

Wisconsin Emergency Management (WEM)

Notice of Funding Opportunity (NOFO)



Mobile Field Force (MFF)

Republican National Convention (RNC)
SFY 2024

Applications must be submitted in
Egrants on or before **Friday, January 5, 2024.**

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A. PROGRAM DESCRIPTION

This funding opportunity is to provide full or partial financial assistance for training and deployment of a FEMA tier three Mobile Field Force team(s) response to the Republican National Convention (RNC) taking place in Milwaukee, WI during the summer of 2024.

For additional information or questions, please reach out to the primary contact as listed is [section G](#) of this document. The grant manager for this funding opportunity is:

Grant manager: **Marc Couturier, MFF Grant Manager**
Phone: **608-242-3258**
Email/MS Teams: **marc.couturier@widma.gov**

B. AWARD INFORMATION

- (1) **Funding source:** These funds are from WEM's Emergency Police Services Program available through the State of Wisconsin [WI Stat § 323.62](#)
- (2) **Authorized Listing Number** (for Single Audit requirement): 465.312
- (3) **Total amount of funds eligible:** \$117,298.67
- (4) **Anticipated number of awards:** 1
- (5) **Anticipated grant award amount:** \$117,298.67
- (6) **Anticipated grant performance/budget period:** On or before February 1st, 2024 – May 31st, 2024
- (7) **Type of grant award:** This is a new, one-time limited eligibility grant opportunity. Applications for renewal or supplementation of existing projects are not eligible.
- (8) **Expectations:** If WEM approves an application for award, the authorized representative of your agency will be required to sign an agreement with WEM that sets forth your agency's obligations to adhere to this NOFO and all requirements set forth in [section F](#) of this NOFO. **Please review the entirety of this NOFO and each document in [section H](#) carefully prior to applying for this grant to ensure that your agency will be able to fulfill all obligations set forth in them should its application be approved.**

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C. ELIGIBILITY

(1) Eligible applicants

All applicants that submit an application for this funding opportunity are certifying that they are willing and able to comply with all requirements as stated in this NOFO including all rules and regulations identified in [section F](#) of this document.

Eligible applicants are the City of Milwaukee Police Department.

Additional eligibility requirements for federal funding

All applicants for this grant opportunity must have a valid Unique Entity Identifier (UEI) number in System for Award Management (SAM) before applying. WEM's website has a helpful guide for obtaining a UEI number located at <https://wem.wi.gov/available-grants/>. **WEM cannot award a grant until the applicant has complied with all SAM requirements.** If your agency is exempt under [2 CFR 25.110\(b\)](#) or [\(c\)](#), or has an exception approved by the Federal awarding agency under [2 CFR 25.110\(d\)](#), please contact the individual identified in [section G](#) of this document as soon as possible.

(2) Cost share or local match

There are no cost share or local match requirements. Any costs over the eligible award amount will be the responsibility of the applicant.

(3) Eligible costs and funding restrictions

All expenses related to this grant must be allowable, reasonable, allocable, and incurred within the grant's performance and budget period. Applicants that accept funding are responsible for all sustainment costs. Additional funding restrictions are included in [section E\(4\)](#) of this document.

(a) Allowable costs

The following direct cost categories and related costs are allowable under this funding opportunity:

Supplies & Operating

Costs under this category are for equipment and/or supplies that are \$5,000.00 or less. Expenses may include equipment and/or supply costs associated with the training and deployment of Mobile Field Force team(s) for the Republican National Convention (RNC) taking place in Milwaukee, WI during the summer of 2024.

Eligible costs under this category are limited to the following:

Gas masks, handheld shields, forearm/elbow guards, shin guards, gasmask carrying bag/cases, handheld shield bags/cases, tactical chest carrying rigs, and additional shipping costs as needed.

(b) Conditionally allowable costs

The following costs may be conditionally approved with proper justification and dependent on availability of funding:

There are no costs would be conditionally allowable.

(c) Unallowable costs

The following costs are unallowable under this funding opportunity:

- Ballistic supplies or equipment
- Equipment or supplies with a cost greater than \$5,000 per unit.
- Organization costs
- Personnel costs for staff time
- Employee travel costs
- Indirect costs, such as those that cannot be directly applied to a cost category or tied to an activity.

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D. APPLICATION & SUBMISSION INFORMATION

(1) Pre-application

There are no pre-application requirements for this funding opportunity.

