

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.32
(ID # 21271)

MEETING DATE:

Tuesday, March 28, 2023

FROM : SHERIFF-CORONER-PA:

SUBJECT: SHERIFF-CORONER-PA: Acceptance of the FY21 Urban Area Security Initiative (FY21 UASI) Grant Subaward from the City of Riverside Office of Emergency Management, Funded by U.S. Department of Homeland Security, Passed Through the California Governor's Office of Emergency Services (Cal OES), and Adoption of Resolution Number 2023-046, Authorizing the Sheriff, Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, and Administrative Services Manager to Administer the FY21 UASI Grant Subaward, All Districts. [\$195,000 – Federal Funding 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the FY21 UASI funding of \$195,000 from the City of Riverside Office of Emergency Management for the grant period of September 1, 2021, through May 31, 2024;
2. Adopt Resolution No. 2023-046, authorizing the Sheriff, Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, and Administrative Services Manager to sign and execute the MOU and any related grant documents, including modifications, amendments, extensions, progress reports, reimbursement requests and other related documents for the acceptance of the funds; as approved as to form by County Counsel, on behalf of the County;

Continued on Page 2

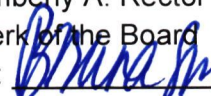
ACTION:4/5 Vote Required, Policy


David Lelevier, Assistant Sheriff 3/9/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Gutierrez
Nays: None
Absent: None
Date: March 28, 2023
xc: Sheriff

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

RECOMMENDED MOTION: That the Board of Supervisors:

3. Ratify and approve the Training Memorandum of Understanding with City of Riverside, by and through its Office of Emergency Management and County of Riverside Regarding Urban Area Security Initiative (UASI) Grant Funding for Federal Fiscal Year 2021, including the attachments thereto (MOU) and; authorize the Chair of the Board of Supervisors to sign the MOU on behalf of the County; and
4. Ratify, approve, and authorize the Sheriff, or designee, to execute the attachments to the MOU, including but not limited to, the Standard Assurances for Cal OES Federal Grant Programs, the Certificate of Non-Supplanting, Certification regarding Debarment, Suspension, and other Responsibility Matters.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 195,000	\$ 195,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% Federal Funding from the Department of Homeland Security through Riverside UASI.			Budget Adjustment: No	
			For Fiscal Year: 21/22-23/24	

C.E.O. RECOMMENDATION: Approve

BR: 23-062

Prev. Agn. Ref.: 8/25/20, 3.54

BACKGROUND:

Summary

On February 1, 2008, the Inland Empire Region was awarded the designation of an Urban Area Security Initiative (UASI) Region by the U.S. Department of Homeland Security, including the cities of Riverside, San Bernardino, and Ontario, as well as the Counties of Riverside and San Bernardino. The UASI program provides financial assistance to address multi-disciplinary planning, operations, equipment, training, and exercise needs of high-threat, high-density urban areas, assisting those areas in the building and sustaining capabilities to prevent, protect, respond, and recover from threats or acts of terrorism.

On August 25, 2020 (Minute Order 3.54), the Sheriff's Department accepted the FY20 UASI grant award of \$484,865 for projects enhancing the ability of the Department to respond and recover from catastrophic events, including two Rapid Deployment Satellite Pods and one remotely operated robot to respond to all bomb-related incidents.

The Department will use FY21 UASI grant funds to purchase barriers and trailers to mitigate injuries and damages from terrorist attacks. Barriers such as fences and jersey walls

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

prevent and minimize high numbers of injuries and fatalities caused by violent extremists while controlling access to streets during large events, minimizing runoff from decontamination stations, and protecting law enforcement staging areas. Trailers provide for the safe loading and unloading of equipment to an incident command or training site, including support of mission area requirements such as patrol, deployment vehicles, tactical intervention, hazmat units, communications units, and special transport units. This equipment is rapidly deployable, and will serve the Riverside County Operational Area, Riverside Urban Area Security (UASI), and the Mutual Aid regions. Both FY20 and FY21 UASI projects enhance the Sheriff's ability to protect officers and citizens during emergencies.

Impact on Residents and Businesses

Equipping our first responders to prepare, prevent, and mitigate acts of terrorism will ensure better services and protection for citizens and their communities.

