

**MODIFICATION #1 TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
CITY OF ORLANDO**

This Modification is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and City of Orlando ("Recipient"), to modify Contract Number **14-DS-L5-06-58-01-375**, which began on January 22, 2014 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to Recipient under the State Homeland Security Grant program of **\$56,000.00**;

WHEREAS, the Division and the Recipient desire to modify the Agreement; and,

WHEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Budget Attachment A to the Agreement is hereby modified as set forth in 1st Revised Attachment A to this Modification, which is attached hereto and incorporated herein by reference.
2. The Deliverables, Attachment C to the Agreement, is hereby modified as set forth in 1st Revised Attachment C to this Modification, which is attached hereto and incorporated herein by reference
3. Paragraph 11 of the Agreement is hereby amended to read as follows:

(11) REMEDIES

If an Event of Default occurs, then the Division shall, after thirty calendar days written notice to the Recipient and upon the Recipient's failure to cure within those thirty days, exercise any one or more of the following remedies, either concurrently or consecutively:

- (a) Terminate this Agreement, provided that the Recipient is given at least thirty days prior written notice of the termination. The notice shall be effective when placed in the United States, first class mail, postage prepaid, by registered or certified mail-return receipt requested, to the address in paragraph (13) herein;

- (b) Begin an appropriate legal or equitable action to enforce performance of this Agreement;
- (c) Withhold or suspend payment of all or any part of a request for payment;
- (d) Require that the Recipient refund to the Division any monies used for ineligible purposes under the laws, rules and regulations governing the use of these funds;
- (e) Exercise any corrective or remedial actions, to include but not be limited to:
 - 1. Request additional information from the Recipient to determine the reasons for or the extent of non-compliance or lack of performance;
 - 2. Issue a written warning to advise that more serious measures may be taken if the situation is not corrected;
 - 3. Advise the Recipient to suspend, discontinue or refrain from incurring costs for any activities in question; or,
 - 4. Require the Recipient to reimburse the Division for the amount of costs incurred for any items determined to be ineligible;
- (f) Exercise any other rights or remedies which may be available under law.
- (g) Pursuing any of the above remedies will not stop the Division from pursuing any other remedies in this Agreement or provided at law or in equity. If the Division waives any right or remedy in this Agreement or fails to insist on strict performance by the Recipient, it will not affect, extend or waive any other right or remedy of the Division, or affect the later exercise of the same right or remedy by the Division for any other default by the Recipient.

4. All provisions of the Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.

5. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: City of Orlando

By: _____

Name and Title: _____

Date: _____

DIVISION OF EMERGENCY MANAGEMENT

By: _____

Name and Title: **Bryan W. Koon, Director**

Date: _____

1st Revised
ATTACHMENT A

Proposed Program Budget

- ✚ Below is a general budget which outlines eligible categories and their allocation under this award. The Recipient is to utilize the “Proposed Program Budget” as a guide for completing the “Budget Detail Worksheet” below.
- ✚ The equipment category will require a “Detailed Budget Worksheet” including the proposed equipment to be purchased and the corresponding Authorized Equipment List (AEL) reference number. The AEL can be found at www.rkb.us.
- ✚ The transfer of funds between the categories listed in the “Proposed Program Budget” is permitted. However, the transfer of funds between Issues is strictly prohibited.
- ✚ At the discretion of the Recipient, funds allocated to Management and Administration costs (as described in the “Proposed Program Budget”) may be put towards Programmatic costs instead. However, no more than 3% of each Recipients’ total award may be expended on Management and Administration costs.

Grant	Recipient Agency	Category	Amount Allocated
FY 2013 - Homeland Security Grant Program – Issues 11, 12	City of Orlando	Issue 11 - Equipment – US&R Sustainment	\$7,999.98
		Issue 12 – Training – US&R Training	\$48,000.02
		Management and Administration (the dollar amount which corresponds to 3% of the total local agency allocation is shown in the column on the right).	
Total Award			\$56,000.00

Budget Detail Worksheet

The Recipient is required to provide a completed budget detail worksheet, to the Division, which accounts for the total award as described in the "Proposed Program Budget".