(2) Full application

Applications must be submitted through the Egrants online grants management system accessible at <https://wem.egrants.us>. Through Egrants, you will provide WEM with detailed information about your project that will be used to make a **funding decision**.

(a) Access application

To access the Egrants system, you will need a user identification and a password. If you do not currently have access to the Egrants system, please see [section D\(5\)](#) Other submission requirements of this document for Egrants registration information and troubleshooting contact information. For special accommodations, WEM's Reasonable Accommodation Policy is available on WEM's website <https://wem.wi.gov/admin-tools/>.

(b) Application components

Information provided in this application may be cited in WEM reports or press releases and will likely be used in reports to federal funding agencies or other stakeholders. The following Egrants sections below must be completed in their entirety as described in this document to be approved for award.

(i) Main Summary

(1) Agency

(2) Unique Entity Identification (UEI)

All applicants for this grant opportunity must provide a valid UEI and be registered in System for Award Management (SAM.gov) before applying. WEM's website has a helpful guide for SAM registration. [UEI External Fact Sheet \(wi.gov\)](#).

- **WEM cannot award a grant until the applicant has complied with all SAM requirements.** *If your agency is exempt under [2 CFR 25.110\(b\)](#) or [\(c\)](#), or has an exception approved by the Federal awarding agency under [2 CFR 25.110\(d\)](#), please contact the individual identified in [section G](#) of this document as soon as possible.*

(3) Point of contacts

- **Project Director** - *For this grant, select the individual who is responsible for execution, oversight, and administration of this grant.*
- **Financial Officer** - *For this grant, select the individual who is responsible and accountable for the financial management of the awarded agency with the authority to certify expenditures.*
- **Signing official** – *For this grant, select the individual that has the authority to sign the legal agreement and obligate your agency into a legal grant agreement.*
- **Alternate contact** – *This individual is to provide back-up contact in the event the project director is not available. This individual cannot sign or certify on behalf of the Financial Officer or Project Director.*

(4) Performance Period

The performance period you include should **not exceed** the eligible period in [section B\(6\)](#) of this document, without proper justification to support the request for extension. Please contact the person identified in [section G](#) of this document before proceeding.

(5) Brief Description

In the Brief Project Description text box, please effectively describe your project in 150 words or less. Plain language that clearly describes the intent of the project is most effective. A suggested format may be:

"Funds will be used by the (your agency name and others involved in the project) to (describe what funds will be used for and who will be involved). The (what - equipment, training, project, etc.) will (describe the specific goals you hope to achieve – how will the project or equipment improve the safety in Wisconsin?)."

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(ii) Performance Measures

Please open this section and change the page status to Complete; then SAVE the page. Performance Measures will be identified and collected during post-award reporting rather than through this funding application process.

(iii) Budget Detail

Only eligible costs under the appropriate cost category as described in [section C\(3\) for Eligible costs](#) should be included in the application. All costs must have the following in Egrants:

- (a) A proper description of the item
- (b) A proper justification that describes how the items will be used during the grant period to meet the eligible activity and outcomes.
- (c) Detailed computations that adequately support the amount requested **must include an item description, unit cost, and quantity/frequency**. Detailed computations should be clear and reflect accurate calculations that support the total amount requested (e.g., "Purchased 150 gas masks at \$353 per item; total \$52,950"). **Lump sums are not acceptable unless stated otherwise below.**

(iv) Evidence of need

Describe the problem or issue that this grant will serve to solve or diminish. Make sure you answer the following questions:

- If selected to receive this grant would your agency be prepared and willing to respond to a regional mutual aid request? What would be accomplished by receiving this award?
- What negative impacts would occur if you were not awarded this grant?
Please include any additional information you did not include in the brief description section.

(3) Submission dates & times

Applications must be submitted in Egrants on or before **Friday, January 5, 2024**.

Failure to complete the Egrants application by the posted deadline and/or respond to requests from WEM may lead to rescission of grant funding. Any delays in submitting a returned application and therefore the ability for WEM to approve the application, will result in a delayed grant start date and in turn, delay the ability to incur expenses on the grant.

(4) Funding restrictions

The following costs are prohibited, and any violation may result in a range of penalties, including suspension of current and future funds under this program, suspension or debarment from federal grants, repayment of monies provided under a grant, and civil and/or criminal penalties.

Supplanting is prohibited. Supplanting is the substitution of existing state or local government funding with grant funds.

