

STATE OF ALASKA

**DEPARTMENT OF MILITARY
AND VETERANS AFFAIRS**
*DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT*

SARAH PALIN, GOVERNOR

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July 17, 2009

The Honorable David R. Carey, Mayor
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, AK 99669

RE: 2010 Local Emergency Planning Committee Grant
Agreement Number: 10LEPC-AR35253

Dear Mayor Carey:

The Division of Homeland Security and Emergency Management (DHS&EM) has received funds from the State of Alaska to support Local Emergency Planning Committee (LEPC) activities.

The State Emergency Response Commission (SERC) Finance Committee approved the State Fiscal Year (SFY) 2010 Baseline award of \$25,225.00 for the Kenai Peninsula Borough LEPC. The SERC Finance Committee will periodically examine all LEPC budget executions during the fiscal year. An LEPC which fails to submit timely reports, execute its budget, attend the bi-annual Local Emergency Planning Committee Association (LEPCA) meeting, or is found otherwise non-compliant with the award agreement risks losing part or the entire award. The SERC Finance Committee may reallocate funds from under-spent LEPC budgets or non-compliant LEPCs to meet other non-funded LEPC/SERC program requests.

Eligible expenditures include:

- **Support Services:** Personnel costs associated with LEPC administration and support services, postage, telephone, service charges (banking and phone), copying, advertising, etc.
- **Supplies:** Paper, toner cartridges, miscellaneous office supplies, etc.
- **Capital Purchases:** Purchase of computers, copy machines, or any item with a value of \$1,000.00 or more necessary to carry out LEPC responsibilities. *(Capital item purchases must follow local procurement procedures. If no local procurement procedures are in place you must follow State of Alaska procurement procedures. Capital item purchases currently in use must be inventoried on a yearly basis. Inventory reports must be submitted to DHS&EM by January 20 of each fiscal year.)*
- **Pre-Approved Travel Costs:** Associated with attending bi-annual LEPCA or SERC meetings, or with conducting a yearly face-to-face meeting of LEPC.
- **Contractual:** LEPC coordinator services, LEPC space rental, service agreements for equipment, vendor contracts for hazard analysis, plan writing, etc. *(Copies of current contracts must be provided at the beginning of each fiscal year or upon agreement and must contain all required local and State contracting and procurement language. Please see Ethics Act for conflicts of interest with contracts.)*

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Mayor Carey
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- **Outreach:** Media campaigns, public service announcements, camera-ready materials, website support, newsletters, outreach activities and public events: booth displays; event backdrops or signs; displays and demonstrations; and informational materials such as brochures/flyers, etc.
- **Promotional:** Promotional materials: pins, patches, magnets, clothing/headwear. All materials must include the LEPC name, and if applicable, the logo, tagline, and website. *(Expenditures for promotional items must not exceed 20 percent of the total LEPC allocation.)*

Additional guidance on eligible LEPC activities is available in the *SFY 2010 Baseline Grant Application and Grant Guidelines for LEPCs* available on DHS&EM's website, <http://www.ak-prepared.com/grants>.

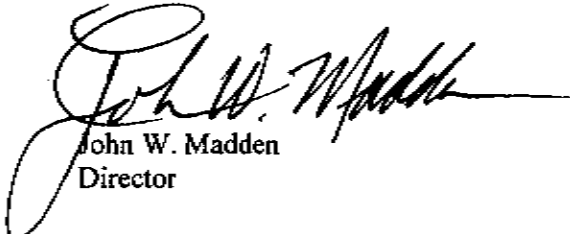
Two pre-signed SFY 2010 LEPC Obligating Award Documents and attachments are enclosed. Please review the information for accuracy and sign the obligating documents, keep one original for your records, and return the other original within 30 days to:

State of Alaska DHS&EM
State Administrative Agency Point of Contact
P.O. Box 5750
Fort Richardson, AK 99505

If the Obligating Award Document cannot be returned within 30 days due to local jurisdiction policies, a Notice of Intent to Accept Grant Award form may be requested. If needed, Electronic Payment (EDI) enrollment forms are also available upon request.

The DHS&EM Project Manager for this grant, Adrian Avey, may be contacted directly at 907-428-7027, toll-free at 800-478-2337, or by email at adrian.avey@alaska.gov if you have questions or need further assistance.

