

Application for Federal Assistance

Submitted to the

911 Grant Program

National E-911 Implementation Coordination Office

By the

State of North Dakota

Through its

Information Technology Department

July 28, 2009

Table of Contents

	Page
Standard Form 424 – (Base Budget)	1
Standard Form 424A – (Base Budget)	4
Standard Form 424 – (Supplemental Budget)	6
Standard Form 424A – (Supplemental Budget)	9
Standard Form 424B – Certified Assurances	11
Standard Form LL – Disclosure of Lobbying Activities	13
Project Narrative	
1. North Dakota State 911 Plan	14
2. Project (Base) Budget	16
3. Project Supplemental Budget	17
4. Designated E-911 Coordinator	18
5. Certifications	
Appendix A – Report for Next Generation 911 Planning L. Robert Kimball & Associates, Inc., Dec. 2008	
Appendix B – Initial Certification for E-911 Grant Applicants (Signed Original)	

Application for Federal Assistance SF-424		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		*2. Type of Application * If Revision, select appropriate letter(s) <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision *Other (Specify) _____
3. Date Received:		4. Applicant Identifier:
5a. Federal Entity Identifier:		*5b. Federal Award Identifier:
State Use Only:		
6. Date Received by State:		7. State Application Identifier: ND090729-0434
8. APPLICANT INFORMATION:		
*a. Legal Name: State of North Dakota - through its Information Technology Department		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 45-0309764		*c. Organizational DUNS: 125656251
d. Address:		
*Street 1: 600 E. Boulevard Ave. Street 2: _____ *City: Bismarck County: Burleigh *State: ND Province: _____ *Country: USA *Zip / Postal Code: 58505-0100		
e. Organizational Unit:		
Department Name: Information Technology Department		Division Name:
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: _____ *First Name: Terry Middle Name: _____ *Last Name: Traynor Suffix: _____ Title: Secretary - Emergency Services Communications Coordinating Committee Organizational Affiliation: NDACo appointee to the Emergency Services Communications Coordinating Committee *Telephone Number: 701-328-7321 Fax Number: 701-328-7308 *Email: ttraynor@ndaco.org		

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

A.State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

National E-911 Implementation Coordination Office

11. Catalog of Federal Domestic Assistance Number:

20.615 _____

CFDA Title:

E-911 Grant Program _____

***12 Funding Opportunity Number:**

Docket No. NHTSA-2008-0142 _____

*Title:

E-911 Grant Program _____

13. Competition Identification Number:

N/A _____

Title:

N/A _____

14. Areas Affected by Project (Cities, Counties, States, etc.):

Statewide - All cities and counties

***15. Descriptive Title of Applicant's Project:**

NextGeneration 911 Deployment

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: ND-00 (Statewide)		*b. Program/Project: ND-00 (Statewide)
17. Proposed Project:		
*a. Start Date: 10/01/2009		*b. End Date: 09/30/2012
18. Estimated Funding (\$):		
*a. Federal	500,000	
*b. Applicant		
*c. State	500,000	
*d. Local		
*e. Other		
*f. Program Income		
*g. TOTAL	1,000,000	
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <u>07/28/2009</u> <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input type="checkbox"/> c. Program is not covered by E. O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001) <input checked="" type="checkbox"/> ** I AGREE ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions		
Authorized Representative:		
Prefix: _____	*First Name: <u>Mike</u> _____	
Middle Name: _____		
*Last Name: <u>Ressler</u> _____		
Suffix: _____		
*Title: Deputy Chief Information Officer and Director of ITD		
*Telephone Number: 701-328-3190		Fax Number: 701-328-3000
* Email: mressler@nd.gov		
*Signature of Authorized Representative: <i>Mike Ressler</i>		*Date Signed: <u>7/28/09</u>

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. E-911 Grant Prgm	20.615	\$	\$	\$ 500,000.00	\$ 500,000.00	\$ 1,000,000.00
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$ 500,000.00	\$ 500,000.00	\$ 1,000,000.00

