

INTRODUCED: November 13, 2023

AN ORDINANCE No. 2023-326

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to accept funds in the amount of \$867,909.09 from the Federal Emergency Management Agency, to amend the Fiscal Year 2023-2024 Special Fund Budget by creating a new special fund for the Department of Fire and Emergency Services called the “FY2022 Fire Prevention and Safety Grant Special Fund,” and to appropriate the increase to the Fiscal Year 2023-2024 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Fire and Emergency Services’ FY2022 Fire Prevention and Safety Grant Special Fund by \$867,909.09, for the purpose of providing funding for two years of salary, benefits, and training for five new civilian fire prevention inspectors.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 11 2023 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, is authorized to accept funds in the amount of \$867,909.09 from the Federal Emergency Management Agency for the purpose of providing funding for two years of salary, benefits, and training for five new civilian fire prevention inspectors.

AYES: 8 NOES: 0 ABSTAIN: _____

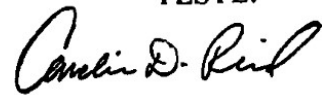
ADOPTED: DEC 11 2023 REJECTED: _____ STRICKEN: _____

§ 2. That Article I, Section 2 of Ordinance No. 2023-071, adopted May 8, 2023, which adopted a Special Fund Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, and made appropriations pursuant thereto, be and is hereby amended by creating a new special fund for the Department of Fire and Emergency Services called the “FY2022 Fire Prevention and Safety Grant Special Fund” for the purpose of providing funding for two years of salary, benefits, and training for five new civilian fire prevention inspectors.

§ 3. That the funds received from the Federal Emergency Management Agency are hereby appropriated to the Special Fund Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, by increasing estimated revenues by \$867,909.09, increasing the amount appropriated for expenditures by \$867,909.09, and allotting to the Department of Fire and Emergency Services’ FY2022 Fire Prevention and Safety Grant Special Fund the sum of \$867,909.09, for the purpose of providing funding for two years of salary, benefits, and training for five new civilian fire prevention inspectors.

§ 4. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**



City Clerk



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2023-1736

File ID: Admin-2023-1736

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 1

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 10/16/2023

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 11/13/2023

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: ORD. 2023-071, FY22 Fire Prevention & Safety (FPS) Grant Award Package, FY 2022 FPS Memorandum to the CAO 9.29.2023 Signed, Fire Inspection Policy 411, FPS Ordinance Draft 9.25.2023 v.2, Greg Lukanuski Approval - ATL & FPS

Enactment Number:

Contact:

Introduction Date:

Drafter: Gregory.Irving@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	10/17/2023	Melvin Carter	Approve	10/17/2023
Notes: Approved					
1	2	10/20/2023	Sheila White	Approve	10/19/2023
1	3	10/20/2023	Jason May	Delegated	
Notes: Delegated: Out Of Office					
1	4	10/24/2023	Meghan Brown	Approve	10/24/2023
1	5	10/27/2023	Lincoln Saunders	Approve	11/2/2023
1	6	11/9/2023	Mayor Stoney	Approve	11/14/2023

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File Admin-2023-1736

City of Richmond
Intracity Correspondence

O&R Transmittal

DATE: October 16, 2023

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

THROUGH: Jason P. May, Director of Budget and Strategic Planning

THROUGH: Sheila D. White, Director of Finance

THROUGH: Melvin D. Carter, Chief of Fire and Emergency Services

FROM: Angelia Adediran, Deputy Director of Fire and Emergency Services

RE: FEMA Fire Prevention and Safety Grant Award

ORD. OR RES. No.

PURPOSE: To authorize the Chief Administrative Officer to accept grant award funds in the amount of \$867,909.09 from the Federal Emergency Management Agency (FEMA), to appropriate the increase of the same to the Fiscal Year 2023-2024 Annual Budget by increasing the adopted budget's estimated special fund revenues and expenditures with a new special fund entitled Fire Prevention and Safety Grant Special Fund. The funds are for the purpose of training five new civilian fire prevention inspectors and paying two years of their salaries plus fringe benefits.

The Fire Department will request funding for three of these positions to continue after the award's performance period. The Department will advertise the positions as grant-funded for two years, subject to continuous funding afterward, and inform applicants of its plans to seek City funding for three of the positions.

