gov

C. DHS Assistance Officer: The DHS Assistance Officer (AO) is the DHS official who has full authority to negotiate, administer and execute all business matters of the Grant award.

The DHS Assistance Officer is: Ms. Sylvia A. Carroll
DHS/FEMA
Grants Management Branch
500 C Street, SW, Room 334
Washington, DC 20472
202-646-3503
Fax: 202-646-4156
Sylvia.Carroll@dhs.gov

ARTICLE X – GRANT AWARD AMENDMENTS

All budget and program plan revisions shall be in compliance with OMB Circular A-102, Grants and Cooperative Agreement to States and Local Governments, or A-110, Uniform Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, and OMB Circular A-21 Cost Principles for Educational Institutions, or A-87, Cost Principles for State and Local Governments, or A-122, Cost Principles for Non-Profit Organizations. In addition to these requirements, the Grantee shall submit and receive written prior approval before implementation for the following:

A. Budget Revisions:

1. Grantee must obtain prior approval from DHS/FEMA for transfers of funds between direct cost categories in the approved budget when such cumulative transfers among those direct cost categories exceed ten percent of the total budget.

2. Transfer of funds to entities, except those identified in the approved application requires prior DHS/FEMA approval.

3. Need for additional funds. DHS is not obligated to provide additional funds prior to the submission and approval of consecutive continuation options based on satisfactory performance and availability of funds.

B. Extension Request:

1. Requests for additional time extensions to the Period of Performance will be considered, but will not be granted automatically and must be supported by adequate justification in order to be processed. The justification is a written explanation of the reason or reasons for the delay; an outline of remaining funds available to support the extended period of performance; and a description of performance measures necessary to complete the project.

2. Extensions to the Period of Performance shall be authorized only in writing by the DHS Assistance Officer.

3. There is no DHS obligation to provide additional funding as a result of time extensions approved.

4. Financial and Performance Status Reports must be current, and the extension justification must be submitted or extensions requests will not be processed.

ARTICLE XI - PREAWARD COSTS

Preaward costs may be approved for up to ninety (90) calendar days prior to the effective date of the Grant under the following conditions:

A. The costs have been incurred with the understanding that they were incurred at the Grantee's risk and may not be reimbursed, if adequate funding has not been awarded to cover preaward costs and approved activities to be completed under the award.

B. The costs must be necessary for the effective and economical conduct of the project.

C. The costs are in compliance with the appropriate OMB Cost Principles.

D. The costs are supported with source documentation.

ARTICLE XII – OTHER TERMS AND CONDITIONS

The other terms and conditions of the agreement are as follows:

A. Buy America. The Grantee, Sub-grantees and contractors receiving funds from this grant shall comply with the Buy American Act (41 U.S.C. 10a et seq.) unless it is determined that it is inconsistent with the public interest, impracticable to comply with such a requirement or that it would unreasonably increase the cost of articles, materials, or supplies. The exception shall be noted in the specifications and documentation to justify the exception will be retained in the grant file for record.

B. Copyright. The Grantee is free to copyright original work developed in the course of or under this agreement. DHS reserves a royalty-free , nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, the work preformed under this award for Government purposes. Publication resulting form work preformed under this agreement shall include an acknowledgement of financial support from DHS and include a statement that the publication does not necessarily reflect the DHS views.

C. Publication and Acknowledgement of DHS Sponsorship.

1. One copy of each article planned for publication will be submitted to the DHS Project Officer simultaneously with its submission for publication. Following publication, a copy of each published paper shall be submitted to the DHS Project Officer.

2. The Grantee agrees that when releasing information relating to this Grant, the release shall include a statement that the project or effort undertaken was or is sponsored by the Department of Homeland Security.

3. Disclaimer: The Grantee is responsible for assuring that every publication submission (including World Wide Web pages) based on or developed under this award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer: "Any opinions, findings, and conclusion or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the Department of Homeland security."

4. For the purpose of this requirement, information includes news releases, articles, manuscripts, brochures, advertisements, still and motion pictures, speeches, trade association proceedings and symposia.

5. Publications: In compliance with the Section 623 of Treasury, Postal Service, and General Government Appropriations Act, 1993, and reenacted in Section 621 of the fiscal year 1994 Appropriations Act requires that all grantees disclose the amount and percentage of Federal funding and funding form non-governmental sources when making public announcements about Federally-funded projects in the amount of $500,000 or more.

D. Patent Rights. Grantees are subject to applicable regulations governing patents and inventions, including government-wide regulations issued by the Department of Commerce, 37 CFR Part 401,"Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Grants, Contracts and Cooperative Agreements."

E. Environmental Standards. By accepting funds under this Grant, the grantee assures that will:

1. Comply with applicable provisions of the Clean Air Act (42 U.S.C. 7401, et seq.) and Clean Water Act (33 U.S.C. 1251, et seq.), as implemented by Executive Order 11738 [3 CFR, 1971-1975 comp., p. 799] and Environmental Protection Agency (EPA) rules at 40 CFR Part 15. In accordance with the EPA rules, the Grants further agrees that it will:

   a. Not use any facility on the EPA's List of Violating Facilities in performing any award that is nonexempt under 40 CFR 15.5 (awards of less than $100,000, and certain other awards, exempt from the EPA regulations), as long as the facility remains on the list.

   b. Notify the awarding agency if it intends to use a facility in performing this award that is on the List of Violating Facilities or the Grantee knows has been recommended to be placed on the List of Violating Facilities.

