

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2016**

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹³¹⁶ - 2016

**RESOLUTION NO. -16, REQUESTING
LEGISLATIVE APPROVAL OF A CONTRACT AWARD
FOR MARKETING AND OUTREACH SERVICES FOR
RECRUITMENT AND RETENTION OF VOLUNTEER
EMERGENCY SERVICES PERSONNEL FOR THE
DEPARTMENT OF FIRE, RESCUE, AND EMERGENCY
SERVICES**

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. - 2016, BECAUSE THE CONTRACT IS
A KEY COMPONENT IN THE SCOPE OF WORK FOR THE 2014 FEDERAL
STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESONSE (SAFER)
GRANT WHICH HAS A FEDERALLY MANDATED GRANT COMPLETION
SCHEDULE.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
22nd DAY OF MARCH, 2016.



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2016 MAR 22 A 9 41
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

RESOLUTION NO. -2016, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR MARKETING AND OUTREACH SERVICES FOR RECRUITMENT AND RETENTION OF VOLUNTEER EMERGENCY SERVICES PERSONNEL FOR THE DEPARTMENT OF FIRE, RESCUE, AND EMERGENCY SERVICES

WHEREAS, Local Law No. 3-1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, the Department of Fire, Rescue and Emergency Services requested an RFP for "Marketing and Outreach Services for Recruitment and Retention of Volunteer Emergency Service Personnel" for the Development of the Federally funded Staffing for Adequate Fire and Emergency Response (SAFER) Grant; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and requested an RFP from ninety-nine (99) potential vendors and received only one response from Sanna Mattson MacLeod, Inc.; and

WHEREAS, an independent evaluation committee reviewed the proposal from Sanna Mattson MacLeod, Inc. and found its quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and have recommended that the Department of Fire, Rescue, and Emergency Services enter into a contractual agreement with the provider; and

WHEREAS, 100% funding of this contract has been made available by the 2014 SAFER Grant adopted by the Suffolk County Legislature Resolution No. 891-2015; and as a result, there are sufficient funds in the 2016 Suffolk County Operating Budget to cover the cost of this contract: now, therefore be it

1st RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Department of Fire, Rescue and Emergency Services enter into a contractual agreement with Sanna Mattson MacLeod, Inc. for the provision of Marketing Outreach services.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK



JOSEPH F. WILLIAMS
COMMISSIONER

JOHN G. JORDAN SR.
DEPUTY COMMISSIONER

CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

GREGORY C. MINIUTTI
CHIEF OF COMMUNICATIONS

STEVEN BELLONE
COUNTY EXECUTIVE

JOEL VETTER
CHIEF OF SUPPORT SERVICES

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Jonathan Schneider
Deputy Suffolk County Executive

FROM: Joseph F. Williams, Commissioner

DATE: March 14, 2016

RE: SINGLE BIDDER CONTRACT AWARD and CERTIFICATE OF NECESSITY

This is to provide justification and back up regarding the award of a Marketing and Outreach Services Contract for the "Recruitment and Retention of Volunteer Emergency Services Personnel", for the Suffolk County Department of Fire, Rescue and Emergency Services, in the development of a federally funded Recruitment and Retention program, pursuant to Resolution 891-2015.

This Contract RFP was initially advertised in January, 2016 and provided to ninety-nine (99) potential vendors, but resulted in only one received bid. The contract is a key component in the Scope of Work of the 2014 federal Staffing for Adequate Fire and Emergency Response (SAFER) Grant, and impacts the federally mandated grant completion schedule. For this reason, the following Certificate of Necessity for the Immediate Consideration of the Introductory Resolution has been included:

CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. - 2016

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2016

RESOLUTION NO. -2016, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR MARKETING AND OUTREACH SERVICES FOR RECRUITMENT AND RETENTION OF VOLUNTEER EMERGENCY SERVICES PERSONNEL FOR THE DEPARTMENT OF FIRE, RESCUE, AND EMERGENCY SERVICES