BACKGROUND: In early 2023, the Richmond Fire Department applied for FEMA's FY2022 Fire Prevention and Safety Grant. (FEMA's funding for this grant was provided in Federal FY2022.) The Fire Department sought the funding to hire and train five new civilian fire prevention inspectors over the two-year maximum performance period allowed by the grant.

These new personnel would advance the Fire Department's "For a Safer Richmond" program by ensuring that the Fire Marshall's Office can inspect all of Richmond's approximately 7,000-11,000 business locations once every three years. (The Department currently inspects half or less than that total.)

The Fire Department could then comply with the fire inspection standards of National Fire Protection Association (NFPA) Standard 1730, as well as this Fire Department's Policy #411, and could better enforce the fire safety requirements set in the Virginia Statewide Fire Prevention Code (SFPC), the Code of Virginia and the Code of Richmond.

The award's performance period runs from September 1, 2023, through August 31, 2025. The grant award includes a match requirement of \$43,395.46, spread over the two years, for which the Fire Department does not seek additional funds.

The Fire Department currently employs three civilian fire inspectors and is recruiting to fill two vacant positions that were previously budgeted. So far in 2023, the inspections team has inspected approximately 1,700 locations, including a substantial proportion of non-businesses, such as residential complexes. The additional five inspectors would enable sufficient inspections so that all Richmond locations are inspected in line with national standards and this Department's adopted policy.

Conservatively, the additional five civilian fire prevention inspectors will generate between \$75,000.00 and \$300,000.00 in annual revenue from inspection fees. (Assuming 3,000 new inspections per year multiplied by \$25.00 at the lowest end or by \$100.00 to represent a reasonable estimated average inspection fee.) There is also the possibility of generating more revenue from permitting fees. By reestablishing the fee schedule, the revenue received will provide resources helpful to supporting the inspectors in future years beyond the grant's expiration.

In FY2023, despite limited personnel and limited ability to meet demand for permitting inspections, the Department generated \$62,495.00 in permitting fees. Business needs drive this demand, with FY2022 generating only \$46,895.00 in fees. However, in FY2021, with greater personnel capacity, the Department inspected significantly more properties, generating nearly \$80,000.00 in permitting fees.

The Fire Department will request funding for three of these positions to continue after the award's performance period. The additional collected fees will partly support these positions. The Department will advertise the positions as grant-funded for two years, subject to continuous funding afterward, and inform applicants of its plans to seek City funding for three of the positions.

Notice of the grant award came on September 1, 2023. FEMA required indication of our intent to

accept the grant within their FEMA GO online system no later than October 1, 2023. The Fire Department received approval from the Chief Administrative Officer to indicate that intent on September 29, 2023, through a signed memorandum.

COMMUNITY ENGAGEMENT: Inspectors inspect businesses and large residential complexes across the City every week. Annually, our Prevention personnel make the public aware of required fire inspections and fire prevention best practices through Fire Prevention Week, which ran October 8th-14th of this year. The Department utilizes social media to spread awareness of these events.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL:

FISCAL IMPACT: The total amount of the award is \$867,909.09 with a matching funds requirement of \$43,395.46, which is 5% of the total approved award budget of \$911,394.55. **If adopted**, the City obtains \$867,909.09 in revenue otherwise unavailable for training and employing the five civilian fire prevention inspectors. The City would need to cover the salaries of the five new civilian fire prevention inspectors after the grant’s performance period.

DESIRED EFFECTIVE DATE: Upon introduction

REQUESTED INTRODUCTION DATE: November 13, 2023

CITY COUNCIL PUBLIC HEARING DATE: December 11, 2023

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Public Safety

AFFECTED AGENCIES: The Department of Finance, the Department of Budget and Strategic Planning and the City of Richmond Department of Fire and Emergency Services

RELATIONSHIP TO EXISTING ORD. OR RES.: Adopted Ordinance #2023-071

ATTACHMENTS:

- Adopted Ordinance #2023-071, establishing the FY2023-2024 Annual Budget
- FY22 Fire Prevention & Safety (FPS) Grant Award Package
- Memorandum signed by the Chief Administrative Officer allowing conditional “acceptance” of the grant from FEMA to reserve the funds pending Council’s approval and acceptance
- Richmond Fire and Emergency Services Fire Inspection Policy 411
- Draft Ordinance
- Approval of Draft Ordinance by City Attorney Greg Lukanuski

