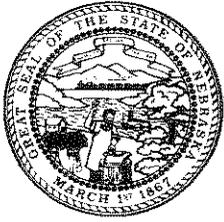


SUB-GRANT AWARD AGREEMENT

Grantee	Sub-Grantee
<p>Organization: Name: Nebraska Emergency Management Agency (NEMA) Address: 1300 Military Road Lincoln, NE 68508</p>	<p>Organization Name:The City of Lincoln Mayor Chris Beutler P.O.C. Steve Frederick, Health Data & Eval Mgr. Address: Health Department 3140 N Street Lincoln, NE 68510</p>
<p>DHS, Office of G & T Award Number 2007-GE-T7-0035</p>	<p>Sub-grantee No.</p>
<p>Awarding Agency: Nebraska Emergency Management Agency</p>	<p>CFDA No. 97.067</p>
<p>Sub-grantee Period of Performance: 10-12-2007 TO 6-30-2010</p>	<p>Amount Funded this Action: \$258,145.00</p>
<p>Project Title: FY2007 Department of Homeland Security Grant - MMRS</p>	
<p>Reporting and Payment Requirements: See Attachment 4</p>	
<p style="text-align: center;"><u>Terms and Conditions</u></p> <p>1) This Sub award is subject to the FY2007 Homeland Security Grant Program Guidelines and Application Kit. The Guidelines and Kit can be accessed at http://www.ojp.gov/fundopps.htm. This Sub award is also subject to the current Nebraska Homeland Security Grant Program (HSGP) Grant Instructions, the Federal Grant Award and to the grant guidance imposed upon NEMA by DHS. The Nebraska Grant Instructions are intended to complement rather than replace the Federal Program Guidelines published by the NPD and are incorporated by reference into this Sub-award together with the attached Special Conditions.</p> <p>2) STATUTORY AUTHORITY FOR GRANT: This project is supported under Public Law 108-334, the Department of Homeland Security Appropriations Act of 2007.</p> <p>3) A-133 REPORTING REQUIREMENT: All sub-recipients must submit an audit report to the Federal Audit Clearinghouse if they expended more than \$500,000 in federal funds in one fiscal year. The Federal Audit Clearinghouse submission requirements can be found at http://harvester.census.gov/sac/. A report must be submitted to NEMA - SAA each year this grant is active. Sub-recipient shall comply with the audit requirements set forth in OMB Circular A-133.</p> <p>4) METHOD OF PAYMENT: Primary method is reimbursement through the on-line Nebraska Grant Management System.</p> <p>5) DEBARMENT / SUSPENSION CERTIFICATION: By signing in block 19 below, the sub-recipient official certifies that any contractors utilized are not listed on the excluded parties listed system at http://www.epls.gov.</p> <p>6). NON-SUPPLANTING CERTIFICATION: By signing in block 19 below, the sub-recipient official certifies federal funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Sub-recipient may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds</p> <p>REFER TO ATTACHMENT 2 FOR SPECIAL TERMS AND CONDITIONS TO THIS AWARD.</p>	
<p>By an Authorized Official of NEMA</p> <p> _____ Name AI Berndt Title: Assistant Director</p> <p>October 12, 2007 _____ Date</p>	<p>By an Authorized Official of _____ County</p> <p>_____ Name Title:</p> <p>_____ Date</p>

STATE OF NEBRASKA



Dave Heineman
Governor

EMERGENCY MANAGEMENT AGENCY
Roger P. Lempke
Adjutant General
1300 Military Road
Lincoln, Nebraska 68508-1090
Phone: (402) 471-7421

October 12, 2007

To: City of Lincoln

From: Nebraska Emergency Management Agency

Subject: 2007 DHS Metropolitan Medical Response System Grant

Attached you will find your 2007 DHS Metropolitan Medical Response System Award Agreement documentation, as approved by Governor Heineman, and submitted to the Department of Homeland Security.

There are four attachments to this notice. Attachment 1 is the Award Agreement, indicating the total amount of the award. This agreement must be signed by an authorized official of your jurisdiction, dated and returned to N.E.M.A. This document indicates the sub-grantee Period of Performance is 10-12-07 through 6-30-2010.

Attachment 2 is the Special Terms and Conditions document, which sets forth the general guidelines for equipment purchases.

Attachment 3 is the Contacts list. Note that it shows the points of contact for N.E.M.A. You will need to fill out this form with contact information for your jurisdiction and return it to N.E.M.A.

