

RESOLUTION NO. 30-2007

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, APPROVING AND AUTHORIZING SUBMISSION OF A REQUEST FOR GRANT FUNDING UNDER THE FEDERAL STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) PROGRAM.

WHEREAS, the federal government has grant funding for its SAFER program available to emergency fire rescue entities to assist them with increasing staffing levels; and

WHEREAS, the City of Benson ("the City") wishes to apply for the grant funding; and

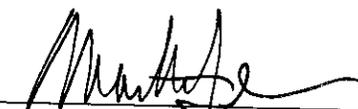
WHEREAS, staff has prepared an application to receive grant funding, attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Mayor and Council of the City has reviewed the application and the terms of the SAFER grant program and finds that submitting the application and participating in the SAFER grant program are in the best interests of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Benson that the City submit the application for grant funding under the SAFER program.

BE IT FURTHER RESOLVED that the City will comply with the terms and conditions of the SAFER program if awarded grant funding.

PASSED AND ADOPTED by the Mayor and Council of the City of Benson, Arizona, this 27th day of August, 2007.


MARK M. FENN, Mayor

ATTEST:


Vicki L. Vivian
City Clerk

APPROVED AS TO FORM:

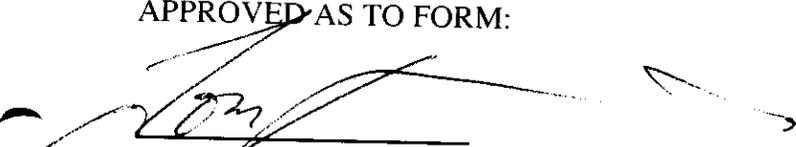

Thomas Benavidez
Interim City Attorney

EXHIBIT A
[SAFER Grant Application]

Overview

Are you a member, or are you currently involved in the management of the fire department or organization applying for this grant with this application?

Yes, I am a member/officer of this applicant

If you answered No, please **complete** the information below and press the *Save and Continue* button. **If you answered Yes**, please do **not** complete the information requested below and press the *Save and Continue* button.

Note: If you answered **No** to the above question, the fields marked with an * are required.

Preparer Information

* Preparer's Name	Keith Spangler
* Address 1	PO Box 1519
Address 2	
* City	Benson
* State	Arizona
* Zip	85602 - 1519
* Is there a grant-writing fee associated with the preparation of this request?	No
If you answered yes above, what is the fee?	\$

Contact Information

Alternate Contact Information Number 1

* Title	Chief
Prefix	N/A
* First Name	Keith
Middle Initial	J
* Last Name	Spangler
* Business Phone	(520) 586-9832 Ext.
* Home Phone	(520) 586-4496 Ext.
Mobile Phone/Pager	(520) 265-0032
Fax	(520) 586-3375
* E-mail	chief_bfd@cox.net

Alternate Contact Information Number 2

* Title	Deputy Chief
Prefix	N/A
* First Name	Jason
Middle Initial	R
* Last Name	Taylor
* Business Phone	(520) 586-9832 Ext.
* Home Phone	(520) 586-8850 Ext.
Mobile Phone/Pager	(520) 265-0049
Fax	(520) 586-3375
* E-mail	deputychief@benssonfire.com

Applicant Information

* Organization Name **Benson Volunteer Fire Department**

* What kind of organization do you represent? **Combination (Majority Volunteer)**

If you answered combination, above, what is the percentage of career members in your organization? **3 %**

* Type of Jurisdiction Served **City**

If other, please enter the type of Jurisdiction

* Employer Identification Number **86-6000234**

* Are you sharing an EIN with another organization? **No**

If yes, please enter the name of the entity with whom you share an EIN

* Does your organization have a DUNS Number? **Yes**

If yes, please enter the DUNS Number **144004418**

Headquarters Physical Address

* Physical Address 1 **375 East 7th Street**

Physical Address 2

* City **Benson**

* State **Arizona**

* Zip **85602 - 6633**
Need help for ZIP+4?

Mailing Address

* Mailing Address 1 **P.O. Box 2223**

Mailing Address 2

* City **Benson**

* State **Arizona**

* Zip **85602 - 2223**
Need help for ZIP+4?