STAFF: Fire Chief Melvin D. Carter, 804-646-5451; Angelia Adediran, Deputy Director - Fire and Emergency Services, 804-646-4912; Gregory Irving, Grant Writer - Fire and Emergency Services,

804-646-5442

Fire Safety Inspections

411.1 PURPOSE AND SCOPE

The purpose of fire safety inspections is to allow for the prevention of fires and the protection of persons and property from exposure to the dangers of fire and explosion; to require the razing, repair and alterations of buildings, and the clearing and improvement of premises which constitute a fire hazard or a menace to the safety of persons or property; and to control the use and occupancies of such buildings and premises in accord with the Fire Code. The Fire Marshal Office (FMO) shall document all occupancy inspections, complaints, and history.

411.2 POLICY

It is the policy of the Fire Marshal Office to conduct fire safety inspections according to a standard process to address violations that could threaten the lives of residents and staff. The Richmond FMO shall attempt to conduct inspections on all required occupancy locations according to the schedules contain in this document and as required by law or ordinance, while maintaining a fair cost recovery fee schedule for these services.

411.3 PROCEDURE

General

The fire official shall order the following dangerous or hazardous conditions or materials to be removed or remedied in accordance with the Virginia Statewide Fire Prevention Code (SFPC):

1. Dangerous conditions which are liable to cause or contribute to the spread of fire in or on said premises, building or structure, or to endanger the occupants thereof.
2. Conditions which would interfere with the efficiency and use of any fire protection equipment.
3. Obstructions to or on fire escapes, stairs, passageways, doors or windows, which are liable to interfere with the egress of occupants or the operation of the fire department in case of fire.
4. Accumulations of dust or waste material in air conditioning or ventilating systems or grease in kitchen or other exhaust ducts.
5. Accumulations of grease on kitchen cooking equipment, or oil, grease or dirt upon, under or around any mechanical equipment.
6. Accumulations of rubbish, waste, paper, boxes, shavings, or other combustible materials, or excessive storage of any combustible material.
7. Hazardous conditions arising from defective or improperly used or installed electrical wiring, equipment or appliances.
8. Hazardous conditions arising from defective or improperly used or installed equipment for handling or using combustible, explosive or otherwise hazardous materials.

Richmond Fire and Emergency Services

Policy Manual

Fire Safety Inspections

9. Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials.
10. All equipment, materials, processes or operations which are in violation of the provisions and intent of this code.

411.4 MAINTENANCE

The owner shall be responsible for the safe and proper maintenance of any structure, premises or lot. In all structures, the fire protection equipment, means of egress, alarms, devices and safeguards shall be in a safe and proper operating condition as required by the SFPC and applicable referenced standards. The owner is responsible for third party maintenance, inspection and testing along with corresponding record keeping and shall provide such records when requested by the FMO.

411.5 OCCUPANT RESPONSIBILITIES

If a building occupant creates conditions in violation of this code, by virtue of storage, handling and use of substances, materials, devices and appliances, such occupant shall be held responsible for the abatement of said hazardous conditions.

411.6 UNSAFE STRUCTURES AND CONDITIONS

All structures that are or shall hereafter become unsafe or deficient in adequate exit facilities or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or by reason of illegal or improper use, occupancy or maintenance or which have sustained structural damage by reason of fire, explosion, or natural disaster shall be deemed unsafe structures. A vacant structure, or portion of a structure, unguarded or open at door or window shall be deemed a fire hazard and unsafe within the meaning of this code. Unsafe structures shall be reported to the building official or building maintenance official who shall take appropriate action under the provisions of the to secure abatement. Subsequently, the fire official may request the legal counsel of the to institute the appropriate proceedings for an injunction against the continued use and occupancy of the structure until such time as conditions have been remedied.

Violation	Recommendation
Hood Suppression Systems	30 Days Contract Pending
Electrical hazards (Panel Boxes)	5-20 Days
Exit sign not working	5-15 Days
Fire Protection Systems	5 Days Situation
Hazard Waste	1-30 Days Situation

An inspector may issue violations of the Statewide Fire Prevention Code that require immediate abatement such as:

- Means of egress compromised/obstructed/blocked

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Fire Safety Inspections

- Flammable liquids storage near an ignition source, fire imminent

411.7 INSPECTION FREQUENCY

The Fire Marshals Office will use as a guide **NFPA Standard 1730** for inspection frequencies of existing buildings. **NFPA 1730** suggests the frequency of inspections is established based on the occupancy risk.