Attachment 4 spells out the Reporting and Payment Requirements. Please pay close attention to this document for an explanation of the required procedures.

Please sign Attachment 1, initial all pages of Attachment 2, completed Contacts list (Attch. 3) and mail all to the Nebraska Emergency Management Agency Federal Aid Administrator, Jackie Maly. If you have any questions regarding the grants, please call Mardell Hergenrader at (402) 471-7413, or e-mail at mardell.hergenrader@nema.ne.gov.

Sub-Grant Agreement

AWARD NUMBER: 2007-GE-T7-0035

SPECIAL TERMS AND CONDITIONS

- 1) Purpose : Sub-grant funds will be used to provide law enforcement and emergency response communities with enhanced capabilities for preparing and responding to the potential threats of manmade and natural disasters.
- 2) Overview : Funds provided shall be used to provide law enforcement and emergency response communities with enhanced capabilities for detecting, deterring, disrupting, and preventing acts of terrorism as described in the Federal Program Guidelines, specifically: planning, equipment, training and exercise needs . All costs under these categories must be eligible under OMB Circular No. A-87 Attachment A, located at <http://www.whitehouse.gov/omb/circulars/index.html>.
- 3) The Notice of Sub-recipient Award is only an offer until the sub-recipient returns the signed copy of the Notification of Sub-recipient Award in accordance with the date provided in the transmittal letter.
- 4) Sub-recipient agrees to comply with the applicable financial and administrative requirements set forth in the current edition of the Office of Grant Operations Financial Management Guide, OMB Circular A-87 Revised, and CFR 48.
- 5) Sub-recipient agrees to use the Nebraska Grant Management System for all financial transactions and tracking for all grants from NEMA, <https://www.nebraskagms.com>.
- 6) Sub-recipient agrees to make no request for reimbursement prior to return of this agreement and signed by the authorized sub-recipient representative.
- 7) Sub-recipient agrees to make no request for reimbursement for goods or services procured by sub-recipient prior to the performance period start date of this agreement.
- 8) Prior to disbursement of any FY2007 grant funds, sub-grantee will have:
 - a. FY2007-5-year Training and Exercise Calendar submitted to NEMA
 - b. Current County Local Emergency Operations Plan (L.E.O.P.)
 - c. NIMS Cast has been completed for 2007.
- 9) County/Counties located within a Region will not be allowed to receive any FY2007 grant funds for projects located within the county/counties, if the County is not current on prior and current year DHS/FEMA program requirements. The recipient/ sub-recipient is not allowed to receive or expend funds in support of non-compliant county/counties within the Region.
- 10) Sub-recipient agrees to monitor the activities of program participants as necessary to ensure that federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements and that the performance goals are achieved.
- 11) Notwithstanding any other agreement provisions, the parties hereto understand and agree that NEMA's obligations under this agreement are contingent upon the receipt of adequate funds to meet NEMA's liabilities hereunder. NEMA shall not be liable to the Sub-recipient for costs under this Agreement which exceed the amount specified in the Notice of Sub-recipient Award.
- 12) Projects identified in the Nebraska GMS website (www.nebraskagms.com) must identify and relate to the goals and objectives indicated by the applicable Nebraska Homeland Security Strategic Plan for the grant period of performance.
- 13) Sub-recipient agrees to comply with all reporting requirements and shall provide such information as required to NEMA for reporting as noted in the 2007 Federal Grant Guidelines. Jurisdiction is required to complete and submit the Biannual Strategy Implementation Report (BSIR) each July 15 and January 15 until the end of the grant. The report will include a narrative summary on the progress of each project. A final BSIR is due 90 days after the end of the grant award period. The BSIR is accessed through the on line Grant Reporting Tool at

Sub-Grant Agreement

needed by the sub-grantee and the per unit fair market value is less than \$5,000, the sub-grantee may retain, sell, or dispose of the equipment with no further obligation to NEMA. If, on the other hand, the per unit fair market value is \$5,000 or more, then the sub-grantee must submit a written request to NEMA, for disposition instructions.

24) The sub-recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

25) Approval of this award does not indicate approval of any consultant rate in excess of \$450 per day. A detailed justification must be submitted to and approved by NEMA prior to obligation or expenditure of such funds.