Additional Fiscal Information

The Sheriff's Department received notification of project approval in FY22/23. The Department will expense and add the funds to the FY23/24 budget via the annual budget process. Therefore, the Department will not request an FY22/23 budget adjustment.

ATTACHMENTS:

1. UASI FY21 Award Letter
2. Resolution Number 2023-046
3. Memorandum of Understanding (MOU)
4. Standard Assurances for all Cal OES Federal Grant Programs (each page to be initialed)
5. Certificate of Non-Supplanting
6. Certificate regarding Debarment, Suspension, and other Responsibility Matters


Rebecca S Cortez, Principal Management Analyst 3/21/2023


Ronak Patel, Deputy County Counsel 3/6/2023

BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

RESOLUTION NO. 2023-046

AUTHORIZING THE SHERIFF TO EXECUTE ACTIONS TO ADMINISTER AND SECURE FY21 URBAN AREA SECURITY INITIATIVE (FY21 UASI) GRANT FUNDING ADMINISTERED BY THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) AND TO DESIGNATE THE SHERIFF AS THE AUTHORIZED AGENT, AND DESIGNATING THE UNDERSHERIFF, ASSISTANT SHERIFF, CHIEF DEPUTY SHERIFF, AND THE ADMINISTRATIVE SERVICES MANAGER AS ALTERNATE AUTHORIZED AGENTS TO APPLY FOR AND ADMINISTER FEDERAL FINANCIAL ASSISTANCE UNDER THE FY21 UASI GRANT

WHEREAS, on February 1, 2008, the Greater Inland Empire Region was awarded the designation of an Urban Area Security Initiative (UASI) Region by the United States Department of Homeland Security which includes the cities of Riverside, San Bernardino, and Ontario, and the Counties of Riverside and San Bernardino and are qualified to receive grant funding from the UASI program administered by the City of Riverside through its Office of Emergency Management for addressing urban area security issues; and

WHEREAS, the Board of Supervisors of the County of Riverside, State of California, desires to receive grant funding to assist the Sheriff's Department's Emergency Response Team (SERT) to enhance regional response and mitigation capabilities with the purchase of Rapid Deployment Anti-Vehicle Barriers to support the UASI and Mutual Aid partners. The project focuses on deploying anti-vehicle barriers capable of denying access to streets containing pedestrians during festivals or law enforcement staging areas. The anti-vehicle barriers will also provide Sheriff's Emergency Response Team (SERT) rapidly deployable protection against vehicle-borne terrorists or violent extremist attacks and protection of critical infrastructure and key resources in the mission area.

FORM APPROVED COUNTY COUNSEL
BY: AMRUT P. DHILLON
DATE

MAR 28 2023 3.32

2
3 RESOLUTION NO. 2023-046

4 AUTHORIZING THE SHERIFF TO EXECUTE ACTIONS TO ADMINISTER AND SECURE
5 FY21 URBAN AREA SECURITY INITIATIVE (FY21 UASI) GRANT FUNDING
6 ADMINISTERED BY THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY
7 SERVICES (CAL OES) AND TO DESIGNATE THE SHERIFF AS THE AUTHORIZED AGENT,
8 AND DESIGNATING THE UNDERSHERIFF, ASSISTANT SHERIFF, CHIEF DEPUTY
9 SHERIFF, AND THE ADMINISTRATIVE SERVICES MANAGER AS ALTERNATE
10 AUTHORIZED AGENTS TO APPLY FOR AND ADMINISTER FEDERAL FINANCIAL
11 ASSISTANCE UNDER THE FY21 UASI GRANT

12
13 ROLL CALL:

14
15 Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez

16 Nays: None

17 Absent: None

18
19 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
20 Supervisors on the date therein set forth.

21
22 KIMBERLY A. RECTOR, Clerk of said Board

23
24 By:  _____

25 Deputy

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147

Thank you.