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE CONSIDERED IMMEDIATELY,

MAILING ADDRESS:
PO Box 127
YAPHANK, NEW YORK 11980-0127

LOCATION:
102 EAST AVENUE
YAPHANK, NEW YORK

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

**FINANCIAL IMPACT
2016 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

COMBINED

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2015.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2015-2016.
- 3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Award Package

U.S. Department of Homeland Security
Washington, D.C. 20472



FEMA

Mr. Thomas O'Hara
Suffolk County Fire, Rescue & Emergency Services
PO Box 127
Yaphank, New York 11980-0127

Re: Grant No.EMW-2014-FF-00451

Dear Mr. O'Hara:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2014 Staffing for Adequate Fire and Emergency Response (SAFER) Grant has been approved in the amount of \$1,299,065.00. As a condition of this award, you are required to contribute a cost match in the amount of \$0.00 of non-Federal funds, or 0 percent of the Federal contribution of \$1,299,065.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2014 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Funding Opportunity Announcement.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov). As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

Step 2: If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please

complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and take it to your bank to have the bottom portion completed. Make sure your application number is on the form. After your bank has filled out their portion of the form, you must fax a copy of the form to FEMA's SF-1199 Processing Staff at 301-998-8699. You should keep the original form in your grant files. After the faxed version of your SF 1199A has been reviewed you will receive an email indicating the form is approved. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,



Brian E. Kamoie
Assistant Administrator
Grant Programs Directorate

Summary Award Memo

**SUMMARY OF ASSISTANCE ACTION
STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS
Application**

INSTRUMENT: GRANT
AGREEMENT NUMBER: EMW-2014-FF-00451
GRANTEE: Suffolk County Fire, Rescue & Emergency Services
DUNS NUMBER: 076748248
AMOUNT: \$1,299,065.00, Recruitment

Project Description

The purpose of the Staffing for Adequate Fire and Emergency Response Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Staffing for Adequate Fire and Emergency Response Grant program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

Period of Performance

31-OCT-15 to 30-OCT-19

Amount Awarded

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	\$224,728.00
Fringe Benefits	\$152,998.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$0.00
Contractual	\$365,347.00
Construction	\$0.00
Other	\$555,992.00
Indirect Charges	\$0.00
Total	\$1,299,065.00

NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)

1. The Program Office has made the following reductions to your grant: Line item # 3 - Tuition Assistance: amounts reduced due to issues in previous grants regarding members not meeting the standards and paying back the funds. Year 1 reduce from \$208,494 to \$138,998; Year 2 reduce from \$208,498 to \$138,998; Year 3 reduce from \$208,498 to \$138,998; and Year 4 reduce from \$208,498 to \$138,998. Updated line item total will be \$555,992. Line item #6 - Media Placements: due to duplication from FY 2009 grant allow \$3800 in year 1 only for marketing firm to research, recommend, plan, and negotiate a media strategy. Year 1 reduce from \$58,500 to \$40,267; Year 2 reduce from \$76,000 to \$72,200.00; Year 3 reduce from \$37,500 to \$33,700.00; and Year 4 reduce from \$42,500 to \$38,700.00. Updated line item total will be \$184,867.00. Line item #7 - Social/Digital Marketing Content: due to duplication from FY 2009 grant allow \$8900 in year 1 only for updates to existing site and reduce years 2 – 4 due to duplication. Year 1 reduce from \$88,100 to \$61,700.00; Year 2 reduce from \$60,060 to \$30,030; Year 3 reduce from \$50,000 to \$25,000.00; and Year 4 reduce from \$40,000 to \$20,000. Updated line item total will be \$136,730. Line item #8 - Training for Volunteer Recruiters: Per clarification from applicant this includes duplicate costs from FY 2009 grant and due to the fact that training will be placed on Suffolk's website and cd/dvd's of the material will be created in addition to all other materials, reduce the cost from \$8500 to \$4250. Line item #9 - Training Materials: due to the fact that training will be placed on Suffolk's website and cd/dvd's of the material will be created in addition to all other materials and this also done under a previous grant, reduce from \$20,000 to \$10000. Reduce total award by \$423,309 for a new total award amount of \$1,299,065 Therefore, they have recommended the award at this level: Total budget \$1,299,065 Federal share \$1,299,065 2. Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Nancy Cannon at nancy.cannon@dhs.gov.