SECTION B - BUDGET CATEGORIES

Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY		Total (5)
	(1) E-911 Grant Program (2)	(3)	
a. Personnel	\$ 100,000.00	\$	\$ 100,000.00
b. Fringe Benefits			0.00
c. Travel			0.00
d. Equipment	850,000.00		850,000.00
e. Supplies			0.00
f. Contractual	50,000.00		50,000.00
g. Construction			0.00
h. Other			0.00
i. Total Direct Charges (sum of 6a-6h)	1,000,000.00	0.00	1,000,000.00
j. Indirect Charges			0.00
k. TOTALS (sum of 6i and 6j)	\$ 1,000,000.00	\$ 0.00	\$ 1,000,000.00
7. Program Income	\$	\$	\$ 0.00

Authorized for Local Reproduction

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8. E-911 Grant Program CDA 20.615	\$	\$ 500,000.00	\$	\$	500,000.00
9.					0.00
10.					0.00
11.					0.00
12. TOTAL (sum of lines 8-11)	\$	\$ 500,000.00	\$ 0.00	\$	500,000.00
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	2nd Quarter		3rd Quarter	
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 500,000.00	\$ 0.00	\$ 100,000.00	\$ 200,000.00	\$ 200,000.00
14. Non-Federal	500,000.00	50,000.00	250,000.00	100,000.00	100,000.00
15. TOTAL (sum of lines 13 and 14)	\$ 1,000,000.00	\$ 50,000.00	\$ 350,000.00	\$ 300,000.00	\$ 300,000.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16.E-911 Grant Program CDA 20.615	\$ 500,000.00	\$ 0.00	\$	\$	
17.					
18.					
19.					
20. TOTAL (sum of lines 16-19)	\$ 500,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:		22. Indirect Charges:			
23. Remarks:					

Application for Federal Assistance SF-424		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application * If Revision, select appropriate letter(s) <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision *Other (Specify) _____	
3. Date Received:		4. Applicant Identifier:
5a. Federal Entity Identifier:		*5b. Federal Award Identifier:
State Use Only:		
6. Date Received by State:		7. State Application Identifier: ND090729-0434
8. APPLICANT INFORMATION:		
*a. Legal Name: State of North Dakota - through its Information Technology Department		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 45-0309764		*c. Organizational DUNS: 125656251
d. Address:		
*Street 1:	<u>600 E. Boulevard Ave.</u>	
Street 2:	_____	
*City:	<u>Bismarck</u>	
County:	<u>Burleigh</u>	
*State:	<u>ND</u>	
Province:	_____	
*Country:	<u>USA</u>	
*Zip / Postal Code	<u>58505-0100</u>	
e. Organizational Unit:		
Department Name: Information Technology Department		Division Name:
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: _____	*First Name: <u>Terry</u>	
Middle Name: _____		
*Last Name: <u>Traynor</u>		
Suffix: _____		
Title: <u>Secretary - Emergency Services Communications Coordinating Committee</u>		
Organizational Affiliation: NDACo appointee to the Emergency Services Communications Coordinating Committee		
*Telephone Number: 701-328-7321		Fax Number: 701-328-7308
*Email: <u>ttraynor@ndaco.org</u>		

Application for Federal Assistance SF-424	Version 02
*9. Type of Applicant 1: Select Applicant Type: A.State Government Type of Applicant 2: Select Applicant Type: Type of Applicant 3: Select Applicant Type: *Other (Specify)	
*10 Name of Federal Agency: National E-911 Implementation Coordination Office	
11. Catalog of Federal Domestic Assistance Number: 20.615 _____ CFDA Title: E-911 Grant Program _____	
*12 Funding Opportunity Number: Docket No. NHTSA-2008-0142 _____ *Title: E-911 Grant Program _____	
13. Competition Identification Number: N/A _____ Title: N/A _____	
14. Areas Affected by Project (Cities, Counties, States, etc.): Statewide - All cities and counties	
*15. Descriptive Title of Applicant's Project: NextGeneration 911 Deployment	