Account Information

* Type of bank account **Checking**

* Bank routing number - 9 digit number on the bottom left hand corner of your check **122105320**

* Your account number **6808286629**

Additional Information

* For this fiscal year (Federal) is your jurisdiction receiving Federal funding from any other grant program that may duplicate the purpose and/or scope of this grant request? **No**

* If awarded this grant, will your jurisdiction expend greater than \$500,000 in Federal share funds during the Federal fiscal year in which the grant was awarded? **No**

* Is the applicant delinquent on any federal debt? **No**

If you answered yes to any of the additional questions above, please provide an explanation in the space provided below:

Applicant Characteristics (Part I)

- * Are you a member of a Fire Department or authorized representative of a fire department? Yes
- * Are you a member of a Federal Fire Department or contracted by the Federal government and solely responsible for suppression of fires on Federal property? No
- * Does your organization protect critical infrastructure of the state? No
- * Please indicate the type of community your organization serves. Rural
- * How many commercial, industrial, residential, or institutional structures in your jurisdiction are more than four stories tall? 0
- * What is the permanent resident population of your Primary/First-Due Response Area or jurisdiction served? 4711
- * Please indicate if your department has an automatic/mutual aid agreement with another community or fire department and the type of agreement that exists. Both automatic and mutual aid

The goal is for SAFER grantees to enhance their ability to attain 24-hour staffing, thus assuring their communities have adequate protection from fire and fire-related hazards. The following questions are designed to help us understand the changes that will occur in departments receiving grants.

- * At the time of application, how many authorized and funded active, full-time uniformed career positions are in your department? 1
- * Of those career positions indicated in the field above, how many of those serve in officer-level (both command and company) positions? 1
- * Of those career positions indicated in the first field above (total number of authorized and funded positions), how many are assigned to field or response apparatus positions that directly support NFPA 1710 (Section 5.2.4.2 - Initial Full Alarm Assignment Capability) or NFPA 1720 (Section 4.3 - Staffing and Deployment) compliance? 1

Note: For more information regarding these standards
[Click here](#)

- * At the time of application, how many active volunteer firefighters are in your department? 35
- * If awarded this grant, how many authorized and funded active, full-time uniformed career positions will be in your department? 4
- * If awarded this grant, how many active volunteer firefighters will be in your department? 35
- * How many stations are in your organization? 1
- * Do you currently report to the National Fire Incident Reporting System (NFIRS)? Yes

Applicant Characteristics (Part II)

	2006	2005	2004
* What is the total number of fire-related civilian fatalities in your jurisdiction over the last three years?	0	0	0
* What is the total number of fire-related civilian injuries in your jurisdiction over the last three years?	0	0	0
* What is the total number of line of duty member fatalities in your jurisdiction over the last three years?	0	0	0
* What is the total number of line of duty member injuries in your jurisdiction over the last three years?	0	1	5
* What is your department's operating budget (including personnel costs) for your current fiscal year and what was your budget for the last three fiscal years?	386611 250337 249342 171450		
* What percentage of your annual operating budget is derived from: Enter numbers only, percentages must sum up to 100%			
Taxes?	79 %		
Grants?	21 %		
Donations?	0 %		
Fund drives?	0 %		
Fee for Service?	0 %		
Other?	0 %		
If you entered a value into Other field (other than 0), please explain			

Department Call Volume

* How many responses per year by category? (Enter whole numbers only; If you have no calls for any of the categories, enter 0)

	2006	2005	2004
Structural Fires	10	10	9
Vehicle Fires	33	13	22
Vegetation Fires	32	30	31
EMS	0	0	0
Rescue	6	10	12
Hazardous Condition/Materials Calls	30	30	44
Service Calls	0	0	0
Good Intent Calls	0	0	0
False Alarms	58	71	20
Other Calls and Incidents	45	51	42

* Please indicate the number of times your department provides or receives mutual aid. Do not include first-due responses claimed above.

In an average year, how many times does your organization receive mutual/automatic aid? 10

In an average year, how many times does your organization provide mutual/automatic aid? 8

Request Details

The activities for your organization are listed in the table below.