FEMA Officials

Program Officer: The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

Grants Assistance Officer: The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

Grants Operations POC: The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 8000 characters)

1. The Program Office has made the following reductions to your grant:

Line item # 3 - Tuition Assistance: amounts reduced due to issues in previous grants regarding members not meeting the standards and paying back the funds. Year 1 reduce from \$208,494 to

\$138,998; Year 2 reduce from \$208,498 to \$138,998; Year 3 reduce from \$208,498 to \$138,998; and Year 4 reduce from \$208,498 to \$138,998. Updated line item total will be \$555,992.

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Line item #9 - Training Materials: due to the fact that training will be placed on Suffolk's website and cd/dvd's of the material will be created in additional to all other materials and this also done under a previous grant, reduce from \$20,000 to \$10000.

Reduce total award by \$423,309 for a new total award amount of \$1,299,065

Therefore, they have recommended the award at this level:

Total budget \$1,299,065

Federal share \$1,299,065

2. Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Nancy Cannon at nancy.cannon@dhs.gov.

Agreement Articles



FEMA

U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES

STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) Grants

GRANTEE: Suffolk County Fire, Rescue & Emergency Services

PROGRAM: Staffing for Adequate Fire and Emergency Response (SAFER) - Recruitment

AGREEMENT NUMBER: EMW-2014-FF-00451

AMENDMENT NUMBER:

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I. **Assurances, Administrative Requirements and Cost Principles**

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements and cost principles that apply to DHS award recipients originate from:

2 C.F.R. Part 200, *Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards*, as adopted by DHS at 2 C.F.R. Part 3002.

II. **Acknowledgement of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

III. **Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

IV. **Age Discrimination Act of 1975**

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

V. **Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

VI. **Best Practices for Collection and Use of Personally Identifiable Information (PII)**

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) respectively.

VII. **Title VI of the Civil Rights Act of 1964**

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at [6 C.F.R. Part 21](#) and [44 C.F.R. Part 7](#).

VIII. **Civil Rights Act of 1968**

All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 *et seq.*), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see [24 C.F.R. § 100.201](#)).

IX. **Copyright**

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government.

(e.g., classified information or other information subject to national security or export control laws or regulations).

X. Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

XI. Drug-Free Workplace Regulations

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R Part 3001.

XII. Duplication of Benefits

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

XIII. Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

XIV. Reporting Subawards and Executive Compensation

a. Reporting of first-tier subawards.

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For

example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward*:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ___ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. *Salary and bonus.*

ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical

reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified.*

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

XV. False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. §3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

XVI. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.

XVII. Fly America Act of 1974

All recipients must comply with Preference for 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 B-138942.

XVIII. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, 15 U.S.C. §2225.

XIX. Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation

and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

XX. Lobbying Prohibitions

All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

XXI. Non-supplanting Requirement

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

XXII. Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

XXIII. Procurement of Recovered Materials

All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with

maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

XXIV. Contract Provisions for Non-federal Entity Contracts under Federal Awards

a. Contracts for more than the simplified acquisition threshold set at \$150,000.

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

b. Contracts in excess of \$10,000.