Sincerely,



John W. Madden
Director

jwm:ama:jms

Enclosures: Obligating Award Document (2 copies)
LEPC Point of Contact Form

CC: Billy W. Harris, LEPC Chair
Scott Walden, Jurisdiction Project Manager
Craig C. Chapman, Jurisdiction Chief Financial Officer

The total allocation of the 2010 Local Emergency Planning Committee Grant awarded to the Division of Homeland Security and Emergency Management (DHS&EM) under the oversight of the State Emergency Response Commission (SERC) is \$300,000.00 under Agreement # 10LEPC-AR35253. The Kenai Peninsula Borough has been awarded \$25,225.00 in Baseline funding for the Kenai Peninsula Borough Local Emergency Planning Committee (LEPC) which shall be used to support activities essential to Local Emergency Planning Committee (LEPC) activities envisioned by SARA Title III, to assist LEPCs in accomplishing their Federal and State obligations under 42 USC 11001 et seq. and AS 26.23. The performance period of this award ends on June 30, 2010. Project deliverables must be completed by this date. Final Narrative and Financial reports and documentation are required by July 31, 2010 for grant closeout. The local jurisdiction entity must agree to accept and administer the funds on behalf of the LEPC. All LEPC's and political subdivisions, as applicable, will be required to comply with the standard terms and requirements detailed in this grant award agreement.

Reporting Requirements: The Kenai Peninsula Borough shall submit timely quarterly *Narrative and Financial Reports* to the Project Manager at DHS&EM. The most current forms are available online at <http://www.ak-prepared.com/grants> and may be reproduced. Quarterly reports are due:

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Q1	July 1 – September 30	Report due October 20
Q2	October 1 – December 31	Report due January 20 <i>Inventory Report Due</i>
Q3	January 1 – March 31	Report due April 20
Q4	April 1 – June 30	<i>Final Report due July 31, 2010</i>

Narrative reports shall compare actual accomplishments to the objectives established for the reporting period. Include any significant events or activities. *Financial* reports shall show receipts of program income and cash or in-kind contributions to the project.

Reimbursements: Submit on the *Financial Report*. Reimbursement shall be based upon authorized and allowable expenditures consistent with project narrative and grant guidelines, and submission of timely quarterly reports and LEPC meeting minutes. Reimbursements may be withheld pending correction of deficiencies. Expenditures must be supported with source documentation (e.g. copies of invoices, receipts, etc.). Payroll reports signed and certified by the chief financial officer that capture the employee name, position, coded allocation to the project, amount paid, are acceptable or the submission of timesheets with name/wage/hours and cost allocation identified and copies of the corresponding pay warrants. Staff may not self-certify their own time and wages. The Kenai Peninsula Borough shall retain all supporting payroll records, including time and attendance records signed by the employee and supervisor and copies of warrants.

Contracts: Copies of all contracts for services shall be submitted to DHS&EM. Contract deliverables must meet the intent of the grant application and grant requirements. Any contract entered into during this grant period shall comply with local and State government contracting regulations. Contracts for professional and consultant services must include local and State government required contract language and require submission to DHS&EM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the market place. Detailed invoices and time and effort reports are required for consultants and must be authorized by the Chief Financial Officer.

Equipment Management: The Kenai Peninsula Borough shall maintain an effective property management system; safeguards to prevent loss, damage or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. **A Property Inventory Report is available at www.ak-prepared.com/grants.htm shall be submitted to DHS&EM annually each January 20 with the Financial Progress Report** during the performance period, and continued submission is required annually until final disposition of the equipment.

Pre-Approved Travel: All travel must be pre-approved by DHS&EM. LEPC travel is limited to additional, non-DHS&EM funded, LEPC members to attend Local Emergency Planning Committee Association (LEPCA) and/ or SERC meetings. Other LEPC-related travel may be considered on a case-by-case basis when the benefit to the LEPC and its mission is demonstrated in writing prior to the travel.

Penalty for Non-Compliance: For the reasons listed below, reimbursements may be partially or wholly withheld, or the award may be wholly or partly suspended, or terminated. The SERC and DHS&EM shall notify the Kenai Peninsula Borough and the Kenai Peninsula Borough LEPC of its decision in writing. The Kenai Peninsula Borough must respond within 5 days of receipt of notification.