Pre-award costs are unallowable. Pre-award costs are any costs that have been incurred prior to notification from WEM of either a fully executed award document or Grant Adjustment Notification (GAN). *A cost is incurred when an action or activity will result in an expense or obligation. This may be, but is not limited to, ordering items, scheduling trainings, reserving hotel rooms, signing a contract, finalizing a purchase order, hours worked, etc.*

Additional funding restrictions are identified in [section C\(3\)](#) and [section F\(3\)](#) of this document.

(5) Other submission requirements

Only applications successfully submitted in the online grant management system Egrants will be considered and reviewed. To access Egrants, you must be a registered user and have a unique password. Sharing usernames and passwords is strictly prohibited and may result in disqualification of the user and/or applicant agency in this and future funding opportunities.

(a) Egrants registration:

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If you have never used Egrants before, you will need to register for access to the system. To register online, go to <https://register.wisconsin.gov/accountmanagement/default.aspx> and complete the 'self-registration' process. Authorization to access Egrants can take several days depending on registration activity.

Please note: If you register outside the hours of Monday-Friday 7:30am-4pm, access may not be approved until the next business day. Once your Egrants access has been approved, you may begin your online grant application.

(b) Egrants technical assistance

- (1) The Egrants User Guide is available on the Egrants log-in screen <https://wem.egrants.us/egmis/>
- (2) The Egrants Help Desk is available on business days from 7:30AM to 4:00PM via phone at 608-242-3231 or via email at WEMEgrants@egrants.us
- (3) Once signed-in to the Egrants system, additional guidance is available by clicking on the "Help" icon in the upper right-hand corner.

E. APPLICATION REVIEW AND NOTIFICATION OF AWARD

(1) Criteria

All applications must be submitted on or before the deadline and will be screened for completeness, eligibility, and compliance as detailed in this document and corresponding attachments.

(2) Review and selection process

All applications must be submitted on or before the deadline and will be screened for completeness, eligibility, and compliance as detailed in this document and corresponding attachments.

(3) Anticipated announcement and dates

Applicants that successfully complete their Egrants application and have been approved for award will be notified within two weeks from the approval in Egrants by the receipt of award documents.

F. AWARD ADMINISTRATION INFORMATION

(1) Required information upon approval (intent) but prior to award

Upon approval of an application, WEM will provide Grant Award Notices. No additional information is needed unless requested by the grant manager.

(2) Grant Award Notices

If WEM grants an application for award, an authorized representative of your agency will be required to sign an agreement with WEM that sets forth your agency's obligations with respect to the funds (the Grant Agreement). The Grant Agreement will incorporate this NOFO and all Terms & Conditions as set forth by [section F\(3\)](#) of this NOFO. The terms are non-negotiable. **Please review the entirety of each document carefully prior to applying for the grant** to ensure that your agency will be able to fulfill all obligations set forth in them should its application be approved. If your agency can fulfill all obligations, it may wish to start whatever process is necessary to get the authority to sign the Grant Agreement as soon as possible so that, if WEM ultimately approves your agency's application, the Grant Agreement can be signed, and the funds made available expeditiously.

The award document must be returned to WEM prior to the grant performance period start date as indicated in Egrants. Grant awards without signatures will not be considered active until the authorized officials of the sub-recipient nonprofit have signed and returned the award documents to WEM.

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(3) Administrative & Policy Requirements

The following requirements are non-negotiable as set forth in your agency's obligations in respect to the grant funds awarded. **Please review the entirety of each document carefully prior to applying for the grant** to ensure that your agency will be able to fulfill all obligations set forth in them should its application be approved. If your agency will not be able to do so, you are encouraged to forego applying for these grant funds.

(a) Standard Terms & Conditions

All grants awarded through the Department of Military Affairs (DMA) and Wisconsin Emergency Management (WEM) must comply with the DMA/WEM Standard Terms & Conditions which are provided in this document under [Appendix I: DMA/WEM Standard Terms & Conditions](#).

(4) Monitoring & reporting

If awarded a grant, your agency will be responsible for completing the following reports and submitting the following items in Egrants to receive reimbursement:

(a) Progress Reports

A Final Program Report for closeout is due 30 days following the end of the grant.

(b) Fiscal Reports

A final fiscal report for closeout is due 30 days following the end of the grant. Please see the [Reimbursement Requests section](#) for more information.