All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

XXV. SAFECOM

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

XXVI. Terrorist Financing E.O. 13224

All recipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

XXVII. Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity

receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

XXVIII. Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

XXIX. Rehabilitation Act of 1973

All recipients of must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

XXX. USA Patriot Act of 2001

All recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act)*, which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

XXXI. Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

XXXII. Whistleblower Protection Act

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

XXXIII. DHS Specific Acknowledgements and Assurances

All recipients must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions

governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

XXXIV. System of Award Management and Universal Identifier Requirements

A. Requirement for System of Award Management

Unless exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for unique entity identifier

If authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

C. Definitions

For purposes of this award term:

1. *System of Award Management (SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.
3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - a. A Governmental organization, which is a State, local government, or Indian Tribe;
 - b. A foreign public entity;
 - c. A domestic or foreign nonprofit organization;
 - d. A domestic or foreign for-profit organization; and
 - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. *Subaward*:
 - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
 - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. *Subrecipient* means an entity that:

- a. Receives a subaward from you under this award;
and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

XXXV. Animal Welfare Act of 1966

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

XXXVI. Protection of Human Subjects

All recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

XXXVII. Incorporation by Reference of Funding Opportunity Announcement

The Funding Opportunity Announcement for this program is hereby incorporated into your award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained in the Funding Opportunity Announcement.

XXXVII. Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of

the changes to the award. If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to firegrants@dhs.gov.

**FEDERAL EMERGENCY MANAGEMENT AGENCY
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1. AGREEMENT NO. EMW-2014-FF-00451	2. AMENDMENT NO. 0	3. RECIPIENT NO. 11-6000464	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX02758N2015T
6. RECIPIENT NAME AND ADDRESS Suffolk County Fire, Rescue & Emergency Services PO Box 127 Yaphank New York, 11980-0127	7. ISSUING OFFICE AND ADDRESS Grant Programs Directorate 500 C Street, S.W. Washington DC, 20472 POC: Arlyce Powell 202-786-9523	8. PAYMENT OFFICE AND ADDRESS FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472		
9. NAME OF RECIPIENT PROJECT OFFICER Thomas O'Hara	PHONE NO. 6318524908	10. NAME OF PROJECT COORDINATOR Catherine Patterson	PHONE NO. 1-866-274-0960	
11. EFFECTIVE DATE OF THIS ACTION 31-OCT-15	12. METHOD OF PAYMENT SF-270	13. ASSISTANCE ARRANGEMENT Cost Sharing	14. PERFORMANCE PERIOD From:31-OCT-15 To:30-OCT-19 Budget Period From:16-APR-15 To:30-SEP-15	

15. DESCRIPTION OF ACTION
a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
SAFER	97.083	2015-F4-C211-P4310000-4101-D	\$0.00	\$1,299,065.00	\$1,299,065.00	\$0.00
TOTALS			\$0.00	\$1,299,065.00	\$1,299,065.00	\$0.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.
N/A

16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

SAFER recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)
N/A

DATE
N/A

18. FEMA SIGNATORY OFFICIAL (Name and Title)
Rosalie Vega

DATE
29-JUL-15

[Go Back](#)

SECTION 1 (TO BE COMPLETED BY PAYEE)

Standard Form 1199A - Direct Deposit Sign-Up Form

OMB No 151-0007

A ORGANIZATION NAME
Suffolk County Fire, Rescue & Emergency Services

D TYPE OF DEPOSITOR ACCOUNT
Checking

ADDRESS (street, route, P.O. Box, APO/FPO)
110 Yaphank Avenue

E DEPOSITOR ACCOUNT NUMBER
0661001032

CITY STATE ZIPCODE
Yaphank New York 11980 -0127

F TYPE OF PAYMENT
Other, Grant Award
EMW-2006-FF-03869 , EMW-2014-FF-00451 , EMW-2009-FF-00543

B NAME OF PERSON(S) ENTITLED TO PAYMENT
Joseph Williams

G THIS BOX FOR ALLOTMENT OF PAYMENT ONLY (if applicable)

C CLAIM OR PAYROLL ID NUMBER
Prefix 11-6000464

Suffix TYPE AMOUNT

PAYEE/JOINT PAYEE CERTIFICATION
I certify that I am entitled to the payment identified above. In signing this form, authorize my payment to be sent to the financial institution named below to be deposited to the designated account.

