

Brigadier General Michael T. Venerdi
The Adjutant General and Director of Emergency
Management & Homeland Security

Laura Kelly, Governor

TO: Sedgwick County LEPC Chair or Project Manager

UEI: U78SNHE76SE3

FROM: Angee Morgan, Deputy Director

DATE: December 16, 2024

SUBJECT: FY24 Hazardous Materials Emergency Preparedness Grant

I am pleased to notify you that your entity is eligible to receive a total grant of \$14,048.58. The amount of federal funds obligated by the Kansas Division of Emergency Management (KDEM) is \$14,048.58. The Federal Award Identification Number (FAIN) is 693JK32240057HMEP.

By accepting this award, you agree to abide by the terms and conditions set forth by KDEM and the *United States Department of Transportation (USDOT) Pipeline and Hazardous Materials Safety Administration's (PHMSA) Hazardous Materials Grants Grant Cooperative Agreement Terms and Conditions* applicable to subrecipients and the applicable subrecipient requirements in 2 CFR Part 200 as stated in below document.

The period of performance for your entity's FY24 Hazardous Material Emergency Preparedness Grant (HMEP) Award is from October 1, 2024 to September 30, 2025. The budget period for your award is from October 1, 2024 to September 30, 2025. Quarterly reports will be required to be submitted via email to Swapan.saha@ks.gov on the below dates.

- Quarter 1: October 1, 2024 - December 31, 2024. Due to KDEM: January 15, 2025
- Quarter 2: January 1, 2025 - March 31, 2025. Due to KDEM: April 15, 2025
- Quarter 3: April 1, 2025 - June 30, 2025. Due to KDEM: July 15, 2025
- Quarter 4/Final Report: January 1, 2024 - Sep 30, 2025. Due to KDEM: September 30, 2025

The award identification is 693JK32240057HMEP and is not a R&D grant. The indirect cost rate for this award is Indirect cost rate for the federal award.

The assistance listing number for this award is 20.703. The assistance listing title is *Interagency Hazardous Materials Public Sector Training and Planning Grants*.

As of October 1, 2010, all federal grants of \$25,000 and over are subject to the Federal Funding Accountability and Transparency Act (FFATA) subaward reporting requirements. Prime awardees are required to upload the subrecipient information in the FFATA Sub-Award Reporting System (<https://www.fsrs.gov/>). Subrecipients must maintain an active registration in the *System for Award Management* to receive federal funding. The subrecipient must meet the FFATA & 2 CFR 200.331 (a)(1) requirements.

All reports, documentation, and payment requests should be sent to the attention of Swapan Saha at swapan.saha@ks.gov.

HMEP Award Requirements

Summary

Award Project Title: Propane Response - 101 to Advance Tactics

HMEP Grant Award: \$14,048.58

Required Match (20%): \$3,512.145

Total Cost of the project: \$17,560.725

HMEP Grant Award Requirement Information

Matching Funds Requirement

All HMEP Grants have an 80/20 split, which means the subrecipient has an obligation to match 20% of the total sum of the project.

Selecting a Vendor

Subrecipients must follow the state of Kansas procurement policies for selecting a vendor for projects over the state purchases threshold of \$5,000. Competitive procurements are the primary solicitation type used to procure goods and services valued above \$5,000. When there are no state contracts available or the criteria cannot be met through Prior Authorizations, competitive procurements must be initiated.

Competitive procurement can be conducted through the bidding process which includes Request for Quotation (RFQ), Invitation for Bid (IFB) or Request for Proposal (RFP). RFQ's usually result in Purchase Orders for a one-time purchase. IFB's usually result in a contract for repetitive purchases. Both types of processes usually are awarded to lowest

bidder. RFPs involve the negotiated procurement process which is based on the evaluation of bid responses beyond cost including vendor qualifications, past performance, and service delivery methods. This procurement process is used typically for service-related contracts. RFQ's can be awarded as a purchase order or a contract.