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(5) Modifications

Any request to modify an approved award must be submitted in Egrants for pre-approval prior to the activity occurring or expenses incurred. All modification requests will be reviewed by the Program Manager for approval. All final grant modification decisions will be made by the WEM Administrator. Modifications are not considered final until WEM provides a signed Grant Adjustment Notification (GAN); **any related expenses incurred prior to receipt of a signed modification approval are not eligible for reimbursement.** At a minimum, modification requests must be submitted to WEM via Egrants for the following changes:

- (a) **Primary Contact(s) of the grant. This includes a change** of a signing official, fiscal officer, or project director.
- (b) **Requesting an extension of the performance/budget period. This includes** changes to the grant period must be submitted prior to the approved end date of the grant. Please note that this does apply when only requesting a delay or extension to reporting due dates.
- (c) **Scope of work. This includes** changes to the scope, objectives, performance measures and intent of the approved award.
- (d) **Budget adjustment. This includes** changes to the budget that do not fall within a change to the scope or objective may include a change to the total award or moving funds between cost categories in which the net change is greater than ten percent (10%) of the total award.

(6) Reimbursement Requests

(a) Requirements

Payments will be made on a reimbursement basis once all requirements, activities and expenses have been completed by the grantee and verified by WEM.

Guidance regarding requirements and process is accessible through the Egrants Job Aid for Fiscal Reports: <https://wem.wi.gov/wp-content/library/grants/egrants-job-aid-fiscal-report-and-reimbursement-request.pdf>.

(b) Submission

Requests for reimbursement are made by submitting a Fiscal Report in Egrants. The following documentation is required to be attached to and submitted with the Fiscal Reports in Egrants:

- (a) A **Reimbursement Request Form** generated by the Egrants Fiscal Report and signed by the recipient's Project Director and Financial Officer
- (b) **Invoices/receipts** that are detailed and itemized to clearly show what was ordered, the quantity, unit cost and total amount. Please review the job aid for additional information.
- (c) **Proof of payment** must be submitted to prove that the awarded entity has paid for the expense prior to seeking reimbursement. The proof of payment must adequately show that the vendor has been paid in full.
- (d) Additional support documentation necessary to validate and/or justify the expense.

(c) Review process

WEM requires at least two weeks to complete a full review of the submitted reimbursement documentation. The grant manager will return any request that does not comply with the grant's requirements. The grant manager will contact sub-recipients with questions, corrections, or concerns about a specific reimbursement. Reimbursement payments, once approved by WEM, may take up to an additional month to be disbursed. Reimbursement payments require registration within the State of Wisconsin's financial management system (STAR). The payment method will depend on how your entity is set up in STAR and may be sent as an Automated Clearing House (ACH) or via a physical check. It will be the responsibility of the sub-recipient to maintain and update their account and payment information in STAR.

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G. CONTACT INFORMATION

Grant manager: **Marc Couturier, MFF Grant Manager**
Phone: **608-242-3258**
Email/MS Teams: **marc.couturier@widma.gov**

H. OTHER INFORMATION

(1) Resources

- Wisconsin Emergency Management (WEM) website: <https://wem.wi.gov/>
- WEM Grant Administration tools: <https://wem.wi.gov/admin-tools/>
- WEM Egrants Job Aid for Fiscal Reports: <https://wem.wi.gov/wp-content/library/grants/egrants-job-aid-fiscal-report-and-reimbursement-request.pdf>
- **Egrants Grants Management System**
 - Egrants website: <https://wem.egrants.us/>
 - User Guide: <https://wem.egrants.us/egmis/documents/EgrantsExternalUserGuideUpdated9-9-19-Final.pdf>
 - Egrants help desk available 7:30am to 4:00pm
 - Email: WEMEgrants@egrants.us
 - Help desk phone: 608-242-3231

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APPENDIX I: DMA/WEM STANDARD TERMS & CONDITIONS

Article I. 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 II. Compliance WITH AWARD TERMS AND CONDITIONS

Submission of an application constitutes the subrecipient's agreement to comply with and spend funds consistent with all the terms and conditions of this award. If DMA, WEM determines that noncompliance by the sub-recipient cannot be remedied by imposing additional conditions, WEM may take one or more of the following actions, as appropriate in the circumstances:

- (a) *Temporarily withhold cash payments pending correction of the deficiency by the recipient.*
- (b) *Disallow all, or part of, the cost of the activity or action not in compliance.*
- (c) *Wholly or partly suspend or terminate the award.*
- (d) *Initiate suspension or debarment proceedings as authorized under 2 CFR part 180.*
- (e) *Withhold further Federal awards for the project or program.*
- (f) *Take other remedies that may be legally available.*

Article III. Subrecipient Responsibilities

In accepting this financial assistance award (grant or cooperative agreement), the Recipient assumes legal, financial, administrative, and programmatic responsibility for administering the award in accordance with the laws, rules, regulations, and Executive Orders governing grants and cooperative agreements, and these Award Terms and Conditions, including responsibility for complying with any provisions included in the award.