JOINT ACCOUNT HOLDERS' CERTIFICATION (optional)
I certify that I have read and understood the instructions, including the SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS.

SIGNATURE DATE
/ /

SIGNATURE DATE
/ /

SIGNATURE DATE
/ /

SIGNATURE DATE
/ /

SECTION 2

GOVERNMENT AGENCY NAME
Federal Emergency Management Agency

GOVERNMENT AGENCY ADDRESS
Attn: Assistance to Firefighters Grant Program
Grants Management Branch, Room 350, 500 C Street S.W., Washington, D. C. 20472

SECTION 3 (TO BE COMPLETED BY FINANCIAL INSTITUTION)

NAME AND ADDRESS OF FINANCIAL INSTITUTION ROUTING NUMBER CHECK DIGIT

DEPOSITOR ACCOUNT TITLE

FINANCIAL INSTITUTION CERTIFICATION
I confirm the identity of the above-named payee(s) and the account number and title. As representative of the above-named financial institution, I certify that the financial institution agrees to receive and deposit the payment identified above in accordance with 31 CFR Parts 240, 209, and 210.

PRINT OR TYPE REPRESENTATIVE'S NAME SIGNATURE OF REPRESENTATIVE TELEPHONE NUMBER DATE
/ /

[Direct Deposit Form 1199A](#)

[Return to Status Page](#)

[Log Off](#)

PLEASE READ THIS CAREFULLY

All information on this form, including the individual claim number, is required under 31 USC 3322, 31 CFR 209 and/or 210. The information is confidential and is needed to prove entitlement to payments. The information will be used to process payment data from the Federal agency to the financial institution and/or its agent. Failure to provide the requested information may affect the processing of this form and may delay or prevent the receipt of payments through the Direct Deposit/Electronic Funds Transfer Program.

SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS

Joint account holders should immediately advise both the Government agency and the financial institution of the death of a beneficiary. Funds deposited after the date of death or ineligibility, except for salary payments, are to be returned to the Government agency. The Government agency will then make a determination regarding survivor rights, calculate survivor benefit payments, if any, and begin payments.

CANCELLATION

The agreement represented by this authorization remains in effect until cancelled by the recipient by notice to the Federal agency or by the death or legal incapacity of the recipient. Upon cancellation by the recipient, the recipient should notify the receiving financial institution that he/she is doing so. The agreement represented by this authorization may be cancelled by the financial institution by providing the recipient a written notice 30 days in advance of the cancellation date. The recipient must immediately advise the Federal agency if the authorization is cancelled by the financial institution. The financial institution cannot cancel the authorization by advice to the Government agency.

CHANGING RECEIVING FINANCIAL INSTITUTIONS

The payee's Direct Deposit will continue to be received by the selected financial institution until the Government agency is notified by the payee that the payee wishes to change the financial institution receiving the Direct Deposit. To effect this change, the payee will complete a new SF 1199A at the newly selected financial institution. It is recommended that the payee maintain accounts at both financial institutions until the transition is complete, i.e. after the new financial institution receives the payee's Direct Deposit payment.

FALSE STATEMENTS OR FRAUDULENT CLAIMS

Federal law provides a fine of not more than \$10,000 or imprisonment for not more than five (5) years or both for presenting a false statement or making a fraudulent claim.

Refer to application Module, Part 111-B, for detailed instructions

BURDEN ESTIMATE STATEMENT

The estimated average burden associated with this collection of information is 10 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Financial Management Service, Facilities Management Division, Property & Supply Section, Room B-101, 3700 East-West Highway, Hyattsville, MD 20782 or the Office of Management and Budget, Paperwork Reduction Project (1510-0007), Washington, D.C. 20503.

