

OVERVIEW OF THE VOLUNTEER FIRE ASSISTANCE PROGRAM

A. Purpose

Congress has determined that the protection of rural areas and rural communities from fire is of national interest therefore, there is a Federal role.

The purpose of the Volunteer Fire Assistance (VFA) Program, formerly known as the Rural Community Fire Protection (RCFP) Program, is to provide Federal financial, technical, and other assistance to State Foresters and other appropriate officials to organize, train and equip fire departments in rural areas and rural communities to prevent and suppress fires. A rural community is defined as having 10,000 or less population. This 10,000 population limit for participation in the VFA Program facilitates distribution of available VFA funding to the most needy fire departments.

B. The Rural Fire Situation

More than 1.5 billion acres in the United States are privately owned or owned by State and local governments. Basic fire protection on these lands is the responsibility of State and local entities. Loss of human lives, natural resources, crops, homes and facilities such as sawmills, pulp and paper mills, farm buildings and other rural businesses by fires can throw many people out of work, reduce community tax bases and have other disastrous consequences. The VFA Program helps to enhance stability of rural areas by reducing these losses. Where little or no fire protection is available, the VFA Program can assist in organizing, training, and equipping communities to provide for their basic protection. Federal, State, and local cooperation has a significant effect in reducing losses.

The Volunteer Fire Assistance Program assists volunteer rural fire departments by providing cost-share grants for training, equipping and organizing. Rural Fire Departments represent the first line of defense in coping with fires and other emergencies in rural areas and rural communities. They provide nearly 80% of initial attack on wildland fires in the United States. These departments are charged with the protection of lives, homes and business investments in rural America. Their presence enhances rural development opportunities and economic vitality, thereby improving standards of living in rural areas. Rural fire departments also provide major assistance to State forestry agencies in the suppression of wildland fires and in some States RFD's suppress all such fires.

Rural fire departments also play a major role in suppressing wildfires on Federal lands. The USDA Forest Service and various U.S. Department of the Interior land management agencies have entered into cooperative agreements with many rural fire departments. These agreements enhance the protection of both communities and natural resources. A level of fire protection is attained which would be impossible without such cooperation. Interagency agreements provide a cost-effective means of enhancing fire protection.

Rural firefighters are facing increased hazards with the proliferation of hazardous materials (flammable, explosive, reactive and toxic), increased traffic congestion and increased numbers of fire alarms associated with increased populations in rural and wildland/urban interface areas. Recent surveys also show there are fewer citizen volunteers available or willing to serve in volunteer fire departments and personnel turnover is often high in these departments. Volunteer firefighters often lack adequate personal protective equipment such as self-contained breathing apparatus, turnout gear, fire apparatus, water application equipment (hose, nozzles, etc.) and communications equipment. Water supplies are often limited to the water that is carried in the tanks of responding apparatus. Firefighters are deployed on all-risk incidents. They respond to floods, hurricanes, tornadoes, earthquakes, accidents, hazmat and other incidents in addition to fire. Improved equipment and adequate training of firefighters in all aspects of their responsibilities is a must.

Volunteer firefighters are encouraged to meet personnel, operational, equipment, safety and training standards which are promulgated in national and State standards-making processes. The rural fire community is encouraged to participate in the development of such standards in order to achieve a reasonable level of firefighter training and personal protection in relation to the hazards they must face. Since these standards usually require the expenditure of time and money, rural firefighters should be involved in their development. National Fire Protection Association, (NFPA) statistical reports indicate that emphasis is needed on medical examination, physical fitness and improved driver training programs for volunteer firefighters, which will significantly reduce fatalities.

C. VFA Objectives

The objectives of the VFA Program are listed below and are located in the Forest Service Manual (FSM) 3150.2.

1. Provide financial, technical, and related assistance to State Foresters to organize, train, and equip local firefighting forces for fire protection in rural areas and communities of 10,000 persons or less.
2. Determine benefits and costs of fire protection of rural lands and evaluate the distribution of these costs and benefits among all appropriate entities.
3. Develop policy and monitor States' administration of equipment and supplies purchased in whole or in part with Volunteer Fire Assistance Program funds.
4. Encourage and assist States in the use of Federal Excess Personal Property in achieving the goals and objectives of the VFA Program.
5. Encourage and assist the States in use of Federal procurement systems and sources of supply to achieve the goals and objectives of the VFA Program.