Activity	Number of Entries	Action
Hiring Firefighters	1	View Details
Recruitment and Retention of Volunteer Firefighters	0	View Details

Request Details

		Activity			Action
Hiring Firefighters		Base Salary	Average Cost of Benefits	Annual Projected Increase	View Details
Number of firefighters	3	\$42,167	35%	8%	Action View Details

Budget**Budget Matrix**

	First 12-Month Period	Second 12-Month Period	Third 12-Month Period	Fourth 12-Month Period	Fifth 12-Month Period	Total
Personnel	126,501	136,621	147,551	159,355	172,103	742,131
Fringe Benefits	44,275	47,817	51,643	55,774	60,236	259,745
Travel	0	0	0	0	0	0
Equipment	0	0	0	0	0	0
Supplies	0	0	0	0	0	0
Contractual	0	0	0	0	0	0
Other	0	0	0	0	0	0
Indirect Charges	0	0	0	0	0	0
Federal Share	113,850	101,190	63,240	37,995	0	316,275
Applicant Share	56,926	83,248	135,954	177,134	232,339	685,601
Total:	170,776	184,438	199,194	215,129	232,339	1,001,876

Overview

Situated in West, Central Cochise County, Benson is an important transportation hub as well as an agricultural service center. The city is bisected by Interstate 10 and the Union Pacific Railroad. The city also serves as the terminus for State Highways 80 and 90, which are primary access routes to Sierra Vista, Tombstone, Bisbee and Douglas, as well as the International border between the United States and Mexico. Benson also serves as a shopping hub for many of the small communities of Cochise County, such as Pomerene, St. David, Mescal and many others.

The incorporated city limits of Benson are 42 square miles, with a residential population of approximately 4700. During the winter months the population nearly doubles due to the winter visitors.

In recent years, the City of Benson has seen a dramatic increase in the amount of building permits issued, due primarily to several new housing developments. In 2005 the city issued four new commercial permits and five single family residential permits. In 2006 the city issued eight new commercial permits and one hundred and four single family residential permits. This year, the city has issued two new commercial permits and eighteen single family residential permits. The projected increase of new businesses and single family residences shows no likelihood of slowing down.

The Benson Fire Department was established in 1907, and until this year, was strictly a volunteer department. This June, the City Council hired a full time Chief to begin the transition to a combination full time / volunteer department. Although Benson Fire is slotted for 35 volunteers and has many qualified personnel, the availability of firefighters to respond during normal business hours has become a top concern for Benson Fire. This is primarily due to the fact that the majority of firefighters have work schedules that prohibit their response to calls during the weekdays. In compliance with NFPA standards 1710 and 1720, Benson Fire does not respond without a minimum staffing of four personnel on an engine company. However, due to the sometimes limited number of available volunteers, response times can be significantly increased while waiting for additional volunteers and/or mutual aid from the surrounding areas. In the event that an engine company responds with less than the required personnel, no interior operations are performed, increasing the possibility of injuries, loss of life and property damage.

The Benson Fire Department has Mutual Aid agreements with St. David Fire District, Pomerene Fire District and Mescal Fire Department, all of which are volunteer departments. Each of these departments rely on each other for assistance on calls when there is low turnout by the volunteers or when the incident has the potential for exhausting the resources and manpower of the responding department.

Risk Assessment

The City of Benson is committed to providing its citizens with the best possible fire protection, which would include requiring compliance with NFPA 1710 and 1720, as well as the Occupational Safety and Health Administrations standards, which require a response time of four minutes. Benson Fire Department's average response time is 5 minuets from the time of the page to when the first engine company is Enroute, an average of 4 minuets until the Engine Company arrives on scene and the average time from page to on scene is 10 minuets, not including the time it takes to gather the information and page out the assignment. Benson Fire Department's current response time average does not fall within the standard of 1710. However, the City Council's first step in achieving this standard was to begin the process of providing adequate coverage by hiring a full time Chief. In order to follow thru with this first step, a four-person Engine Company would need to be staffed. OSHA stresses the need for the minimum staffing level of a four-person engine crew because firefighting is a high risk occupation with a vary narrow window of survivability for those who become disoriented or injured on the job. If this staffing were in place, response times would be dramatically reduced, possibly leading to a lower potential for injury and death, as well as loss of property. Although the Benson Fire Department has been very fortunate to never have experienced a line-of-duty death in its history, the Fire Department has had several close calls. These close calls were primarily due to fires burning unchecked for an extended period of time, a direct result of extended response times.