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:
 *a. Applicant: ND-00 (Statewide) *b. Program/Project: ND-00 (Statewide)

17. Proposed Project:
 *a. Start Date: 10/01/2009 *b. End Date: 09/30/2012

18. Estimated Funding (\$):

*a. Federal	1,800,000
*b. Applicant	_____
*c. State	1,800,000
*d. Local	_____
*e. Other	_____
*f. Program Income	_____
*g. TOTAL	3,600,000

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**
 a. This application was made available to the State under the Executive Order 12372 Process for review on 07/28/2009
 b. Program is subject to E.O. 12372 but has not been selected by the State for review.
 c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**
 Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)
 ** I AGREE
 ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: _____ *First Name: Mike
 Middle Name: _____
 *Last Name: Ressler
 Suffix: _____

*Title: Deputy Chief Information Officer and Director of ITD

*Telephone Number: 701-328-3190 Fax Number: 701-328-3000

* Email: mressler@nd.gov

*Signature of Authorized Representative: *Mike Ressler* *Date Signed: 7/28/09

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1.E-911 Grant Prgm	20.615	\$	\$	\$ 1,800,000.00	\$ 1,800,000.00	\$ 3,600,000.00
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$ 1,800,000.00	\$ 1,800,000.00	\$ 3,600,000.00

SECTION B - BUDGET CATEGORIES

Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY		Total (5)
	(1)	(2) (3)	
a. Personnel	\$ 100,000.00	\$	\$ 100,000.00
b. Fringe Benefits			0.00
c. Travel			0.00
d. Equipment	3,450,000.00		3,450,000.00
e. Supplies			0.00
f. Contractual	50,000.00		50,000.00
g. Construction			0.00
h. Other			0.00
i. Total Direct Charges (sum of 6a-6h)	3,600,000.00	0.00	3,600,000.00
j. Indirect Charges			0.00
k. TOTALS (sum of 6i and 6j)	\$ 3,600,000.00	\$ 0.00	\$ 3,600,000.00
7. Program Income	\$	\$	\$ 0.00

Authorized for Local Reproduction

SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. E-911 Grant Program CDA 20.615	\$	1,800,000.00 \$	\$	1,800,000.00
9.				0.00
10.				0.00
11.				0.00
12. TOTAL (sum of lines 8-11)	\$	0.00 \$	1,800,000.00 \$	1,800,000.00

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	13. Federal	\$ 100,000.00	\$	\$	\$
14. Non-Federal	100,000.00				100,000.00
15. TOTAL (sum of lines 13 and 14)	\$ 200,000.00	0.00 \$	0.00 \$	0.00 \$	200,000.00

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.E-911 Grant Program CDA 20.615	\$ 100,000.00	\$ 1,000,000.00	\$ 700,000.00	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16-19)	\$ 100,000.00	\$ 1,000,000.00	\$ 700,000.00	\$ 0.00

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	
22. Indirect Charges:	
23. Remarks:	

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

<p>* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <p><i>Mike Ressler</i></p>	<p>* TITLE</p> <p>Deputy Chief Info. Officer</p>
<p>* APPLICANT ORGANIZATION</p> <p>State of ND - Info. Technology Dept.</p>	<p>* DATE SUBMITTED</p> <p>7/28/09</p>

Standard Form 424B (Rev. 7-97) Back

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input checked="" type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 4c ND-00	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency: National E-911 Implementation Coordination Office	7. Federal Program Name/Description: E-911 Grant Program CFDA Number, if applicable: 20.615	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ 0 - No Lobbying Activity	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> None - Agency has no lobbying activities	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i> None - Agency has no lobbying activities	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u>Mike Ressler</u> Print Name: <u>Mike Ressler</u> Title: <u>Deputy Chief Information Officer - Director of ITD</u> Telephone No.: <u>701-328-3190</u> Date: <u>7/28/09</u>	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

§ 400.4 Application requirements.