In implementing these objectives the Forest Service and State Foresters endeavor to:

- Organize, train, and equip fire departments in unprotected rural areas and rural communities.
- Assist qualifying fire departments in saving lives and protecting property in unprotected or inadequately protected rural areas.

- Prevent or reduce loss of life, protect financial investments and enhance environmental quality to revitalize rural America.
- Increase the opportunity for rural fire departments to acquire FEPP, training, and current information on techniques of fire prevention.

D. Eligibility

Following are examples of eligibility requirements for use of VFA funding.

1. A single fire department serving a rural area or a rural community with a population of 10,000 or less is eligible (latest Census).
2. Area fire departments (fire districts, townships, etc.) may serve an aggregate population of greater than 10,000 as long as the service area of the fire department includes a rural area or a rural community having a population of 10,000 or less. The VFA funding must be used to benefit the rural population.
3. A single county or town with a population over 10,000 which is served by two or more fire districts operating entirely within the bounds of the county or town may qualify as long as the service area of a given fire department includes a rural area or a rural community or the population of the fire department's jurisdiction is 10,000 or less. The VFA funding must be used for the rural area.
4. A single community with a population greater than 10,000 and having a single fire department with one or more fire stations may qualify. The fire department must have a service area that includes a rural area or community that does not exceed 10,000 population. The VFA funding must be used only for the benefit of the rural population. Similarly a single community with a population greater than 10,000 which also provides fire protection to an adjoining rural community of 10,000 or less population by contract, may also be eligible provided the VFA funding is used entirely to support the rural community.
5. A single community fire department serving a population greater than 10,000 and not providing protection to a rural area or to a rural community is not eligible for VFA financial assistance.

E. Administrative Considerations

Political structure influences how States' administer the VFA Program. States' subdivisions may include counties, parishes, cities, towns, townships, boroughs, villages, districts and other political subdivisions.

1. While paid fire departments are not excluded from participation in the VFA Program targeting of grants to qualifying fire departments having a membership comprised of at least 80% volunteer firefighters is encouraged.
2. All qualifying communities and fire departments must comply with any specific criteria established by State officials and consistent with requirements established by the Forest Service. As an example a State Forester could require each eligible rural community to have a signed cooperative fire protection agreement with the State Forester's office.

3. The community share (match) of the financial assistance must be available at the time of application. Applicants may not derive their share from other sources of Federal assistance.

APPENDIX A

AGREEMENT ADDENDUM

FFATA (Federal Funding Accountability and Transparency Act)

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website. Federal awards include grants, sub grants, loans, awards, cooperative agreements and other forms of financial assistance as well as contracts, subcontracts, purchase orders, task orders, and delivery orders. The legislation does not require inclusion of individual transactions below \$25,000 or credit card transactions before October 1, 2008.

Definitions

- A. "FFATA funds" means funds expended or obligated from appropriations The Federal Funding Accountability and Transparency Act.
- B. "Contractor" is defined as any person, including, but not limited to, a bidder, offertory, loan recipient, grantee, or sub-grantee, who has furnished or seeks to furnish goods, supplies, services, or leased space, or who has performed or seeks to perform construction activity under contract, subcontract, grant, or sub-grant with the Georgia Forestry Commission, or with a person under contract, subcontract, grant, or sub-grant with the Georgia Forestry Commission. The term contractor may include a permit, licensee, or any agency, political subdivision, instrumentality, public authority, or other entity of the Georgia Forestry Commission.

FFATA Terms & Conditions

1. **Revisions to Requirements.** Contractor acknowledges that this Addendum may be revised pursuant to ongoing guidance from the relevant Federal agency or Georgia Forestry Commission regarding requirements for FFATA funds. Contractor agrees to abide by any such revisions upon receipt of written notification from the Georgia Forestry Commission of the revisions, which will automatically become a material part of this Addendum, without the necessity of either party executing any further instrument.
2. **Reporting Requirements** – To meet the reporting requirements of FFATA and ensure transparency and accountability in the use of funds provided through FFATA. Activities carried out and results achieved with FFATA funds will be tracked carefully, reported clearly and quantifiably.