The Fire Marshals Office will strive to inspect occupancies under the frequency listed in this policy. Structures shall be classified according to the occupancy classifications as defined in the Virginia Statewide Fire Prevention Code.

Periodic fire safety inspections by the Fire Marshal, or his/her designee, are required for structures annually, every two (2) years, or every three (3) years, depending on occupancy classification as provided below. Except as otherwise provided, the occupancy classifications specified below include groups within the Virginia Building Code occupancy classification. Where multiple use groups apply to a structure, the applicable period for inspection for the entire structure will be the period applicable to the use group that represents the greatest percentage of the total square footage of the structure.

High Risk: Buildings having a history of frequent fires and potential for life or economic loss; or buildings in which occupants must rely on the building's fire protection system or rely on staff assistance for evacuation. (examples - Apartments, places of Assembly, health care facilities, etc.)

Moderate Risk: Building having a moderate fire history and potential life loss or economic loss (examples - industrial facilities, ambulatory health care facilities, etc.)

Low Risk: Building having little to no history of fire with potential for life loss or economic loss. (examples - storage, mercantile, business, etc.)

Critical Infrastructure: Vital assets, system networks, or structures when damaged or destruction would have a debilitating effect on the community. (examples - power plants, water treatment facilities, public safety buildings, etc.)

411.8 INSPECTION FREQUENCY SCHEDULE

Process: The process for monitoring and tracking what inspections have been done and when the next inspection is due is managed through the Fire Department's Records Management System. The Assistant Fire Marshals will create a new inspection report at the time of inspection. Those inspections that require and annual inspection will be recorded 365 days after the initial inspection. Reports can be pulled weekly, monthly, quarterly.

Institutional Group	Annual Inspection Months
I-1 Licensed Assisted Living Facilities	March, April, and May
I-1 Licensed Group Homes	March, April, and May
I-2 Group Hospitals	March, April, and May
I-2 Licensed Nursing Homes	March, April, and May

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Fire Safety Inspections

I-4 Licensed Adult Day Care Centers	March, April, and May
R-4 Senior Living Facilities- Apartments (Limited to common areas and protection systems)	October and November
R-4 Senior Living Facilities- High Rise	October and November
E- Educations Facilities- Schools	June, July and August

411.9 SPECIAL PROVISION

Coordination with Richmond Public Schools

- (a) Establish a schedule of recurring meetings with RPS facilities to facilitate the correction of code violations.
- (b) The Fire Marshal or their designee will work with Richmond Public Schools (RPS) facility representative(s) consistently throughout the year.
- (c) Both agencies will coordinate inspection times, noting violations and re-inspections, ensuring that those discrepancies within the period outlined are corrected.

411.10 DATABASE UPDATE SCHEDULE

Bi-annually the Fire Marshals Office will receive data updates from Finance concerning new business licenses issued.

Bi-annually the Fire Marshals Office will receive data updates from Building Officials Office concerning new certificates of occupancies issued.



RICHMOND DEPARTMENT OF FIRE AND EMERGENCY SERVICES

DATE: September 29, 2023

TO: J. E. Lincoln Saunders, Chief Administrative Officer
Office of the Mayor

FROM: Melvin D. Carter, Chief of Fire
Richmond Department of Fire and Emergency Services

SUBJECT: FY 2022 Fire Prevention and Safety (FPS) Grant Award: FY2026 and Beyond

Background & Need for Grant Application:

FEMA's Fire Prevention and Safety (FPS) grants support projects that enhance the safety of the public and firefighters from fire and related hazards. The primary goal is to reduce injury and prevent death among high-risk populations.

The Richmond Fire Department applied in early 2023 for the FY2022 FPS grant to fund the hiring and training of 5 new civilian fire prevention inspectors. (Currently, the Department employs 3 civilian fire inspectors and is filling 2 vacant positions of the same.) Their hiring would constitute a significant step in the Department's "For A Safer Richmond" initiative. That initiative's goal is to protect Richmond home and business owners from incidences of fire through periodic inspections as defined and required by the Virginia Statewide Fire Prevention Code (SFPC), the Code of Virginia and the Code of Richmond.