- Unwillingness or inability to attain project goals
- Unwillingness or inability to adhere to Special Conditions listed in Block 10, if applicable
- Inability to adhere to grant guidelines and compliance requirements
- Improper procedures regarding contracts and procurements
- Inability to submit reliable and/or timely reports

Sub-recipient Monitoring Policy: The SERC and DHS&EM reserve the right to periodically monitor the Kenai Peninsula Borough financial policies and procedures, records, systems, means of allocating and tracking costs, maintenance of current financial data, procurement policies and records, payroll records and means of allocating staff costs, property/equipment management system(s), program operations, and other concerns relative to this award. This may include desk and field audits. Technical assistance is available from DHS&EM staff. **Monitoring Policy available online at <http://www.ak-prepared.com/grants>.**

Changes to Award: All change requests accompanied by a narrative justification must be submitted in writing or electronically to the DHS&EM Project Manager for review and approval. Changes must be consistent with the scope of the project and grant guidelines. Revisions to the Baseline funding, or changes in key persons specified in the grant award, will result in an amendment to this award.

Non-reimbursable Expenses: Food and beverage items, response equipment, hotel incidentals, all travel expenses when not pre-approved, travel-related change fees when the traveler alters their travel without approval from the DHS&EM Project Manager, promotional items not related to promotion of the LEPC and its Baseline goals, activities that do not relate to reviewing plans, evaluating the need for training and resources to develop, implement, or exercise all-hazard plans, activities not related to better informing the public and first responders of awareness of community hazards and preparedness activities. Indirect costs are not allowable under this grant.

We, the Signatory Officials, do hereby assure and certify:

The performance period for this grant award is July 01, 2009 through June 30, 2010. Monies may not be obligated outside of this time period.

Each LEPC member must comply with the State Emergency Response Commission (SERC) Policies and Procedures Manual, Section II.c.1 and AS 39.52 regarding the Alaska Ethics Act.

Representative attendance is required at bi-annual Local Emergency Planning Committee Association (LEPCA) meeting.

LEPC meeting minutes for all meetings held within a quarter must be included with quarterly reports.

Financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project.

Any contract entered into during this grant period shall comply with local and state government contracting and licensing regulations.

Records shall be maintained for a period of three (3) years following the date of the closure of the grant award, or audit if required.

Single Audit: The LEPC will have an audit performed in accordance with 2 AAC 45.010 and/or be subject to State Audit. Each LEPC or subcontractor is required to provide auditors or State agents reasonable access to books, documents, papers and records of the LEPC or subcontractor. Copies of audit findings must be submitted to DHS&EM within 30 days after the audit report is received, or within a nine (9) month period of the annual closeout period, whichever is earlier, in accordance with 2 AAC 45.010.

We have reviewed the State of Alaska *Ethics Information for Members of Boards and Commissions* (available online at <http://www.ak-prepared.com/grants.htm>), and AS 39.52 and acknowledge compliance.

Procurement shall comply with local procurement policies and procedures, and conform to applicable State law and regulations. Procurement transactions shall be conducted to provide maximum open and free competition.

Compliance with statutory responsibilities established by Federal law 42 USC 11001-11005 and State law AS 26.23.073 including:

- (1) Establish procedures for receiving and processing requests for information under the Community Right-to-Know Act
- (2) Appoint a chair and establish rules for functioning
- (3) Prepare and annually review an Emergency Plan in accordance with 11 USC 11003 (referencing hazardous substances)
- (4) Evaluate resources needed to develop, implement and exercise the Emergency Plan, submitting recommendations to political subdivisions in the Local Emergency Planning District (LEPD) regarding resource needs
- (5) Make recommendations to other agencies and entities about the preparation of local, State and inter-jurisdictional plans
- (6) Serve as an advisory committee to the political subdivisions or the Inter-jurisdictional planning and service area, to evaluate the need for resources necessary to develop, implement, and exercise the emergency plan, and submit recommendations to the political subdivisions in the LEPD with respect to the resources that may be required and the means for providing the resources
- (7) Enter into a cooperative relationship with the political subdivisions in the LEPD served by the LEPC to enhance emergency preparedness and response, ensure planning efforts are not duplicated, and requiring the political subdivision to administer LEPC grant funds.

LEPC Chairperson's Signature

Chief Financial Officer's Signature

Signatory Official's Signature