**MEMORANDUM OF UNDERSTANDING WITH
CITY OF RIVERSIDE, BY AND THROUGH ITS OFFICE OF EMERGENCY
MANAGEMENT, AND THE COUNTY OF RIVERSIDE
REGARDING URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING
FOR FEDERAL FISCAL YEAR 2021**

This MEMORANDUM OF UNDERSTANDING ("MOU") is effective September 1, 2021, between THE CITY OF RIVERSIDE, BY AND THROUGH ITS OFFICE OF EMERGENCY MANAGEMENT, and COUNTY OF RIVERSIDE, on behalf of its Sheriff's Department, a political subdivision of the State of California ("Participating Agency") under the following terms and conditions:

1. The Participating Agency agrees to comply with the Grant Assurances for Urban Area Security Initiative (**Attachment A**).
2. The Participating Agency agrees to comply with United States Department of Homeland Security – Homeland Security Grant Program guidance, processes, and requirements.
3. The Participating Agency agrees that all equipment, supplies, and training funded through the UASI program is for the mutual benefit of the Riverside UASI Region and not for the exclusive benefit of the Participating Agency.
4. The Participating Agency agrees that all equipment, supplies, and technical expertise developed through training funded by the UASI program is to be made available for emergency use through established mutual aid systems, established mutual aid agreements or made reasonably available through a valid request by a member jurisdiction or organization of the Riverside UASI.
5. The Participating Agency agrees to provide, prior to being funded, the most recent copy of their Single Audit Report.
6. The participating agency agrees to designate a Project Manager and Grant Manager for each project awarded and provide the contact information of those individuals to the City of Riverside Office of Emergency Management / UASI. Upon any changes to the original designation the agency will provide written notification and updated contact information.
7. The Participating Agency agrees to maintain all documentation supporting all expenditures reimbursed from grant funds, and ensure all expenditures are allowable under grant requirements. Recipients that expend \$300,000 or more of federal funds during their respective fiscal year agree to submit an organization wide financial and compliance audit report. The audit shall be performed in accordance with the U. S. General Accounting Office Government Auditing Standards and OMB Circular A-133 (Federal Grantor Agency: U. S. Department

Memorandum of Understanding: Training - Urban Area Security Initiative Grant Funding

of Homeland Security; Pass-Through Agency: Office of Homeland Security; Program Title: Public Assistance Grants; Federal CFDA Number: 97.008). The records shall be maintained and retained in accordance with UASI grant requirements and shall be available for audit and inspection by the City and designated grant agent personnel.

8. The Participating Agency agrees that all its expenditures shall be in accordance with the approved project expenditures and allowable costs as submitted to the City and approved by the California Office of Emergency Services (Cal OES) and the U.S. Department of Homeland Security Grants Program Directorate.
9. The Participating Agency agrees to maintain adoption and implementation of (National Incident Management System) NIMS.
10. The Participating Agency agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from and against all liability arising out of the Participating Agency's acts or omissions under this MOU.
11. The City agrees to defend, indemnify, and hold harmless the Participating Agency, its agents, officers, and employees, from and against all liability arising out of the City's acts or omissions under this MOU.
12. The Participating Agency agrees to provide the Certificate of Non-Supplanting (**Attachment B**).
13. The Participating Agency agrees to provide the Certification regarding Debarment, Suspension and Other responsibility matters (**Attachment C**).
14. The Subgrantee Performance Period for the FY2019 UASI funding cycle is from September 1, 2021 to May 31, 2024.
15. The City of Riverside has awarded the Subgrantee funding in the amount of \$195,000 (**Attachment D**).

(Signatures on following page)


Memorandum of Understanding: Training - Urban Area Security Initiative Grant Funding

IN WITNESS WHEREOF, this Memorandum of Understanding is entered into by the City of Riverside, by and through its Office of Emergency Management and the County of Riverside, by and through its/their authorized representatives.

CITY OF RIVERSIDE

COUNTY OF RIVERSIDE, on behalf of its Sheriff's Department, a political subdivision of the State of California

By: _____

By:  _____

Kevin Jeffries

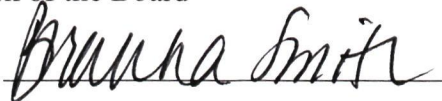
Title: _____

Title: Board of Supervisors, Chair

Attest:

Attest:
Kimberly Rector
Clerk of the Board

By: _____
Donesia Gause

By:  _____


Title: _____
City Clerk

Title: Deputy

Approved as to form:

Approved as to form:
Minh C. Tran
County Counsel

By: _____
Deputy City Attorney

By:  _____
Amrit P. Dhillon
Deputy County Counsel

**Governing Body Resolution
(For Operational Areas and Urban Area's)**

BE IT RESOLVED BY THE _____
(Governing Body)

OF THE _____ *THAT*
(Name of Applicant)

_____, *OR*
(Name or Title of Authorized Agent)

_____, *OR*
(Name or Title of Authorized Agent)

_____,
(Name or Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California.

Passed and approved this _____ day of _____, 20_____

Certification

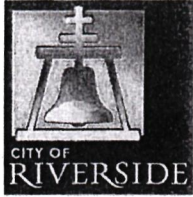
I, _____, duly appointed and
(Name)

_____ of the _____
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by
the _____ of the _____ on the
(Governing body) (Name of Applicant)
_____ day of _____, 20_____.