Thus, we requested and were awarded funding to support an increase of 5 new Fire Prevention Inspectors with the expectation that they can perform over 3,000 business inspections per year. With a total of 10 inspectors, the Department will enhance its ability to complete at least 6,000 inspections annually and can cover the approximately 10,000 business establishments in the City every 3 years. (There are 6,765 business licenses currently active with the City; many businesses have multiple locations.)

This grant enables the Department of Fire and Emergency Services to address the City's Internal Audit findings and the recommended corrective actions. The Department's first action was the implementation of Policy 411, established in the Richmond Fire and Emergency Services Policy Manual. That policy is aligned with the National Fire Prevention Association Rule 1730, a.k.a. NFPA 1730. NFPA 1730 requires business locations to be inspected at least once triennially and other, "high risk" locations, like apartment buildings, to be inspected biannually.

SUBJECT: FY 2022 Fire Prevention and Safety (FPS) Grant Award: FY2026 and Beyond

The second action is seeking increased staffing supported by the acceptance of this grant. New staff will allow the Department of Fire and Emergency Services to perform additional inspections as required for compliance with Policy 411 without delay.

So far in 2023, the Department’s 3 full-time civilian fire inspectors, and 5 sworn personnel who supplement the inspection needs as their schedules permit, have conducted 1,730 inspections. This reflects the Department’s difficulty in achieving compliance with NFPA 1730 and Policy 411 targets due to limited staff. For comparison: in 2011-2013 the Department, with 10 or more full-time fire prevention inspectors, averaged approximately 6,500 inspections per year.

On average, the Department’s civilian fire inspectors will be able to perform 3 inspections per day. Assuming they work 230 days annually – subtracting 17 holidays, 104 weekend days, and 14 days of leave taken – then each inspector can perform at least 690 inspections annually. With 5 new inspectors that totals 3,450 more annual inspections or almost 7,000 in total. This would enable us to achieve Policy 411 and NFPA 1730 compliance.

Award:

On September 1, 2023, FEMA awarded the Richmond Fire Department \$867,909.09 in FPS funds. These funds may cover costs for the salary, fringe benefits, training and related supplies and equipment to train and to employ 5 civilian fire prevention inspectors for two years. The City must provide \$43,395.46 in matching funds over those two years.

- The performance period is from September 1, 2023, to August 31, 2025.
- \$867,909.09 in Federal funds:
 - \$431,833.71 in year 1
 - \$436,075.38 in year 2
- \$43,395.46 matching funds requirement:
 - \$21,591.69 in year 1
 - \$21,803.77 in year 2

Object Class	First Year	Second Year	Total
Personnel salary	\$335,442.60	\$352,214.75	\$687,657.35
Fringe benefits	\$100,632.80	\$105,664.40	\$206,297.20
Supplies	\$7,350.00	\$0.00	\$7,350.00
NFPA 1031 (Fire Inspector) training	\$10,000.00	\$0.00	\$10,000.00
Federal funding	\$431,833.71	\$436,833.71	\$867,909.09
Match	\$21,591.69	\$21,803.77	\$43,395.46
Total	\$453,425.40	\$457,879.15	\$911,304.55

SUBJECT: FY 2022 Fire Prevention and Safety (FPS) Grant Award: FY2026 and Beyond

Salaries:

The salaries of the 5 civilian fire prevention inspectors are each \$67,088.52 in year 1; for year 2 the figure is \$70,442.95. The Department's application requested these salaries to be competitive with surrounding localities' starting salaries.

Other Fiscal Impacts:

Two new vehicles would need to be purchased; the cost of one such vehicle, a Chevy Malibu, is approximately \$25,000.00, so the total costs would come to approximately \$50,000.00. Ten vehicles were purchased under a previous grant and are currently utilized by the Fire Department. The City already owns and maintains these vehicles, all but two of which could and would be assigned to the new civilian fire prevention inspectors for their use during working hours.

The Fire Department already possesses the five computers that the new inspectors would require. New uniforms would cost approximately \$10,000.00 in total for the five new civilian fire inspectors. A similar \$10,000.00 would be required to equip the inspectors with tape measures, cameras, traffic cones, safety goggles and helmets, etc. \$7,350.00 of this \$20,000.00 total would constitute our match requirement in Year 1 of the grant.

The lowest fee the Department charges for an inspection is \$25.00, with most residential inspections costing above \$50.00. Most business inspections have fees more than \$100.00 per inspection. Fees run as high as \$2,000.00 for certain kinds of inspections. (Our current inspection fees were established by Council in Ord. No. 2020-077 and Ord. No 2020-078.)