The addition of three full time firefighters will enhance the safety and welfare of the department members and reduce the response times for the first-due unit. This will greatly improve the ability of the department to provide adequate fire protection to the citizens of Benson. The importance of this service should not be taken lightly, because the first few minutes of action or inaction can critically impact the overall outcome of the situation. A full four person first due Engine Company allows Fire fighters to avoid issues that occur due to allowing the fire to burn unchecked, such as room and contents fire moving to a fully involved structure and exposure problems. Inadequate staffing can also affect the firefighters because they are not given the proper work /rest cycle and this leads to injuries.

Financial Need

The city of Benson receives its revenue from taxes. The residents of Benson are in the middle to lower class income brackets with many of them being retired or on a fixed income. A tax increase to provide the adequate staffing needs by the Benson Fire Department will have a significant impact on the residents of Benson and will make it more difficult for the citizens to make ends meet. This makes a tax increase extremely difficult to achieve at this time. Federal funding is needed

to bring the fire department up to standard while waiting for the sales tax and new construction property taxes to come in to the city.

The city is growing and is expected to continue at a rapid growth rate for the next ten years. With this rapid growth rate more pressure will be put on existing emergency services making it more difficult to comply with NFPA and OSHA standards. The SAFER Grant Program would enable the Benson Fire Department to ease the burden on programs and services and catch up to the growth and demand for services. The SAFER Grant Program could also create a unique opportunity for the City of Benson to provide its citizens with adequate fire protection, while easing the burden on an exhausted budget. The phase in approach of the SAFER Grant Program will provide funding for needed staffing until revenues from commercial and residential developers becomes available.

Recruitment Policy

The City of Benson maintains a policy of non-discrimination with regard to all employees and applicants for employment. The City firmly believes in Equal Opportunity and Affirmative action. The City will strive to build and maintain a diverse work place that reflects the community it serves. The City of Benson has committed to ensure that discrimination of any employee or applicant based on race, color, religion, ancestry, sex, age, disability, national origin, sexual preference or marital status will not be tolerated and only the most qualified applicants are selected. Our emphasis on recruitment for the SAFER Grant will be from qualified members of the department and to seek recruits from the local colleges and surrounding communities. We are currently actively recruiting qualified women and minorities to actively participate in our program.

Action Plan

If awarded the SAFER Grant, Benson Fire Department's goal would be to increase the staffing levels of firefighters in order to provide adequate fire protection for the community. The City of Benson appreciates this unique opportunity to serve its citizens, and is committed to its firefighters. The City of Benson believes it will be capable of retaining the three firefighters funded by the SAFER Grant following the termination of federal funding at the end of five years. This would be a transition period for the City of Benson and the Benson Fire Department to be able to address its immediate staffing needs while preparing the foundation for a full-time, twenty-four hour department.

The prerequisites for the three firefighter positions funded by the SAFER Grant would be Firefighter I and II Certification and EMT-Basic Certification. This would ensure only qualified personnel are applying for the positions, thus decreasing the time required for testing interested individuals.