Close Window

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Close Window

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2016**

1317
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2016

**RESOLUTION NO. -16, TRANSFERRING FUNDS
FROM ASSESSMENT STABILIZATION RESERVE
FUND, AMENDING THE 2016 CAPITAL BUDGET AND
PROGRAM AND APPROPRIATING FUNDS IN
CONNECTION WITH THE SEWER INFRASTRUCTURE
PROGRAM TO PROVIDE FUNDING FOR MESCHUTT
COUNTY PARK WASTEWATER UPGRADE (CP 8720)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. - 2016, BECAUSE CP 8720 IS VITAL TO
PUBLIC HEALTH SAFETY AND THERE ARE INSUFFICIENT FUNDS TO
COMPLETE THIS PROJECT PRIOR TO MEMORIAL DAY WEEKEND WHEN THE
BEACH OPENS FOR THE SUMMER SEASON.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
22nd DAY OF MARCH, 2016.**



**JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2016 MAR 22 A 9 41
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2016, TRANSFERRING FUNDS FROM ASSESSMENT STABILIZATION RESERVE FUND, AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR MESCHUTT COUNTY PARK WASTEWATER UPGRADE (CP 8720)

WHEREAS, Local Law No. 31-2014, which was approved by voter referendum on November 4, 2014, authorized the County of Suffolk to use excess monies in the Assessment Stabilization Reserve Fund to fund wastewater upgrades; and

WHEREAS, the funds for the Sewer Infrastructure Program are maintained within the Sewer Infrastructure Program Fund ("Fund 406"); and

WHEREAS, there are sufficient funds in Fund 406 for the implementation of the purposes of Local Law No. 31-2014; and

WHEREAS, the Meschutt County Park, is in close proximity to surface waters and experienced a septic failure; and

WHEREAS, wastewater treatment upgrades are critical because nitrogen from septic and cesspools has led to the degradation in the local water quality, and has harmed groundwater, drinking water, wetlands and surface waters throughout the County; and

WHEREAS, the Sewer Infrastructure Committee evaluated and unanimously approved the Meschutt County Park Wastewater Upgrade request for \$300,000 at its August 26, 2015 meeting for advanced nitrogen removal wastewater treatment; and

WHEREAS, the Suffolk County Legislature approved the appropriation of the \$300,000 within Resolution Nos.847-2015, with \$250,000 of those funds being appropriated for construction of the physical system; and

WHEREAS, the Department of Public Works developed plans, specifications and construction documents, receiving bids on March 21, 2016 with the goal of completing construction of the new facilities by Memorial Day Weekend of this year; and

WHEREAS, there are insufficient funds within the project to award the construction; and

WHEREAS, the Commissioner of Public Works has requested additional funds necessary to proceed with awarding the contract and starting construction in connection with this project; and

WHEREAS, the Sewer Infrastructure Committee evaluated and unanimously approved the Meschutt County Park Wastewater Upgrade request for the additional \$78,000 at its March 10, 2016 meeting for advanced nitrogen removal wastewater treatment; and

WHEREAS, the recommended project constitutes a permitted use of Sewer Infrastructure Program funds pursuant to Local Law No. 31-2014; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established a priority ranking system, implemented in the 2015 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are insufficient funds available in the 2015 Capital Budget and Program; and

WHEREAS, there are sufficient funds available within Fund 406 to support the appropriation of the recommended project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that sufficient funds exist within Fund 406 Sewer Infrastructure Program Fund component to cover the cost of the County's share for these projects; and be it further

3rd RESOLVED, that the Adopted 2015 Capital Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 406 Sewer Infrastructure Program Fund as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	406	E525	9600	Transfer to Capital Fund 525	\$78,000

and be it further

4th RESOLVED, that the inter-fund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R406	E525	Transfer from Fund 406	\$78,000

and be it further

5th RESOLVED, that the 2015 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8720

