

WISCONSIN DIVISION OF EMERGENCY MANAGEMENT
State-Local Pre-Disaster Mitigation Program Assistance Agreement
Planning Grant

This Grant Agreement between the Wisconsin Division of Emergency Management (the WEM/Grantee) and the City of Milwaukee (the Subgrantee) shall be effective on the date signed by the WEM and the Subgrantee. It shall apply to all Pre-Disaster Mitigation (PDM) Program assistance provided by or through WEM to the Subgrantee.

The purpose of this agreement is to formally recognize the goals of the PDM Program and to establish guidelines by which PDM funds are to be used. This agreement is in addition to the requirements outlined in FEMA Form 20-16A, Assurances for Non-Construction Programs, which was signed by the above-mentioned Subgrantee and submitted with the PDM application.

Be it resolved by the Subgrantee, that the individual named below:

GHASSAN KORBAN - COORDINATION MANAGER, D.P.W.
(Name and Title)

has the legal authority and is hereby authorized to execute documents for and on behalf of the Subgrantee. The individual and this designation is to be the authorized representative for obtaining PDM funds.

The Subgrantee hereby assures and certifies that the planning will comply with the applicable State of Wisconsin and FEMA regulations. Also, the Subgrantee gives assurance and certifies with respect to and as a condition for the grant that as a minimum:

1. This Grant Agreement in the amount of \$40,000 will serve as the contract between WEM and the Subgrantee for the Federal Fiscal Year 2010 PDM Planning Grant for the purpose of updating an All-Hazards Mitigation Plan. 75 percent or \$30,000.00 represents the Federal share funded through FEMA. The remaining 25 percent or \$10,000.00 is the local program match that must be met by matching contributions from non-federal funding sources. If there is a cost under-run for the development of the plan, final reimbursement for the federal share of the planning costs will be adjusted based on actual costs of the plan. If costs exceed the amount approved, the City is responsible for the costs in excess of the approved grant.
2. Once this Grant Agreement is signed and returned to WEM, the subgrantee may begin the planning process and the authorized representative may request reimbursement of expenses. The Subgrantee will need to complete and submit to WEM a Request for Reimbursement of Expenses with appropriate documentation in order to receive grant funds. Advancement of funds may be made in some extraordinary situations upon prior approval of the Grantee.

COSTS INCURRED PRIOR TO FEMA APPROVAL OF THE GRANT, UNLESS SPECIFICALLY AUTHORIZED BY THE GRANTEE, ARE NOT ALLOWABLE COSTS FOR THE GRANT.

The Grantee may pursue all available remedies for the recoupment of any payments that have been inadequately documented or determined by the Grantee to have been improperly made or expended for any reason.

The City may request reimbursements of planning expenses up to 90% of the federal share of the grant or \$27,000 as work progresses on the development of the updated plan. The remaining funds will not be paid until the plan update is completed and approved, and adequate documentation for the total costs incurred for the grant has been submitted.

FEMA will recoup mitigation planning grant funds for grants that do not meet the deliverable criteria of an adopted, FEMA-approved mitigation plan by the end of the performance period. The amount recouped will be based on the following guidelines:

- Jurisdictions with plans that have been approved pending adoption by FEMA, but are not yet formally adopted (in accordance with FEMA regulations) by the end of the period of performance, must return a minimum of 10 percent of the grant award;
 - Jurisdictions with plans that have been reviewed by FEMA, but require changes in order to meet the minimum requirements, must return a minimum of 25 percent of the grant award if the required changes have not been made by the end of the period of performance; and
 - Jurisdictions with plans that have not been submitted to FEMA for review by the end of the period of performance must return 100 percent of the grant award.
3. The authorized representative will be required to submit Quarterly Status Reports to the State Hazard Mitigation Officer (SHMO) within fifteen days following the end of the quarter (January 15, April 15, July 15 and October 15). Said report will include the status of the project, anticipated completion date, and financial information.
 4. The subgrantee will submit a copy of their draft plan that meets the planning criteria as found in 44CFR Part 201.6 along with a completed Local Hazard Mitigation "Combined" Plan Review Crosswalk to WEM by **September 30, 2011** for review. The final plan must be completed and approved by FEMA prior to September 30, 2012.
 5. The grant performance period for the PDM Planning Grant will be September 16, 2010 to September 30, 2013. The subgrantee will complete and submit a final report 30 days prior to expiration of the grant, or within 30 days after completion of the plan whichever is sooner.

6. The Subgrantee will use PDM funds solely for the purpose for which these funds are provided and will adhere to the requirements in the FFY10 Pre-Disaster Mitigation Program Guidance.
7. Subgrantee shall maintain good standing with the National Flood Insurance Program (NFIP) and comply with local regulations pertaining to the NFIP.
8. The Subgrantee will comply with all other policies and guidelines established by FEMA and WEM in administering the PDM Program.
9. The Subgrantee will comply with all applicable federal, state and local codes and standards as pertain to this project.
10. The Subgrantee will follow Emergency Management and Assistance Regulations found in Title 44 CFR Code of Federal Regulations (CFR) Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
 - Follow requirements for budget revisions found in 44 CFR 13.30. Transfer of funds between budget cost categories in the approved budget shall receive the prior approval of FEMA when such cumulative transfers among those cost categories exceed 10% of the total budget.
 - Follow cost-sharing requirements mandated by program statute or regulations in compliance with 44 CFR 13.24.
 - Comply with 44 CFR 13.32 Equipment, 13.33 Supplies and 13.36 Procurement, and be in compliance with state and local laws and procedures.
11. The Subgrantee will follow the following OMB Circulars in administering the subgrant:
 - OMB Circular A-102 Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments
 - OMB Circular A-87 Cost Principles for State and Local Governments
 - OMB Circular A-133 Audits of State, Local Governments, and Non-Profit Organizations
12. Any publication resulting from work performed under this agreement shall include an acknowledgement of FEMA financial support and a statement that the publication does not constitute an endorsement of FEMA or reflects FEMA views. The Grantee and FEMA are free to copyright any original work developed under this agreement, and reserves a royalty-free non exclusive and irrevocable right to reproduce, publish or otherwise use, and to authorize others to use the work for Government purposes.
13. The Subgrantee will not enter into cost-plus-percentage-of-cost contracts for completion of the PDM All Hazards Plan.

14. The Subgrantee will not enter into any contract with any party that is debarred or suspended from participating in Federal Assistance programs.

GRANT CERTIFICATION

The undersigned do hereby certify that the subgrantee will fulfill all the requirements of the Pre-Disaster Mitigation Program contained in Federal and/or State program guidelines including the submission of all appropriate forms. The governing body of the subgrantee has duly authorized this document.

SIGNATURE OF SUBGRANTEE'S AUTHORIZED REPRESENTATIVE:

_____ Date Signed _____
Name Typed _____ Title _____
Subgrantee Jurisdiction _____

SIGNATURES OF THE GRANTEE (WISCONSIN DIVISION OF EMERGENCY MANAGEMENT):

Kyannick Gray _____ 9-27-10 _____
State Hazard Mitigation Officer Date Signed