(a) *Contents.* A State's application for funds for the E-911 grant program must consist of the following components:

1. North Dakota State 911 Plan [404.4(a)(1)]

(1) *State 911 Plan.* A plan that details the projects and activities proposed to be funded for the implementation and operation of Phase II E-911 services or migration to an IP-enabled emergency network, establishes metrics and a time table for grant implementation, and describes the steps the State has taken to—

North Dakota has been recognized as a model for coordinated planning and implementation of E-911 emergency services communications. Although we have 54 local 911 jurisdictions, operations statewide have been consolidated into 22 public safety answering points that are currently inter-linked through two 911 Tandems. Through a joint powers agreement, the 54 jurisdictions entered into a statewide contract for the implementation of Phase 1 and Phase 2 of Wireless 911 that resulted in North Dakota becoming the sixth state nationwide to have 100% phase 2 implementation (April 2005).

While there remains a strong local responsibility for E-911 services, the North Dakota Legislature has taken a keen interest in ensuring the proper use of E-911 fees collected through telecommunications carriers and in the coordinated planning necessary to meet the challenges of Next Generation 911. Because of this interest, the Legislature created a statutory body, the Emergency Services Communications Coordinating Committee (ESC³). This body, composed of State and local representatives, is charged with developing PSAP operating standards, establishing 911 expenditure guidelines, and coordinating the State's transition to an IP-enabled 911 system. The actual statute is included in section (4) *Designated E-911 Coordinator* of this application.

The statutory body (ESC³) endorsed the efforts of the 54 local 911 jurisdictions to contract, in early 2008, with L. Robert Kimball and Associates to develop a Next Generation 9-1-1 Planning Report for statewide implementation. This report, included as Appendix A of this grant application is our overall State 911 Plan. Obviously, with the limited funding available through this grant program, the 911 Plan we will support with our State's share of the federal funds (and supplementary funding if available) is an initial subset of this overall plan. The specific elements are itemized with their expected costs in sections (2) *Project budget* and (3) *Supplemental project budget* of this application.

- (i) *Coordinate its application with local governments, tribal organizations, and PSAPs within the State;* As noted above, and detailed in section (4) *Designated E-911 Coordinator*, the statutory body created to coordinate NG911 efforts contains strong representation by local governments and PSAPs within the State. One representative of the four-person body, ESC³, is appointed by the North Dakota 911 Association which includes as members; local 911 Coordinators, PSAP Managers, Telecommunication Company Representatives, Local Law Enforcement Officials, and related State Agency Personnel. Another representative of the ESC³ is appointed by the North Dakota Association of Counties (NDACo) whose members are the governing bodies of 52 of the 54 local 911 jurisdictions. NDACo is also the administrator of the joint powers agreement (JPA) and contracting agent for the successful Statewide Wireless 911 Project that includes its 52 counties as well as the 2 city 911 jurisdictions. It should be noted that through

agreement, 911 services are provided to North Dakota Indian Reservations by the county-funded PSAPs. Clearly this level of involvement demonstrates the high degree of coordination existing among these organizations – a level of coordination that will be extended to this project.