(Official Position)

(Signature)



Fire Department

Michael D. Moore
Fire Chief

March 29, 2022

VIA ELECTRONIC DELIVERY

John Shulda, Lieutenant
Riverside County Sheriff's Department
jshulda@riversidesheriff.org
951-955-8860

RE: FY2021 Riverside Urban Areas Security Initiative (UASI) Project Approval

Dear Lieutenant Shulda:

The California Office of Emergency Services (Cal OES) has approved the FY2021 Riverside UASI grant application and has authorized commencement of expenditures. The performance period of the grant is 09/01/2021 through 05/31/2024.

During the review process, Riverside UASI and Cal OES staff examined and evaluated your project proposal. As a result of this review, the purchasing and performance milestones identified below will be used by Riverside UASI to 1) determine the appropriate date to disencumber funds awarded under this grant and re-direct those funds to other needs across the RUASI region, and 2) indicate performance and grant management capacity in future competitive project proposals.

You are required to comply with all applicable federal, state, and local Environmental and Historic Preservation (EHP) requirements. Additionally, Aviation/Watercraft requests, Establish/Enhance Emergency Operations Center projects, projects requiring EHP review, and noncompetitive procurement requests require additional approval from Cal OES. Written requests must be approved for these activities prior to incurring any costs, in order to be reimbursed for any related costs under this Project Approval. Sub-recipients are also required to obtain a performance bond prior to the purchase of any equipment item over \$250,000, including any aviation or watercraft financed with Homeland Security dollars.

Following completion of the Post Award Actions listed below, this letter will serve as your authorization to begin spending against your approved projects. Please remember that any modifications to your project will require pre-approval by both Riverside UASI and Cal OES prior to incurring any costs.

Post Award Actions:

The following actions are required prior to incurring any costs against your project(s):

1. Attend Sub-Recipient Workshop
2. Executed Memorandum of Understanding (MOU) with City of Riverside / Riverside UASI
3. Executed Grant Assurances
4. Executed Certificate of Non-Supplanting



Office of Emergency Management
3085 St Lawrence Street, Riverside, CA 92504
Phone: (951) 320-8100 | RiversideCA.gov/Fire



- 5. Executed Certificate of Debarment
- 6. Executed Grants Management Assessment Form
- 7. Executed Grant Face Sheet
- 8. Performance Bond(s) as required
- 9. EHP(s) as required
- 10. Noncompetitive Procurement Request(s) as required
- 11. Controlled Equipment as required

This grant is subject to all provisions of 2 CRF Part 200, Subpart F – Audit Requirements. Any funds received in excess of current needs, approved amounts, or those found owed as a result of a final review or audit, must be refunded to the Riverside UASI within 30 calendar days upon receipt of an invoice.

Project: Rapid Deployment Anti-Vehicle Barriers \$195,000

Milestones:

6 month mark	5% complete	02/01/2022
12 month mark	25% complete	08/01/2022
18 month mark	50% complete	12/01/2022
24 month mark	65% complete	06/01/2023
28 month mark	85% complete	10/01/2023
31 month mark	100% complete	01/01/2024

Please note that your Department Head or Agency Director's signature is required on this letter. Sign and return the original to our office within ten days of receipt and keep a copy for your grant file. Feel free to contact our office for further assistance.

Please refer to your Sub-Recipient Grant Guide for additional information, forms, and guidance. I look forward to working with you and to the success of your project.

Sincerely,



Mark Annas
Program Administrator

Riverside Fire Department
Office of Emergency Management / UASI Program
3085 Saint Lawrence Street
Riverside, CA 92504
(951) 320-8103



David Lelemer, Assistant Sheriff
Riverside County Sheriff's Department

2/21/23

Date

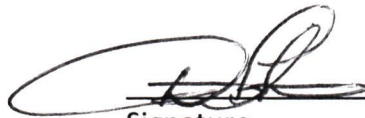
Certificate of Non-Supplanting

My signature below affirms that grant funds from the Urban Area Security Initiative Grant will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose.