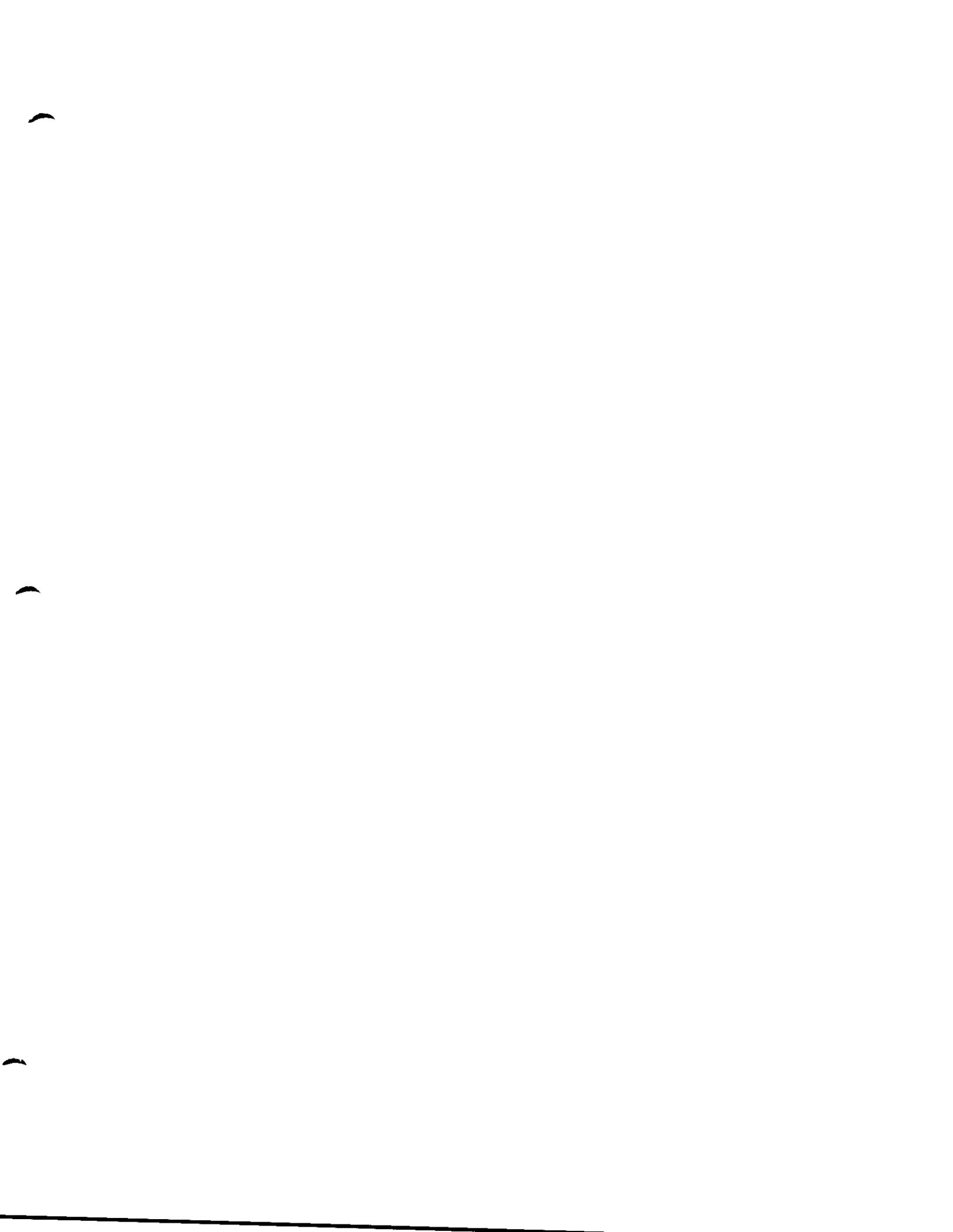
The applicants will be given a written exam on basic firefighting and emergency medicine, followed by a physical fitness assessment and oral board review. Job offers will be made to the candidates who remain following the exams. Once an offer has been accepted, a fit-for-duty physical exam will be completed by a physician following NFPA standards and a Hepatitis A and B vaccine will be offered. The recruits will attend a week long orientation to become familiar with the City of Benson policies as well as Benson Fire's policies and operations. The recruits will complete a one year probationary period.

The Benson Fire Department was created one hundred years ago with the premise of volunteering to serve the community in which you live, and continues to be an advocate of volunteer service. The Benson Fire Department will support any member or employee who lives outside of the City of Benson volunteering to give back to that community. The Benson Fire Department will continue to maintain its community service programs, as well as fostering new ones in the future. Benson Fire currently has a car seat program sponsored in part by the Governors Office of Highway Safety and the Local EMS Company. The Benson Fire Department hopes to start First Aid and CPR classes for the community, as well as a bicycle helmet program and Juvenile Fire Setters program. If awarded the SAFER Grant, the Benson Fire Department will be able to also focus more time on fire prevention, providing the community and schools with year-round information, rather than just the annual visit to Benson's schools.

Summary

The City of Benson is currently on the leading edge of a rapid growth phase. With this growth will come an increase in demand for fire and emergency services. In response to this growth, the City of Benson and the Benson Fire Department are working proactively to meet the increasing demand by looking for funding resources such as the SAFER grant to provide the staffing needed without placing a larger tax burden on its citizens at this time. If awarded the SAFER Grant, the City of Benson and the Benson Fire Department will be able to meet the changing needs of the city during its transition phase and comply with the staffing requirements of NFPA 1710.