Project Execution

If the proposal includes a hazardous materials planning or exercise activity, and a contractor is hired for the project, please ensure that the contractor completes the project in a timely manner so that the LEPC has sufficient time to review the product and close the grant with KDEM by the grant closing deadline of September 30. The LEPCs need to submit contracts, scope of work, and milestones to receive HMEP funding.

Contractor reimbursements can be based on a quarterly basis or when pre-determined percentages of the project are completed. The LEPC must ensure that the project will be completed by the end of the grant period and include appropriate clauses in their contract that any delay or failure to deliver the final product by the deadline set by the LEPC will result in breach of contract and the contractor will be liable to return the funds in its entirety.

Reporting Requirements

The period of performance for the FY24 Hazardous Material Emergency Preparedness Grant (HMEP) Award is from October 1, 2024 to September 30, 2025. The budget period for the award is from October 1, 2024 to September 30, 2025.

Subrecipients must submit quarterly performance progress reports as well as a final report upon completion of the project. Progress reports should be emailed to the HMEP Grant Manager at Swapan.saha@ks.gov on the below dates.

- Quarter 1: October 1, 2024 - December 31, 2024. Due to KDEM: January 15, 2025
- Quarter 2: January 1, 2025 - March 31, 2025. Due to KDEM: April 15, 2025
- Quarter 3: April 1, 2025 - June 30, 2025. Due to KDEM: July 15, 2025
- Quarter 4/Final Report: January 1, 2024 - Sep 30, 2025. Due to KDEM: September 30, 2025

Scope of Work and Planning Requirements

For planning projects, KDEM has developed Scope of Work (SOW) for Commodity Flow Studies and Hazards Analysis. Applicants should consult these documents if applying for one of these projects. The SOW is what is listed and approved from the original application. Any change in SOW from the original proposal will require submission of a revised application with supporting documents and must be approved by KDEM and PHMSA.

Scope of Work for Commodity Flow Survey. KDEM has developed a scope of work (SOW) for conducting commodity flow surveys to assist LEPCs. LEPCs should adapt this guide when developing the SOW for such studies and fit to their needs. A copy of the SOW is attached.

Scope of Work for Hazards Analysis. KDEM has developed a SOW for conducting a hazardous analysis to assist LEPCs. LEPCs should adapt this guide when developing the scope of work for such studies and fit to their needs. A copy of the SOW is attached.

Scope of Work for Hazardous Materials Exercise. All exercises funded with HMEP funding must follow the principles outlined in the Homeland Security Exercise and Evaluation (HSEEP); guidance may be located on the KDEM website. If conducting

Exercise Program Management for multiple jurisdictions, all the exercise paperwork (to include IPPW packets) needs to be original and specific to each jurisdiction, unless otherwise stated previously in this guidance.

HMEP Exercise Project Scenarios

HMEP grant funded exercises must include scenarios that lead to prevention, mitigation, and improved response to hazmat transportation related incidents towards saving life, public safety, protecting property, and protecting the environment. KDEM HMEP Exercise Approval Form should be used for approval of exercise scenarios if it was not included in the original grant proposal.

Training Request and Approval

KDEM Directive #3006 outlines the process for requesting training courses that are state and federal level courses offered through the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA), State Homeland Security Program (SHSP), Emergency Management Performance Grant (EMPG) or HMEP grant funds. Please contact KDEM's Training Office for a list of courses that are available through DHS/FEMA/other federal/state entities for free to Kansas responders. If there is a FEMA/DHS approved course and the course is funded using the SHSP, EMPG or HMEP, it must be utilized. Attached are copies of the KDEM Directive # 3006 and the Training Request Form.

Class Size

The minimum class size required for an HMEP sponsored course is 10 students. The LEPC should consider this aspect when contracting with a training provider or contractor and negotiate on the cancellation clause of the contract. Prior authorization from KDEM

would be required at least two weeks before the class if the class size is less than 10. This should be done via email to Swapan.saha@ks.gov.