Project Title: Meschutt County Park Wastewater Upgrade

	<u>Total Est'd Cost</u>	<u>Current 2016 Capital Budget & Program</u>	<u>Revised 2016 Capital Budget & Program</u>
1. Planning	\$50,000	\$50,000 (406)	\$50,000 (406)
3. Construction	<u>\$328,000</u>	<u>\$250,000</u> (406)	<u>\$328,000</u> (406)
TOTAL	\$378,000	\$0	\$378,000

and be it further

6th **RESOLVED**, that the inter-fund revenues in the amount of \$78,000 be and hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8720.310	50	Meschutt County Park Wastewater Treatment Upgrades	\$78,000

and be it further

7th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (C) (18), (20), (21), and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. -2016, TRANSFERRING FUNDS FROM ASSESSMENT STABILIZATION RESERVE FUND, AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR MESCHUTT COUNTY PARK WASTEWATER UPGRADE (CP 8720)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
ASSESSMENT STABILIZATION RESERVE FUNDS (SEWER INFRASTRUCTURE PROGRAM FUND 406) IN THE AMOUNT OF \$20,000 WILL BE TRANSFERRED INTO CAPITAL FUND 525 FOR THE PURPOSE OF IMPLEMENTING THIS PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Assessment Stabilization Reserve Fund 406-\$78,000-(2016)		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Executive Analyst		March 21, 2016

**FINANCIAL IMPACT
2016 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

COMBINED

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2015.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2015-2016.
- 3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**2016 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL:

**TRANSFERRING FUNDS FROM ASSESSMENT STABILIZATION RESERVE FUND,
AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO
PROVIDE FUNDING FOR CP 8720**

PURPOSE OR GENERAL IDEA OF BILL”

To further the County Executives initiative for reduction of nitrogen pollution.

SUMMARY OF SPECIFIC REVISIONS:

Transferring funds from Assessment Stabilization Reserve Fund to Capital Budget and Program.

JUSTIFICATION:

Insufficient funds available to complete the Project

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

DARNELL TYSON, P.E.
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner 

DATE: March 18, 2016

RE: TRANSFERRING FUNDS FROM ASSESSMENT STABILIZATION RESERVE FUND, AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR CP8720

Attached for your review is a Draft Resolution Amending the 2016 Capital Budget and Program to transfer funds from Assessment Stabilization Reserve Fund to Capital Program 8720, Meschutt County Park Wastewater Treatment upgrades. The initial budget of \$300,000 (\$50,000 Planning, \$250,000 construction) appropriated by Resolution No. 847-2015 was insufficient to award the Construction Contract and Contingency Fund. Bids were received on March 8, 2015 with the low bid being \$298,000 for the construction of the wastewater treatment system. We are therefore requesting \$78,000 in addition construction funds to award the contract and have ample contingency funds.

This action is considered a Type II action under SEQRA.

An email copy of this resolution has been sent to CE RESO Review Reso-DPW-CP8720-Meschutt.doc.

G/MM/bd

Attachments

Cc: Michael Monaghan, P.E., Chief Engineer
CE RESO Review (email)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail
- (3) Attach all pertinent backup material.

Submitting Department (Dept. Name & Location): Suffolk County Dept. of Public Works 335 Yaphank Ave. Yaphank	Department Contact Person (Name & Phone No.): Gilbert Anderson, P.E., Commissioner
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Suggestion Involves:

Technical Amendment <u> X </u>	New Program _____ Contract _____
Grant Award _____	New _____ Rev. _____ Other _____

Summary of Problem: (Explanation of why this legislation is needed.)

TRANSFERRING FUNDS FROM ASSESSMENT STABILIZATION RESERVE FUND, AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR CP 8720

Proposed Changes in Present Statute: (Please specify section when possible.)

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PLEASE FILL IN REVERSE SIDE OF FORM