Designated Agent:

David Lelevier

Printed Name

A handwritten signature in black ink, appearing to read 'D. Lelevier', written over a horizontal line.

Signature

Assistant Sheriff

Title

County of Riverside on behalf of the
Riverside County Sheriff's Department

Agency

**RIVERSIDE URBAN AREA SECURITY INITIATIVE
CERTIFICATION REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

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 of this form provides for compliance with certification requirements under the applicable CFR covering New Restrictions on Government-wide Debarment and Suspension (Non-procurement). The certification shall be treated as a material representation of fact upon which reliance will be placed when the Agency determines to award the covered transaction or cooperative agreement.

If it is later determined that an applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. The applicant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

As required by Executive Order 12549, Debarment and Suspension, and implemented under the applicable CFR, for prospective participants in covered transactions, as defined in the applicable CFR

1. 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 (Note: The terms "covered transaction," "debarred," "suspended," "ineligible," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.);
 - b. Have not within a three-year period preceding this application been conflicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing 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 these 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
2. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach as explanation to this application.


Authorized Agent Signature

David Lelevier, Assistant Sheriff

Name Printed or Typed

Date

2/23/27

County of Riverside on behalf of the
Riverside County Sheriff's Department
Business Name

4095 Lemon Street
Street Address

Riverside, CA 92501
City, State, Zip Code



Cal OES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application, within prescribed timelines.

I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:

- (a) Applicable Federal Regulations (see below);
- (b) Federal Program Notice of Funding Opportunity (NOFO);
- (c) Federal Preparedness Grants Manual;
- (d) California Supplement to the NOFO; and
- (e) Federal and State Grant Program Guidelines.

Federal Regulations

Government cost principles, uniform administrative requirements, and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.). Updates are issued by the Office of Management and Budget (OMB) and can be found at <http://www.whitehouse.gov/omb/>.

State and federal grant award requirements are set forth below. The Applicant hereby agrees to comply with the following:

1. Proof of Authority

The Applicant will obtain proof of authority from the city council, governing board, or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

- (a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required;
- (b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board, or authorized body;
- (c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board, or authorized body;



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

- (d) Applicant is authorized by the city council, governing board, or authorized body to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project cost, if any) to ensure proper planning, management and completion of the project described in this application; and
- (e) Official executing this agreement is authorized by the Applicant.

This Proof of Authority must be maintained on file and readily available upon request.

2. Period of Performance

The period of performance is specified in the Award. The Applicant is only authorized to perform allowable activities approved under the award, within the period of performance.

3. Lobbying and Political Activities

As required by Section 1352, Title 31 of the United States Code (U.S.C.), for persons entering into a contract, grant, loan, or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.



Cal OES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§ 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.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

4. Debarment and Suspension

As required by Executive Orders 12549 and 12689, and 2 C.F.R. § 200.214 and codified in 2 C.F.R. Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its principals, recipients, or subrecipients:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, 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 civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing 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 governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

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.

5. Non-Discrimination and Equal Employment Opportunity

The Applicant will comply with all state and federal statutes relating to non-discrimination, including:



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

- (a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. § 2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;
- (b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
- (c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794), which prohibits discrimination against those with disabilities or access and functional needs;
- (d) Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §§ 12101- 12213), which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs;
- (e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (f) Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd—2), relating to confidentiality of patient records regarding substance abuse treatment;
- (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)— be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201);
- (h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification or national origin;
- (i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;
- (j) California Public Contract Code § 10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;



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- (k) DHS policy to ensure the equal treatment of faith-based organizations, under which all applicants and recipients must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;
- (l) The Applicant will comply with California's Fair Employment and Housing Act (FEHA) (California Government Code §§ 12940, 12945, 12945.2), as applicable. FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave, military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions;
- (m) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
- (n) The requirements of any other nondiscrimination statute(s) that may apply to this application.