Article IV. Order of Precedence

Any inconsistency or conflict in the terms and conditions specified in this award will be resolved in accordance with the term or condition that is the stricter of the two.

Article V. Adherence to Original Project Objectives and Budget Estimates

a) The Recipient is responsible for any commitments or expenditures it incurs in excess of the funds provided by an award. Pre-award costs are those incurred prior to the effective date of the Federal award directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of a federal award, and only with the written approval of the Program Authorizing Official or delegate.

Article VI. Acceptance of Post Award Changes

In the event DMA 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.

Article VII. Prior approval and modifications

All activity and the corresponding incurred expenses must be approved and have a fully executed award agreement prior to conducting the activity and/or incurring the expense unless otherwise stated in the Notice of Funding Opportunity (NOFO). The following require WEM's **advanced** written approval:

- i. *Changes to key personnel*
- ii. *Changes to the grant period must be submitted prior to the approved end date of the grant.*
- iii. *Changes to the scope, objectives, performance measures and intent of the approved award.*
- iv. *Changes to the budget that do not fall within a change to the scope or objective but exceed the approved budget categories by ten percent (10%) of the total award.*

WEM will notify the subrecipient in writing within 30 calendar days after receipt of the request for revision or adjustment whether the request has been approved. Upon approval, WEM will issue a signed Grant Adjustment Notification (GAN). All changes are not officially approved until the GAN is received by the subrecipient.

Article VIII. Allowable activity and costs

Only activity and expenses that are approved within the approved award's application may be allowable for reimbursement by grant funds. All approved costs must be allowable, allocable, necessary and reasonable. To be

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allowable under a grant program, costs must match the sub-grant's approved award and must comply with the following:

- (a) Be incurred and obligated (purchase order issued, class scheduled) within the performance period.
- (b) If incurred within the performance period, payment must be made within 30 days of the grant period ending date.

Article IX. Project Income

All income generated as a direct result of a grant-funded project shall be deemed program income. Program income must be used for the purpose and under the conditions applicable to the award. Program income should be used as earned and accounted for in your reimbursement request.

Article X. Duplication of Benefits

Any cost allocable to a particular financial assistance award provided for may not be charged to other 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.

Article XI. Procurement

Recipients and subrecipients shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable state law and procurement standards. If the subrecipient does not have their own procurement policies and procedures, then the State of Wisconsin Procurement Policy and Procedures applies.

<https://doa.wi.gov/Documents/DEO/ProcurementDeskGuide.pdf>

Article XII. Travel expenses

Recipients and subrecipients shall use their own travel policy and procedures, provided that the policy and procedure conform to applicable state law and not otherwise stated in the Notice of Funding Opportunity. If a subrecipient does not have travel policy and procedures, then the State of Wisconsin Travel Policy – Section F Uniform Travel Schedule Amounts applies as the threshold for what is deemed reasonable.

https://dpm.wi.gov/Documents/BCER/Compensation/PocketTravelGuide_2_2022.pdf

https://dma.wi.gov/wp-content/library/StateHR/Travel/Section_F_21-23.pdf

Article XIII. Equipment and supplies

Equipment and supplies must be received and placed into inventory before the end date of the grant. All personnel who utilize **equipment** purchased with funds from this grant must receive training either through the equipment vendor or other competent source specific to that piece of equipment before it is put into service. The sub-recipient is required to maintain proper training and inventory records for the appropriate retention period.

Article XIV. Acknowledgement of Funding from WEM

Recipients and Subrecipients must acknowledge their use of 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 grant funds.

Article XV. Payments and closeout

Grant funds will be paid on a reimbursement basis only and disbursed by WEM upon completion of and approval of all monitoring requirements including Program Report(s), Fiscal Report(s), and satisfaction of Special Conditions as well as verification to the best of WEM's ability that all terms, conditions and requirements have been met. If DMA/WEM determines that payment to the subrecipient was not proper after the payment has been made, WEM will notify the subrecipient of recoupment in writing in which the subrecipient has 30 days to repay WEM or appeal the decision.