Accordingly, and conservatively, the additional five civilian fire prevention inspectors will generate between \$75,000.00 and \$300,000.00 in annual revenue from inspection fees. (Assuming 3,000 new inspections per year multiplied by \$25.00 at the very low end or by \$100.00 to represent a reasonable estimated average inspection fee.) There is also the possibility of generating more revenue from permitting fees. By reestablishing the fee schedule, the revenue received will provide the resources necessary to maintain support in future years beyond the grant's expiration.

In FY2023, despite limited personnel and limited ability to meet demand for permitting inspections, the Department generated \$62,495.00 in permitting fees. Business needs drive this demand, with FY2022 generating only \$46,895.00 in fees. However, in FY2021, with greater personnel capacity, the Department inspected significantly more properties, generating nearly \$80,000.00 in permitting fees.

The new civilian positions will be advertised and maintained as grant funded positions subject to continuous funding. At the conclusion of the grant, the Department will request 3 additional positions fully funded positions resulting in a personnel complement of at least 8 Fire Inspectors supported in part with increased collection of inspection fees.

SUBJECT: FY 2022 Fire Prevention and Safety (FPS) Grant Award: FY2026 and Beyond

Deadline:

The Department of Fire and Emergency Services must notify FEMA of our intention to accept the award on or before October 1, 2023. This must be done online through the FEMA Grants Outcomes (FEMA GO) platform. The FEMA GO system neither asks for nor has an option to input a signature.

The Department's grant writer, Greg Irving, is available to answer questions. His email is Gregory.Irving@rva.gov and his extension is x5442.



J. E. Lincoln Saunders
Chief Administrative Officer

9/29/2023

Date

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 08/25/2023



Natasha Nau
RICHMOND, CITY OF
900 E BROAD ST STE 201
RICHMOND, VA 23219

EMW-2022-FP-00178

Dear Natasha Nau,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2022 Fire Prevention & Safety (FPS) Grant funding opportunity has been approved in the amount of \$867,909.09 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 5.00% of the Federal funds awarded, or \$43,395.46 for a total approved budget of \$911,304.55. Please see the FY 2022 FP&S Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- FY 2022 FP&S Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink that reads "P.S. Williams". The signature is written in a cursive, flowing style.

PAMELA WILLIAMS
Assistant Administrator, Grant Programs

Summary Award Memo

Program: Fiscal Year 2022 Fire Prevention & Safety

Recipient: RICHMOND, CITY OF

UEI-EFT: EG4LF5GYLK81

DUNS number: 003133840

Award number: EMW-2022-FP-00178

Summary description of award

The purpose of the Fire Prevention and Safety Grant Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards by assisting fire prevention programs and supporting firefighter health and safety research and development. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application — including budget information — was consistent with the Fire Prevention and Safety Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2022 Fire Prevention and Safety (FP&S) funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	First Year	Second Year	Total
Personnel	\$335,442.60	\$352,214.75	\$687,657.35
Fringe benefits	\$100,632.80	\$105,664.40	\$206,297.20
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$7,350.00	\$0.00	\$7,350.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$10,000.00	\$0.00	\$10,000.00
Indirect charges	\$0.00	\$0.00	\$0.00
Federal	\$431,833.71	\$436,075.38	\$867,909.09
Non-federal	\$21,591.69	\$21,803.77	\$43,395.46
Total	\$453,425.40	\$457,879.15	\$911,304.55
Program Income			\$0.00

Approved scope of work

Approved request details:

Code Enforcement/Awareness

Project: First Time or Reinstatement of Code Adoption/Enforcement

Other (Explain)

Technology Equipment

DESCRIPTION

Technology equipment includes tablets and mobile printers for the inspectors to complete their fieldwork (\$6,100).

YEAR	QUANTITY	UNIT PRICE	TOTAL
1	1	\$6,100.00	\$6,100.00
2	0	\$0.00	\$0.00

BUDGET CLASS

Supplies

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

An additional budget line item has been included to separate Other (Explain) and Technology Equipment budget categories.