6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

7. Environmental Standards

The Applicant will comply with state and federal environmental standards, including:

- (a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000- 21177), to include coordination with the city or county planning agency;
- (b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000- 15387);
- (c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
- (d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;



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- (e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities;
- (f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
- (g) Executive Order 11514 which sets forth national environmental standards;
- (h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;
- (i) The Safe Drinking Water Act of 1974, (P.L. 93-523);
- (j) The Endangered Species Act of 1973, (P.L. 93-205);
- (k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
- (l) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
- (m) Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.



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8. Audits

For subrecipients expending \$750,000 or more in federal grant funds annually, the Applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

9. Cooperation and Access to Records

All Applicants must cooperate with any compliance reviews or investigations conducted by DHS. In accordance with 2 C.F.R. § 200.337, the Applicant 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. The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

10. Conflict of Interest

The Applicant will establish safeguards to prohibit the Applicant's employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Financial Management

False Claims for Payment - The Applicant will comply with 31 U.S.C §§ 3729-3733 which sets forth that no subrecipient, recipient, or subrecipient shall submit a false claim for payment, reimbursement or advance.

12. Reporting - Accountability

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), specifically (a) the reporting of subawards obligating \$30,000 or more in federal funds and (b) executive compensation data for first-tier subawards. This includes the provisions of FFATA, which includes requirements for executive compensation, and also requirements implementing the Act for the non-federal entity at 2 C.F.R. Part 25 Financial Assistance Use of Universal Identifier and Central Contractor Registration and 2 C.F.R. Part 170 Reporting Subaward and Executive Compensation Information.

13. Whistleblower Protections

The Applicant also must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.



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14. Human Trafficking

The Applicant will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from: (1) engaging in trafficking in persons during the period of time that the award is in effect; (2) procuring a commercial sex act during the period of time that the award is in effect; (3) using forced labor in the performance of the award or subawards under the award.

15. Labor Standards

The Applicant will comply with the following federal labor standards:

- (a) The Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts, and
- (b) The Federal Fair Labor Standards Act (29 U.S.C. § 201 et al.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.

16. Worker's Compensation

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

17. Property-Related

If applicable to the type of project funded by this federal award, the Applicant will:

- (a) Comply with the requirements of Titles 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 interests in real property acquired for project purposes regardless of federal participation in purchase;
- (b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires subrecipients 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;



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- (c) Assist the awarding agency in assuring compliance with Section 106 of the
- (d) National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.); and
- (e) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

- (a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;
- (b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and
- (c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

19. Use of Cellular Device While Driving is Prohibited

Applicants are required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.



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20. California Public Records Act and Freedom of Information Act

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code section 6250 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

HOMELAND SECURITY GRANT PROGRAM (HSGP) – PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS

21. Acknowledgment of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

22. Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

23. Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template a useful resource respectively.

24. Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.



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25. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

26. Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

27. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

28. Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

29. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, all Applicants must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.



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30. Non-supplanting Requirement

All recipients who receive federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

31. Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

32. SAFECOM

All recipients who receive federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

33. Terrorist Financing

All recipients must comply with Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

34. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.



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35. USA Patriot Act of 2001

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

36. Use of DHS Seal, Logo, and Flags

All recipients must obtain permission from their DHS Financial Assistance Office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

37. Performance Goals

In addition to the Biannual Strategy Implementation Report submission requirements outlined in the Preparedness Grants Manual, subrecipients must demonstrate how the grant-funded project addresses the core capability gap associated with each project and identified in the Threat and Hazard Identification and Risk Analysis or Stakeholder Preparedness Review or sustains existing capabilities, as applicable. The capability gap reduction or capability sustainment must be addressed in the Project Description of the BSIR for each project.

38. Applicability of DHS Standard Terms and Conditions to Tribes

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.



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IMPORTANT

The purpose of the assurance is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. The Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in this assurance. This assurance is binding on the Applicant, its successors, transferees, assignees, etc. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the subrecipient may be ineligible for award of any future grants if the Cal OES determines that any of the following has occurred: (1) the recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers. All recipients are bound by the Department of Homeland Security Standard Terms and Conditions 2021, Version 11.4, hereby incorporated by reference, which can be found at:
<https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>.

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Subrecipient: County of Riverside on behalf of the Riverside County Sheriff's Department

Signature of Authorized Agent: 

Printed Name of Authorized Agent: David Lelevier

Title: Assistant Sheriff Date: 2/23/23