Travel

Travel costs that arise from a federally funded project may be paid (or reimbursed) with federal funds at actual cost, on a per diem or mileage basis, or a combination thereof must follow the travel requirements in 2 CFR 200.475.

Equipment

Equipment is an item of non-expendable, tangible personal property, having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of the capitalization level established by the recipient organization for financial statement purposes, or \$10,000. A subrecipient must follow the guidance in 2 CFR 200.313 for acquisition, use, maintenance, and disposition of an equipment.

Conflict of Interest

Subrecipients must establish conflict of interest policies for federal awards. A subrecipient must disclose in writing any potential conflict of interest to the pass-through entity in accordance with the established Federal agency policies.

Reimbursement Requests

All reimbursement requests must be accompanied by paperwork that provides the basis for the request. This may include a completed reimbursement form provided by KDEM, proof of project completion (e.g. class rosters, evaluations, student certificates, etc.) and proof of payment (receipts/bills/invoices) for the completed work/project and local match documentation. If match documents are not available at the time of reimbursement request, the LEPC must provide them at the time of grant closing. The

reimbursement request must also include certification by an official who is authorized to legally bind the non-federal entity. It takes approximately 4-6 weeks to process a reimbursement request and prepare a check for the LEPC.

Project Completion

Subrecipients must complete the project in its entirety as indicated by the deadline specified above unless amended in writing by agreement of all parties. Documents required for reimbursement/closing are listed below and should be sent to Swapan.saha@ks.gov:

- Bill, receipts, invoice, etc. (if not provided with reimbursement request)
- 20% Match info (if not provided with reimbursement request)
- Class roster (if not provided with reimbursement request)
- Pre-tests and post-tests (if available)
- Evaluations (if available)
- Closeout report (use KDEM closeout form)

Grant Responsibilities and Monitoring

Subaward Recipient Responsibilities. Subaward recipients must:

- Comply with all applicable federal laws and regulations.
- Track project progress against established timelines and milestones.
- Provide detailed quarterly reports to KDEM outlining project activities, achievements, milestones reached, and any challenges encountered.
- Provide a comprehensive annual or final report summarizing project outcomes, expenditures, and any relevant documentation.

- If the subrecipient has a negotiated indirect cost rate with a cognizant agency, this rate should be used for indirect cost reimbursement.

Monitoring and Oversight. KDEM will monitor subaward recipient performance through the following methods:

- Careful review of quarterly reports to assess project progress, identify potential issues, and ensure compliance with the subaward agreement.
- Periodic site visits or desk reviews may be conducted to directly observe project activities and verify information provided in reports.
- Review of financial reports to ensure that funds are being used appropriately and in accordance with budget guidelines.
- Regular reviews of subaward recipient compliance with federal regulations and KDEM's policies and procedures.

All subaward recipients must comply with all federal laws and regulations. They must also monitor grant performance schedules to ensure that project targets are met. Quarterly reports submitted by the subrecipient will be reviewed to assess project progress and adherence to the established milestones. An annual or final report will be required

If applicable, subrecipients must include their federally negotiated indirect cost rate, if one exists. Otherwise, subrecipients claiming indirect costs must develop an indirect cost proposal in accordance with 2 CFR 200 and maintain supporting documentation for audit purposes or use de minimis rate as described in 2CFR 300.414

Financial Management

The recipient's financial management system, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal

award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award in accordance with 2 CFR 200.302 and 2 CFR 200.303.

Record Retention

Financial records, supporting documents, statistical records, and all other non-federal entity records pertinent to a federal award must be retained for a period of five years from the date of submission of the final expenditure report or, for federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a subrecipient.

Project Milestones

Subrecipients are required to develop and submit project milestones developed by quarter, utilizing the HMEP FY24 Milestones Form, subsequent to the receipt of the grant award and email it to the HMEP Grant Manager. A copy of the form is attached. Milestones need to be emailed to HMEP Grant Manager (swapan.saha@ks.gov) by January 7, 2025.