Other (Explain)

5 Civilian Fire Prevention Inspectors - Salary

DESCRIPTION

The salaries of 5 civilian Fire Prevention Inspectors for 2 years is hereby presented at \$687,657.35. The personnel code for the position is PY06C. The salary for Year 1 is \$67,088.52 and the salary for Year 2 is \$70,442.95. An annual 5% increase is given to civilian positions by the City of Richmond for COLA. These salaries are increased from RFD's prior year FP&S application because the RFD realized that the starting salaries were not competitive to the surrounding areas and therefore it made recruitment extremely difficult.

YEAR	QUANTITY	UNIT PRICE	TOTAL
1	5	\$67,088.52	\$335,442.60
2	5	\$70,442.95	\$352,214.75

BUDGET CLASS

Personnel

Other (Explain)

5 Civilian Fire Safety Inspectors - Fringe

DESCRIPTION

The fringe benefits for 5 civilian Fire Safety Inspectors for 2 years is hereby presented at \$206,297.20. The civilian fringe rate in the City of Richmond is 30%. This 30% calculation is performed off the salary cost item included within this budget. The increase in fringe from Year 1 to Year 2, therefore corresponds to the 5% salary COLA adjustment. Richmond's fringe benefits components along with approximate breakdown is as follows: FICA (Social Security and Medicare (7.65%), retirement (5%), life insurance (0.053%), healthcare (medical, vision, and dental plans) (17%).

YEAR	QUANTITY	UNIT PRICE	TOTAL
1	5	\$20,126.56	\$100,632.80
2	5	\$21,132.88	\$105,664.40

BUDGET CLASS

Fringe benefits

Other (Explain)

Office Supplies

DESCRIPTION

The office supplies total \$1,250 and include not only regular office supplies, but also VA statewide fire prevention code books.

YEAR	QUANTITY	UNIT PRICE	TOTAL
1	1	\$1,250.00	\$1,250.00
2	0	\$0.00	\$0.00

BUDGET CLASS

Supplies

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

An additional budget line item has been included to separate Other (Explain) and Office Supplies budget categories.

Other (Explain)

Supplies, Equipment, Uniforms, and Training

DESCRIPTION

Onboarding and outfitting costs of \$23,825 are hereby presented for Year 1 of the performance period. These costs include uniforms, VA Fire Arson Association Membership fees, office supplies, technology equipment, and training. The uniforms portion of this budget totals \$6,375 and includes pants, shirts, headwear, outerwear, belts, footwear, and brass. The VA Fire Arson Association Membership fees total \$100. The office supplies total \$1,250 and include not only regular office supplies, but also VA statewide fire prevention code books. Technology equipment includes tablets and mobile printers for the inspectors to complete their fieldwork (\$6,100). Finally, this budget includes \$10,000 worth of NFPA 1031 (Standard for Professional Qualifications for Fire Inspector and Plans Examiner) training for the 5 inspectors which encompasses 16 days. The proposed Fire Inspector II course is a 120-hour ProBoard certified course and is designed for the individual conducting fire inspections, life safety surveys/inspection, and fire code enforcement for multi-occupancy structures. The course is designed around classroom lectures and individual activities to provide the student the needed skills and knowledge to conduct multiple occupancy fire inspections.

YEAR	QUANTITY	UNIT PRICE	TOTAL
1	0	\$0.00	\$0.00
2	0	\$0.00	\$0.00

BUDGET CLASS

Other

CHANGE FROM APPLICATION

Year 1 quantity from 1 to 0

Year 1 price from \$23,825.00 to \$0.00

JUSTIFICATION

The award reflects a reduction from the amount requested in the application. This reduction removes ineligible costs for Uniforms and VA Fire Arson Association Membership Fees requested in the application. The award reflects a change from the application. This change is because the costs for Office Supplies, Technology Equipment, and NFPA 1031 Training were moved to a proper sub-category for the budget line item.

Other (Explain)

NFPA 1031 Training

DESCRIPTION

Finally, this budget includes \$10,000 worth of NFPA 1031(Standard for Professional Qualifications for Fire Inspector and Plans Examiner) training for the 5 inspectors which encompasses 16 days. The proposed Fire Inspector II course is a 120-hour ProBoard certified course and is designed for the individual conducting fire inspections, life safety surveys/inspection, and fire code enforcement for multi-occupancy structures. The course is designed around classroom lectures and individual activities to provide the student the needed skills and knowledge to conduct multiple occupancy fire inspections.