2. Identify to the awarding agency any impact this award may have on:

   a. The quality of the human environment, and provide help the agency may need to comply with the National Environmental Policy Act (NEPA, at 42 U.S.C. 4321, et seq.) and to prepare Environmental Impact (e.g., physical disturbance of a site such as breaking of ground) until the agency provides written notification of compliance with environmental impact analysis process.

   b. Coastal barriers and provide help the agency may need to comply with Coastal Barriers Resource Act (16 U.S.C. 3501, et seq.), concerning preservation of barrier resources.

c. Any existing or proposed component of the National Wild and Scenic Rivers system, and provide help the agency may need to comply with the Wild and Scenic River Act of 1968 (16 U.S.C. 1271, et seq.).

F. Refunds. The Grantee shall transfer to DHS the appropriate share, based on the Federal support percentage, of any refund, rebate, credit or other amounts arising form performance of this agreement, along with accrued interest. The Grantee shall take necessary action to effect prompt collection of all monies due or which may become due and to cooperate with DHS in any claim or suit in connection with amounts due.

G. Overpayment and Earned Interest.

Overpayment. Within ninety (90) days from the expiration date of the Performance Period, overpayment of funds shall be remitted to the Assistance Officer by check payable to DHS. An overpayment represents the difference between allowable actual expenditures and total DHS payment received by the Grantee.

H. Program Income. Program income is income earned as a result of Grantee or sub-grantee grant-supported activity, or earned as a result of the grant agreement during the Period of Performance. Program income shall be added to the award of funds under this grant and shall be used to expand the approved program activities. The Grantee shall submit a written list of expanded activities to be accomplished as a result of the program Income funds. This list shall be submitted to the DHS AO for review and the approval within 20 days of receipt of program income.

I. Security. The Grantee shall not be granted access to classified information under this Grant. If security restriction should happen to apply to certain aspects of the proposed activity, the Grantee will be informed. In the event that the scientific work under this Grant may either need classification or involve access to or storage of any classified data, the Government shall make a decision on the need to classify, or require such access or storage within 30 days after receipt of a written notice from the Grantee. If the decision is affirmative, the Government may invoke the Termination clause, as appropriate.

J. Controlled Unclassified Information. The parties understand that information and materials provided pursuant to or resulting from this Grant may be export controlled, sensitive, for official use only, or, otherwise protected by law, executive order or regulation, The Grantee is responsible for compliance with all applicable laws and regulations. Nothing in this Grant shall be construed to permit any disclosure in violation of those restrictions.

K. Travel. Allowability of Travel Expenses. Expenses for transportation, lodging, subsistence and related items incurred by project personnel and by outside consultants employed on the project (GPM) Section 614 who are in travel status on business related to an DHS-supported project are allowable as prescribed in the governing cost

principles. The requirements for prior approval detained in the governing cost principles are waived.

L. Cargo Preference. The grantee agrees that it will comply with the Cargo Preference Act of 1954 (46 U.S.C. 1241), as implemented by Department of Transportation regulations at 46 CFR 381.7, which require that at least 50 of equipment, materials or Grant, and which may be transported by ocean vessel, shall be transported on privately owned U.S.-flag commercial vessels, if available.

M. Fly America Act. Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds under this Grant shall use U.S.-flag air carriers (air carriers holding certificates under 49 U.S.C. 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

N. Site Visits. DHS, through authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and management control systems and to provide such technical assistance as may be required. If any site visit is made by DHS on the premises of the grantee or a contractor under an award, the grantee shall provide and shall require its contractors to provide all reasonable facilities and assistance for the safety and convenience of the Government representatives in the performance of their duties. All site visits and evaluations shall be performed in such a manner that will not unduly delay the work.

O. Prior to the purchase of any equipment/supplies, the Grantee must submit a list of equipment/supplies to the DHS/FEMA Assistance Officer for approval.

ARTICLE XIII – AUDIT REQUIREMENTS

Grantees and Sub-grantees must follow the audit requirements under OMB Circular A-133. Non-Federal entities that expend $500,000 or more Federal funds in a year shall have a single or program-specific audit conducted for that year in accordance with the provisions of A-133.

ARTICLE XIV – GOVERNING PROVISIONS

The Grantee and any subgrantee shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

A. Administrative Requirements

1. OMB Circular A-102, State and Local Governments (10/07/94, amended 08/29/97)
2. OMB Circular A-110, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (11/19/93, amended 09/30/99), and
3. 44 CFR Part 13

B. Cost Principles

1. OMB Circular A-87, State and Local Governments (05/04/95, amended 08/29/97)
2. OMB Circular A-21, Educational Institutions (08/08/00)
3. OMB Circular A-122, Non Profit Organizations (05/19/98)

C. Audit Requirements.

OMB Circular A-133, States, Local Governments, and Non-Profit Organizations (06/24/97, includes revisions published in the *Federal Register* 06/27/03)

Grant award is approved by DHS on September 17, 2004.

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