26) Sub-recipient acknowledges that SLGCP reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (1) the copyright in any work developed under an award or sub-award; and (2) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support. The Recipient agrees to consult with SLGCP regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

26) Sub-recipient shall provide the assurances required by ODP. Failure to comply may result in the withholding of funds, termination of the award or other sanctions.

27) Sub-recipients must implement the National Incident Management System (NIMS) at the local level. Grant recipients should still complete the following other four aspects of this task no later than October 1, 2007: (1) Formally recognize the NIMS and adopt the NIMS principles and policies, (2) Establish a NIMS baseline by determining which NIMS requirements are met, (3) Establish a timeframe and (4) Develop a strategy for full NIMS implementation and institutionalize the use of the Incident Command System (ICS).

28) Sub-recipients must maintain an updated inventory of equipment purchased through this grant program.

29) All Communication projects involving towers cannot be expended until the project is approved by DHS/NPD. NEMA will coordinate the approval process.

30) Recipient shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office.

NEMA Contacts	Sub-Grantee Contacts
<p style="text-align: center;">Authorized Official</p> <p>Name: Al Berndt</p> <p>Address: 1300 Military Road Lincoln, NE 68508-1090</p> <p>Telephone: 402 471-7410</p> <p>Fax: 402 471-7433</p> <p>Email: al.berndt@nema.ne.gov</p>	<p style="text-align: center;">Authorized Official</p> <p>Name: Chris Beutler, Mayor of Lincoln</p> <p>Address: 555 South 10th Street Lincoln, NE 68508</p> <p>Telephone: 402-441-7511</p> <p>Fax: 402-441-7120</p> <p>Email:</p>
<p style="text-align: center;">Administrative Contact</p> <p>Name: Jackie Maly</p> <p>Address: 1300 Military Road Lincoln, NE 68508-1090</p> <p>Telephone: 402-471-7412</p> <p>Fax: 402-471-7433</p> <p>Email: Jackie.maly@nema.ne.gov</p>	<p style="text-align: center;">Administrative Contact</p> <p>Name: Bruce D. Dart, Ph.D.</p> <p>Address: 3140 N Street Lincoln, NE 68510</p> <p>Telephone: 402-441-8001</p> <p>Fax: 402-441-6229</p> <p>Email: bdart@lincoln.ne.gov</p>
<p style="text-align: center;">Financial Contact</p> <p>Name: Deb Kai</p> <p>Address: 1300 Military Road Lincoln, NE 68508-1090</p> <p>Telephone: 402-471-7214</p> <p>Fax: 402-471-7433</p> <p>Email: deb.kai@nema.ne.gov</p>	<p style="text-align: center;">Financial Contact</p> <p>Name: Kathy Cook</p> <p>Address: 3140 N ST Lincoln, NE 68510</p> <p>Telephone: 402-441-8092</p> <p>Fax: 402-441-6229</p> <p>Email: kcook@lincoln.ne.gov</p>

Reporting Requirements:

1. A copy of each invoice received by the Sub-grantee will be sent to the NEMA Grant Administrator as proof of actual price.
2. The Sub-Grantee will send a copy of the invoice and Nebraska GMS payment summary sheet to the NEMA Grant Administrator. All equipment on the invoices will be cross-referenced in the NE GMS system
3. The NEMA Federal Aid Administrator will compare the invoice to the approved equipment list and process the payment with the NEMA fiscal officer.
4. The payment will be sent to the Sub-grantee in the form of electronic transfer. If your jurisdiction does not have an account with the State of Nebraska, fill out the ACH Enrollment form (Attachment 5) and return to the Grantee Administrator with the signed award document and the copy of Attachment 3. If a paper check is desired for amounts under \$75,000, please contact Jackie Maly, Federal Aid Administrator for NEMA, to make arrangements.
5. We anticipate that the transfer of money from the State will be processed and received before the invoice becomes due, so the Sub-grantee will not be required to front any money, unless a sub-grantee has been instructed to pay invoices before requesting reimbursement.
6. Jurisdiction is required to complete and submit the Biannual Strategy Implementation Report (BSIR) each July 15 and January 15 until the end of the grant. The report will include a narrative summary on the progress of each project. A final BSIR is due 90 days after the end of the grant award period. The BSIR is accessed through the on line Grant Reporting Tool at www.reporting.odp.dhs.gov.

Failure to complete the BSIR will be considered a non-compliance issue and may result in grant funds being frozen.