YEAR	QUANTITY	UNIT PRICE	TOTAL
1	1	\$10,000.00	\$10,000.00
2	0	\$0.00	\$0.00

BUDGET CLASS

Other

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

An additional budget line item has been included to separate Other (Explain) and NFPA 1031 Training budget categories.

Agreement Articles

Program: Fiscal Year 2022 Fire Prevention & Safety

Recipient: RICHMOND, CITY OF

UEI-EFT: EG4LF5GYLK81

DUNS number: 003133840

Award number: EMW-2022-FP-00178

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Article 1**Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency. II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002. III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB’s guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article 2**General Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance. V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. DHS Civil Rights Evaluation Tool | Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article 3**Acknowledgement of Federal Funding from DHS**

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

Article 4**Activities Conducted Abroad**

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

Article 5**Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article 6**Americans with Disabilities Act of 1990**

Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article 7**Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines 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. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article 8**Civil Rights Act of 1964 – Title VI**

Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article 9**Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. 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. Part 100, Subpart D.)

Article 10 Copyright

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.

Article 11 Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12 Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13 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 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.

Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article 15 E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety

Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.

Article 16 Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 17 False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 18 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.)

Article 19 Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.

Article 20 Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) 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.

Article 21**Hotel and Motel Fire Safety Act of 1990**

Recipients 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 Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a

Article 22**John S. McCain National Defense Authorization Act of Fiscal Year 2019**

Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons

Article 23**Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which 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. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article 24**Lobbying Prohibitions**

Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt 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 any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article 25**National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans

Article 26	Nondiscrimination in Matters Pertaining to Faith-Based Organizations It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
Article 27	Non-Supplanting Requirement Recipients receiving 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.
Article 28	Notice of Funding Opportunity Requirements All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
Article 29	Patents and Intellectual Property Rights Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal 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.
Article 30	Procurement of Recovered Materials States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
Article 31	Rehabilitation Act of 1973 Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 32 Reporting of Matters Related to Recipient Integrity and Performance
General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients 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.

Article 33 Reporting Subawards and Executive Compensation
Reporting of first tier subawards. Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article 34 Required Use of American Iron, Steel, Manufactured Products, and Construction Materials
Recipients must comply with the “Build America, Buy America” provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the

application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. The awarding Component may provide specific instructions to Recipients of awards from infrastructure programs that are subject to the “Build America, Buy America” provisions. Recipients should refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

Article 35 SAFECOM

Recipients receiving 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.

Article 36 Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws 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.

Article 37 Trafficking Victims Protection Act of 2000 (TVPA)

Trafficking in Persons. Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

Article 38 Universal Identifier and System of Award Management

Requirements for System for Award Management and Unique Entity Identifier Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article 39 USA PATRIOT Act of 2001

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

Article 40 Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO 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.

Article 41 Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article 42 Environmental Planning and Historic Preservation (EHP) Review

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program and applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archaeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43**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 sub-recipients 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.

Article 44**Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/ GMD Call Center at (866) 927-5646 or via e-mail to: ASK-GMD@fema.dhs.gov if you have any questions.

Article 45**Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state sub-recipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state sub-recipients must follow the disposition requirements in accordance with state laws and procedures.

Article 46**Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 47**Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 48**Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the input of federal resources used to develop outreach efforts/materials the FP&S Program (by organization type) and the total number of individuals reached with said materials, as requested in its application. In addition, FEMA will evaluate whether the recipient's activities impacted community risk reduction, code enforcement awareness, fire arson investigation, as requested in its application. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the program impact as stated in the NOFO.

Obligating document

1. Agreement No. EMW-2022-FP-00178	2. Amendment No. N/A	3. Recipient No. 546001556	4. Type of Action AWARD	5. Control No. WX01190N2023T		
6. Recipient Name and Address RICHMOND, CITY OF 900 E BROAD ST STE 201 RICHMOND, VA 23219		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Natasha Nau		9a. Phone No. 2032530187	10. Name of FEMA Project Coordinator Fire Prevention and Safety Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 08/25/2023	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 09/01/2023 to 08/31/2025 Budget Period 09/01/2023 to 08/31/2025		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
FPS	97.044	2023-F2-GB01 - P410-xxxx-4101-D	\$0.00	\$867,909.09	\$867,909.09	\$43,395.46
Totals			\$0.00	\$867,909.09	\$867,909.09	\$43,395.46
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
PAMELA WILLIAMS, Assistant Administrator, Grant Programs	08/25/2023