If any changes need to be made to the "Budget Detail Worksheet", after the execution of this agreement, contact the grant manager listed in this agreement via email or letter.

City of Orlando Issues 11, 12 Budget Detail Worksheet– Eligible Activities				
Allowable Training Costs	Quantity	Unit Cost	Total Cost	Issue Number
Developing, Delivering, and Evaluating Training				
Overtime and backfill for emergency preparedness and response personnel attending FEMA-sponsored and approved training classes.	12	\$1743.33	\$20,919.96	12
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in FEMA training.				
Training Workshops and Conferences Structural Collapse Technician KS-001-RESP	6	\$1491.66	\$8949.96	12
Training Workshops and Conferences Vehicle, Machinery Technician Training Request 10-15997	6	\$700.01	\$4200.06	12
Training Workshops and Conferences Rope Tech Training OK-005-RESP	6	\$600	\$3600.00	12
Training Workshops and Conferences Hazmat Tech (160) Training AZ-001-RESP	2	\$1090	\$2180.00	12
Training Workshops and Conferences Rope Operations Training OK-004-RESP	2	\$505	\$1010.00	12
Training Workshops and Conferences Structural Collapse Operations Training OH-003-RESP	4	\$535	\$2140.00	12
Training Workshops and Conferences Disaster Canine Search Specialist at TEEEX (TNG10S)	1	\$5000.04	\$5000.04	12
Activities to achieve training inclusive of people with disabilities				
Full or Part-Time Staff or Contractors/Consultants				
Certification/Recertification of Instructors				
Travel				
Supplies				
Tuition for higher education				
Other items				
A complete list of FEMA approved courses may be found at www.ojp.usdoj.gov/FEMA/docs/Eligible_Federal_Courses.pdf				

<p>Eligible Equipment Acquisition Costs</p> <p>The table below highlights the allowable equipment categories for this award. A comprehensive listing of these allowable equipment categories, and specific equipment eligible under each category, can be found on the web-based Authorized Equipment List at: http://www.rkb.us</p> <ul style="list-style-type: none"> ✦ Click on “Authorized Equipment List (AEL)” ✦ If you wish to purchase a piece of equipment from any category below, then, in the space given below that category, put the “AEL item number” and “title” 	Quantity	Unit Cost	Total Cost	Issue Number
Personal protective equipment				
e.g., 1.12.2.1, Covers, Outer Footwear				
Explosive device mitigation and remediation equipment				
CBRNE operational search and rescue equipment				
Information technology				
Cyber security enhancement equipment				
Interoperable communications equipment				
Detection Equipment				
Decontamination Equipment (HSGP only)				
Medical supplies				
Power equipment				
Stanley hydraulic tools - annual recertification 03SR-02-TPHY	3	\$2666.66	\$7,999.98	11
CBRNE reference materials				
CBRNE incident response vehicles				
Terrorism incident prevention equipment				
Physical security enhancement equipment				
Inspection and Screening systems				
Agriculture Terrorism Prevention, Response, and Mitigation Equipment (HSGP only)				
CBRNE Prevention and Response watercraft				