In an effort to meet this requirement, all project information will be reported by GFC at www.fsr.gov/

Contractors will be responsible for submitting the attached financial and management reports once the contract is signed to the Georgia Forestry Commission, Attn: Emily Hamilton, 5645 Riggins Mill Road, Dry Branch, GA 31020 within 5 business days.

Detailed information on any subcontracts or sub-grants awarded by the Contractor must include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget;

Contractor may be required to submit backup documentation for expenditures of FFATA funds including such items as timecards and invoices. Contractor shall provide copies of backup documentation at the request of the Georgia Forestry Commission upon.

3. Registrations and Identification Information

(a) Contractor must maintain current registrations in the Center Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded with FFATA funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

(b) If applicable, the Contractor agrees to separately identify to each sub-contractor and document at the time of award of contract or approval of application and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of FFATA funds.

4. Flow Down Requirement. Contractor must include these FFATA Terms and Conditions in any sub-contract, sub-grants, loans and cooperative agreements.

5. Prohibition on Use of Funds. FFATA Section 1604 states no FFATA funds may be used for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool, or any other items prohibited by FFATA.

6. Wage Rate Requirements. FFATA requires that all laborers employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to FFATA shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United

States Code (Davis-Bacon Act). Will comply with the Copeland Act (40 U.S.C. Section 276C and 18 U.S.C. Section 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. Section 327-333), regarding labor standards for federally assisted construction sub-agreements.

7. Whistleblower Provision.

(a) An employee of any non-Federal employer receiving covered funds may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury, the head of a Federal agency, or their representatives, information that the employee reasonably believes is evidence of:

(1) gross mismanagement of an agency contract, agreement or grant relating to covered funds;

(2) a gross waste of covered funds;

(3) a substantial and specific danger to public health or safety related to the implementation or use of covered funds;

(4) an abuse of authority related to the implementation or use of covered funds; or

(5) a violation of law, rule, or regulation related to an agency contract or agreement (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.

(b) A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint regarding the reprisal to the appropriate U.S. Office of the Inspector General.

9. False Claims Act. Contractors and subcontractors shall promptly refer to the U.S. Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving those funds.

10. Environmental and Preservation Requirements. The Contractor shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by the awarding Federal agency to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, the Clean Air Act, the Federal Water Pollution and Control Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the Contractor to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. The Contractor shall not undertake any project having the potential to impact EHP resources without the prior approval of the awarding Federal agency, including but not limited to communication towers, physical security enhancements, new construction, and modification to buildings that are 50 years old or greater. The Contractor must comply with all conditions placed on the project as a result of the EHP review. Any change to the approved project scope of work will require re-evaluation for

compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the Contractor must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the Contractor will immediately cease construction in that area and notify the Georgia Forestry Commission. Any construction activities that have been initiated prior to the full environmental and historic preservation review will result in a non-compliance finding.

11. No Contracts/Agreements with Debarred or Suspended Entities. The Contractor shall not enter into any contract or subcontract with any party that has been debarred or suspended from either:

(a) contracting with the Federal Government or the State of Georgia; or

(b) participating in any Federal or State of Georgia assistance programs.

12. Prohibition on Lobbying.

(a) The Contractor covenants and agrees that it will not expend any funds appropriated by Congress to pay any person for influencing or attempting to influence an officer or employee of any agency, or a Member of Congress, or an employee of an Member of Congress in connection with any of the following covered Federal actions: 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 contractor/grantee shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with it's instructions.

(c) Section 319 of Public Law 101-121 (31 U.S.C. Section 1352) and any applicable regulations are incorporated by reference and the Contractor agrees to comply with all the provisions thereof, including any amendments to the Interim Final Rule that may hereafter be issued.

13. Nondiscrimination Provisions. The Contractor covenants and agrees that no person shall be denied benefits of, or otherwise be subjected to discrimination in connection with the Contractor's performance under this Agreement. Accordingly, and to the extent applicable, the Contractor covenants and agrees to comply with the following on the basis of:

(a) Race, color or national origin, in Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) as implemented by applicable regulations.

(b) Race, color, religion, sex, or national origin, in Executive Order 11246 (3 CFR, 1964-1965 Comp. pg. 339), as implemented by applicable regulations.