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Article XVI. Monitoring

- (a) Subrecipients must complete all required reporting and special conditions as stated in the NOFO, in the grant management system (Egrants) and upon the request of the Grant Manager.
- (c) Subrecipients must submit timely, complete, and accurate reports to the appropriate WEM officials and maintain appropriate backup documentation to support the reports for the appropriate retention period.
- (d) Subrecipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

Article XVII. Maintaining, retaining and access to records

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing access to records, accounts, documents, information, facilities, and staff.

- (a) Subrecipients must maintain official grant records of all grants related activity, adherence to grant requirements and grant funded costs. This includes but is not limited to documentation of actual time and effort of any personnel, materials, supplies, travel expenses, inventory records, management of assets, rational and justification to support any split allocation of costs, and any other records that support the allowability of expenditures of grant funds.
- (b) Subrecipients must cooperate with any compliance reviews or compliance investigations conducted by the State of Wisconsin, Department of Military Affairs and/or Wisconsin Emergency Management.
- (e) Subrecipients must give access to examine and copy records, accounts, and other documents and sources of information related to the financial assistance award and permit access to facilities or personnel.

Article XVIII. 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. Wis. Stats. § 19.62 (5) Personally Identifiable Information (PII) means information that can be associated with a particular individual through one or more identifiers or other information or circumstances. This includes, but is not limited to, Driver License Numbers, Social Security Numbers, Addresses, Telephone numbers, Credit Card information and/or bank account information.

Article XIX. Nondiscrimination

In connection with the performance of work under this agreement the grantee agrees not to discriminate against any employee or grantee for employment because of age, race, religion, color, handicap, sex, physical condition, or developmental disability as defined in s. 51.01(5) Wis. Stats., arrest or conviction record, sexual orientation, as defined in s. 111.32(13m) Wis. Stat. or national origin, or ancestry, or marital status. This provision shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay, or other forms of compensation, and selection for training, including apprenticeship. Except with respect to sexual orientation, the Grantee further agrees to take affirmative action to ensure equal employment opportunities. The Grantee agrees to post in conspicuous places, available for employees and Grantees for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause. The recipient shall comply with Section 504, Rehabilitation Act of 1973 which prohibits discrimination on the basis of a physical condition or handicap and the Age Discrimination Act of 1975, which prohibits discrimination because of age.

Article XX. Liability

The State of Wisconsin and the Department of Military Affairs, Wisconsin Emergency Management, its agents and employees shall not be liable to the subrecipient, or to any individuals or entities with whom the subrecipient contracts for any direct, indirect, incidental, consequential, or other damages sustained or incurred because of activities, actions or inactions on the part of the subrecipient for services rendered pursuant to the Award Agreement. The subrecipient agrees to indemnify and save and hold the Department of Military Affairs, Wisconsin Emergency Management, its agents and employees harmless from all claims or causes of action arising from the performance of this award by the subrecipient or subrecipient's agent or employees.

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Article XXI. Establishment of safeguards

The recipient shall ensure the establishment of safeguards to prevent employees, consultants, or members of the governing bodies from using their positions for purposes that are, or give the appearance of being, motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties as specified in Wisconsin Statutes 946.10 and 646.13.

Article XXII. Termination of Agreement.

Any termination of this grant award shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination. This grant award may be terminated in whole or in part as follows:

- (a) DMA/WEM may terminate this grant award at any time for cause by delivering thirty (30) days written notice to the Recipient. Upon termination, the awarding agency's liability will be limited to the pro rata cost of the services performed as of the date of termination plus expenses incurred with the prior written approval of the awarding agency.
- (f) DMA/WEM may terminate this grant award at will effective upon delivery of written notice to the Recipient, under any of the following conditions:
- (g) If the awarding agency's funding from federal, state, or other sources is not obtained and/or continued at levels sufficient to allow for purchases of the indicated quantity of services, the grant may be modified to accommodate a reduction or increase in funds.
- (h) If federal or state laws, rules, regulations, or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this grant or are no longer eligible for the funding proposed for payments by this grant.
- (i) If any license or certification required by law or regulation to be held by the Recipient to provide the services required by this grant award is for any reason denied, revoked, or not renewed.