CBRNE Aviation Equipment				
CBRNE logistical support equipment				
Intervention equipment				
Public Alert and Warning Equipment				
Disability Access and Functional Needs				
Other authorized equipment costs (include any construction or renovation costs in this category; Written approval must be provided by FEMA prior to the use of any funds for construction or renovation)				
Eligible Management and Administration Costs	Quantity	Unit Cost	Total Cost	Issue Number
Hiring of full-time or part-time staff or contractors/consultants: <ul style="list-style-type: none"> ✦ To assist with the management of the respective grant program ✦ To assist with application requirements of the grant program ✦ To assist with the compliancy with reporting and data collection as it may relate to the grant program 				
Development of operating plans for information collection and processing necessary to respond to DHS/ODP data calls.				
Costs associate with achieving emergency management that is inclusive of the access and functional needs of workers and citizens with disabilities.				
Overtime and backfill costs – Overtime expenses are defined as the result of personnel who worked over and above their normal scheduled daily or weekly worked time in the performance of FEMA – approved activities. Backfill Costs also called “Overtime as Backfill” are defined as expenses from the result of personnel who are working overtime in order to perform the duties of other personnel who are temporarily assigned to FEMA – approved activities outside their core responsibilities. Neither overtime nor backfill expenses are the result of an increase of Full – Time Equivalent (FTEs) employees. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the state or unit(s) of local government and has the approval of the state or the awarding agency, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (e.g., 1:00 pm to 5:00 pm), even though such work may benefit both activities. Fringe benefits on overtime hours are limited to Federal Insurance Contributions Act (FICA), Workers’ Compensation and Unemployment Compensation.				
Travel expenses				
Meeting-related expenses (For a complete list of allowable meeting-related expenses, please review the <i>OIP Financial Guide</i> at http://www.ojp.usdoj.gov/FinGuide).				
Acquisition of authorized office equipment , including personal computers, laptop computers, printers, LCD projectors, and other equipment or software which may be required to support the implementation of the homeland security strategy.				
The following are allowable only within the contract period: <ul style="list-style-type: none"> ✦ Recurring fees/charges associated with certain equipment, such as cell phones, faxes, etc. ✦ Leasing and/or renting of space for newly hired personnel to administer programs within the grant program. 				

TOTAL BUDGET

\$56,000.00

1st Revised

**ATTACHMENT C
DELIVERABLES**

State Homeland Security Program (SHSP): SHSP supports the implementation of risk driven, capabilities-based State Homeland Security Strategies to address capability targets set in Urban Area, State, and regional Threat and Hazard Identification and Risk Assessments (THIRAs). The capability levels are assessed in the State Preparedness Report (SPR) and inform planning, organization, equipment, training, and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events.

In addition, the Recipient is to complete the following issues as described below throughout the agreement period to ensure compliance and coordination with the Homeland Security Grant Program. Items listed below are to be reviewed quarterly to ensure recipients' compliance. Documentation supporting the completion of the issues outlined below shall be submitted along with the Quarterly Financial report.

Issue 11 – Fire Rescue US&R Hazmat Sustainment

This project funds the sustainment of specifically identified items from the equipment caches for twenty three of the Type II WMD Regional Hazardous Materials Response Teams and three the State Urban Search & Rescue Task Forces. The below projects have been identified to sustain and maintain high level technological sensors, monitors and items utilized during US&R and Hazmat incidents possibly involving CBRNE threats. Equipment items include the following:

- Stanley hydraulic tools - annual recertification (3SR-02-TPHY) – (3)(2,666.66) = \$7,999.98

Issue 12 – Fire Rescue US&R Hazmat Training, Exercise and IMT

This project will provide specialized training to members of the Urban Search & Rescue Task Forces, Type II WMD Regional Hazardous Materials Response Teams and the State's Type III Incident Management Team.

- Overtime and backfill – (12)(1,743.33) = \$20,919.96
- Structural Collapse Technician – (6)(1,491.66) = \$8,949.96
- Vehicle/Machinery Technician Training – (6)(700.01) = \$4,200.06
- Rope Tech Training – (6)(600.00) = \$3,600.00
- Hazmat Tech (160) Training – (2)(1,090.00) = \$2,180.00
- Rope Operations Training – (2)(505.00) = \$1,010.00
- Structural Collapse Operations Training – (4)(535.00) = \$2,140.00
- Disaster Canine Search Specialist – (1)(5,000.04) = \$5,000.04