(c) Sex or blindness, in Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), as implemented by applicable regulations.

(d) Age, in The Age Discrimination Act of 1975 (42 U.S.C. Section 6101 et seq.), as implemented by applicable regulations.

(e) Handicap, in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by applicable regulations.

- (f) Drug abuse, the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-225) as amended.
- (g) Alcohol abuse or alcoholism, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended.
- (h) Confidentiality of alcohol and drug abuse patient records, Section 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C., Section 290 dd-3 and 290 ee3).
- (i) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and

14. DBE Provisions. The Contractor shall comply with all applicable federal Disadvantaged Business Enterprises (DBE) requirements related to DBE programs. In the event this Contract/Agreement is a grant Contract not covered by federal DBE requirements, the Contractor shall use reasonable and good faith efforts to solicit and utilize DGS-certified Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) for those contracting, subcontracting and purchase opportunities that exist and report utilization to DGS.

15. Access to Records. Contractor agrees that with respect to each FFATA Contract using, in whole or in part, FFATA funds, any representative of an appropriate U.S. Inspector General appointed under section 3 or 8G of the Inspector General Act of 1988 (5 U.S.C. App.) or of the U.S. Comptroller General is authorized to examine any records of the Contractor, any of its subcontractors, or any state or local agency administering such contract that pertain to, and involve transactions relating to the contract; and to interview any officer or employee of the contractor, subcontractor or agency regarding such transactions.

16. Access to Information. This section provides authority for the Inspector General or authorized representative during the term of this agreement/contract plus an additional three (3) years thereafter to examine any records or interview any employee or officers working on this agreement/contract. The contractor is advised representatives of the inspector general have the authority to examine any record and interview any employee or officer of the contractor, its subcontractors or other firms working on this agreement/contract. Section 1515(b) further provides nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the inspector general. This agreement/contract and any records or expenditures related thereto may be subject to disclosure under Freedom of Information Act, 5 U.S.C. §552.

17. Right to Inspect. The Office of the State Inspector General shall have access to all records, information, data, reports, plans, projects, matters, contracts, memoranda, correspondence, and any other materials of Georgia Forestry Commission and shall be deemed to be an authorized representative and agent of Georgia Forestry Commission for purposes of determining whether fraud, waste, corruption and abuse have occurred. Contractor agrees to make available, at all reasonable times during the term of this agreement/contract plus an additional three (3) years thereafter, any and all records, information, data, reports, plans, projections, matters, contracts, memoranda, correspondence and other materials relating to this agreement/contract, for inspection by the Office of the State Inspector General.

18. Each party hereby certifies that it has complied with the Immigration Reform and Compliance Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act, O.C.G.A. 13-10-90 et seq., by registering at <https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES> verifying information for all new employees and executing any affidavits by Ga. Comp. R. & Regs. R. 300-10-1-.01 et, Seq

19. Compliance. The Contractor shall comply with all applicable laws, regulations and program guidance. A non-exclusive list of statutes, regulations and/or guidance commonly applicable to Federal funds follows:

General

- Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.; 32 CFR part 26, Subpart B
- Copeland "Anti-Kickback Act", 18 U.S.C. Section 874; 29 CFR Part 3
- Contract Work Hours and Safety Standards Act, 40 U.S.C. §§327-330; 29 CFR Part 5
- Americans with Disabilities Act of 1990, as amended; 42 U.S.C. Chapter 126; 28 C.F.R. §35.101 et seq.

Administrative Requirements

- OMB Circular A-102, State and Local Governments (10/07/94, amended 08/28/07) (44 CFR Part 13)
- OMB Circular A-110, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (11/19/93, amended 09/30/99) (2 CFR Part 215)

Cost Principles

- OMB Circular A-87, State and Local Governments (05/10/04) (2 CFR Part 225)
- OMB Circular A-21, Educational Institutions (5/10/04) (2 CFR Part 220)
- OMB Circular A-122, Non-Profit Organizations (5/10/04) (2 CFR Part 230)

Audit Requirement

- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (6/24/97, includes revisions published in the Federal Register 6/27/03)

IN WITNESS WHEREOF, the **COMMISSION** and the **AWARDEE** hereto have affixed signatures this _____ day of _____, 20_____.

WITNESS: _____ AWARDEE _____

DATE _____