Without the SAFER Grant, the Benson Fire Department is challenged to meet the staffing requirements for daytime response, thus putting not only the citizens of Benson at risk, but the firefighters as well. The SAFER Grant will enable the City of Benson and the Benson Fire Department to enhance emergency services, reducing the loss of life and property and creating a safer community for the citizens of Benson and the firefighters who protect the community.



Form 20-16C

You must read and sign these assurances by providing your password and checking the box at the bottom of this page.

Note: Fields marked with an * are required.

Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements.

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 44 CFR Part 17, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Homeland Security (DHS) determines to award the covered transaction, grant, or cooperative agreement.

1. Lobbying

A. As required by the section 1352, Title 31 of the US Code, and implemented at 44 CFR Part 18 for persons (entering) into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting 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 the making of any Federal grant, the entering into of any cooperative agreement and extension, continuation, renewal amendment or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting 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 this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all the sub awards at all tiers (including sub grants, contracts under grants and cooperative agreements and sub contract(s)) and that all sub recipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

A. As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A, the applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.

(b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity

(Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

4000 characters left

3. Drug-Free Workplace (Grantees other than individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR part 17, Sections 17.615 and 17.620:

(A) The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement; and
- (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable awarding office.

(f) Taking one of the following actions, against such an employee, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse

assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance

Street	City	State	Zip	Action
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Add Place of Performance

If your place of performance is different from the physical address provided by you in the Applicant Information, press *Add Place of Performance* button above to ensure that the correct place of performance has been specified. You can add multiple addresses by repeating this process multiple times.

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for DHS funding. States and State agencies may elect to use a Statewide certification.

By checking the box below and providing your password, you are providing your digital signature.

* Password:

* I, Jerry Fink, am hereby providing my signature for this application as of 24-Aug-2007.

Go Back

Save and Continue

FEMA Standard Form LLL

Only complete if applying for a grant for more than \$100,000 and have lobbying activities. See Form 20-16C for lobbying activities definition.

If this lobbying form is not applicable, check "This form is not Applicable." and include this page with your application submission

This form is not applicable

Save and Continue

You must read and sign these assurances by providing your password and checking the box at the bottom of this page.

Note: Fields marked with an * are required.

Standard Form LLL: Disclosure of Lobbying Activities

- 1. * Type of Federal Action Cooperative Agreement
- 2. * Status of Federal Action Bid/Offer/Application
- 3. * Report Type Initial filing Material Change

This subsection is for Material Change only

Year 2007

Quarter 1

Date of last report: (e.g. 03/24/1999)

4. * Name and Address of Reporting Entity:

*Reporting Entity Type Prime Subawardee

Tier (if known)

*Name

*Street

*City

*State Select a State

*Zip - (e.g. 12345-6789)

Need help for ZIP+4?

5. If Reporting Entity in No.4 is a Subawardee, enter name and address of Prime:

Name

Street

City

State Select a State

Zip (e.g. 12345-6789)

Need help for ZIP+4?

6. * Federal Department/Agency

7. * Federal Program Name/Description

8. Federal Action Number if known: (e.g. 12345)

9. Award Amount if known: \$ (whole dollar amounts only)

10a. Name and address of Lobbying Registrant: (if individual, Last Name, First Name, MI)

Name

Street

City

State Select a State

Zip - (e.g. 12345-6789)

Need help for ZIP+4?

10b. Individuals Performing Services: (include address if different from No.10a) (Last Name, First Name, MI)

Name

Street

City

State Select a State

Zip (e.g. 12345-6789)

Need help for ZIP+4?

Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By checking the box below and providing your password, you are providing your digital signature.

* Password:

* I, Jerry Fink, am hereby providing my signature for this application as of 24-Aug-2007.

Go Back

Save and Continue

Form 20-16A

You must read and sign these assurances by providing your password and checking the box at the bottom of this page.

Note: Fields marked with an * are required.

Assurances Non-Construction Programs

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in

- purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
 9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a- 7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for Federally assisted construction sub agreements.
 10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
 11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
 12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
 14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
 15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
 16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
 17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
 18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.
 19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

By checking the box below and providing your password, you are providing your digital signature.

* Password:

* I, Jerry Fink, am hereby providing my signature for this application as of 24-Aug-2007.

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