- (ii) Ensure that at least 90 percent of the grant funds will be used for the direct benefit of PSAPs and not more than 10 percent of the grant funds will be used for the State's administrative expenses related to the E-911 grant program;*
- (ii) As clearly described in sections (2) *Project budget* and (3) *Supplemental project budget* of this application, the elements of the State's overall 911 Plan to be supported with federal ENHANCE-911 Act funding will directly benefit all of the State's PSAPs. Currently every PSAP is linked into the State operated IP network used for local/State government business functions and Internet access. The improvements to this existing system and 911-specific alterations that are to be implemented are the first steps toward an IP-enabled emergency communications network. The budget sections also clearly show that a maximum of 10% of the grant funding will be dedicated to project administration.
- (iii) Give priority to communities without 911 capability as of August 3, 2007 to establish Phase II coverage by identifying the percentage of grant funds designated for those communities or provide an explanation why such designation would not be practicable in successfully accomplishing the purposes of the grant;*
- (iii) As noted above, 100% of North Dakota and all of our PSAPs have Enhanced 911 service and have been Phase II compliant since April of 2005.
- (iv) Involve integrated telecommunications services in the implementation and delivery of Phase II E-911 services or for migration to an IP-enabled emergency network;*
- (iv) As discussed in subsection (i), the North Dakota 911 Association which is represented on the State's statutory 911 governing body (ESC³) has as members key representatives of the State's largest telecommunication company as well as multiple members from the many smaller private and cooperative companies. All ILECs and CLECs are currently involved in the transport and/or database maintenance aspects of E-911 services and will be consulted during the transition to an IP-enabled network.
- (v) Employ the use of technologies to achieve compliance with Phase II E-911 services or for migration to an IP-enabled emergency network.*
- (v) The entire State of North Dakota, and all 22 of its PSAPs achieved compliance with Phase II E-911 services by April of 2005. The funding provided through this application will therefore be devoted, as detailed in sections (2) *Project budget* and (3) *Supplemental project budget*, to the migration to an IP-enabled emergency network.

(2). Project Budget [404.4(a)(2)]

(2) Project budget. A project budget for all proposed projects and activities to be funded by the grant funds identified for the State in Appendix A and matching funds. Specifically, for each project or activity, the State must:

- (i) Demonstrate that the project or activity meets the eligible use requirement in § 400.7; and*
- (ii) Identify the non-Federal sources, which meet the requirements of 49 CFR 18.24, that will fund at least 50 percent of the cost;*

The following table details the specific components of our State’s migration to an IP-enabled emergency network that will be supported with this grant program, as well as those components supported by State and local revenues that have been designated as matching funds. Further detail regarding the Project Components is contained in Appendix A, the Next Generation 9-1-1 Planning Report prepared for North Dakota by L.Robert Kimball and Associates.

Project Component	Enhance-911 Funds	Matching Funds
Border Control Equipment – 50% of projected equipment installation and configuration (Sec. 5.2.1 of Planning Report)	\$250,000	
Emergency Services Routing Proxy (ESRP) – Initial Investment (Sec. 5.2.2 of Planning Report)	\$150,000	
Professional Services for Deployment of Border Control Equipment and ESRP	\$50,000	\$50,000 – Estimated in-kind dedication of Information Technology Dept. data and telecommunication staff
Administrative Project Management, project monitoring, and progress reporting	\$50,000	
ESInet – Call termination functions. 20% of the cost of the scheduled local government IP network upgrade (Estimated share dedicated to 911 (Sec. 5.1 of Planning Report)		\$350,000 of State special fund spending authority within the Information Technology Department (ITD) budget.
Next Generation 911 planning appropriation to Dept. of Emergency Services for continued NG911 planning		\$100,000 in State General Funds appropriated for the July 1, 2009-June 30, 2011 biennium
TOTAL BASE BUDGET	\$500,000	\$500,000

(3). Supplemental Project Budget [404.4(a)(3)]

(3) Supplemental project budget. States that meet the qualification requirements for the initial distribution of E-911 grant funds may also qualify for additional grant funds that may become available. To be eligible for any such additional grant funds that may become available in accordance with § 400.6, a State must submit, with its application, a supplemental project budget that identifies the maximum dollar amount the State is able to match from non-Federal sources meeting the requirements of 49 CFR 18.24, and includes projects or activities for those grant and matching amounts, up to the total amount in the project budget submitted under paragraph (a)(2) of this section. This information must be provided to the same level of detail as required under paragraph (a)(2) of this section and be consistent with the State 911 Plan required under paragraph (a)(1) of this section.

If available and awarded, North Dakota plans to dedicate additional, supplemental federal grant funds to the 911 Plan components described in the table below that meet the eligible use requirement in § 400.7, along with the match funds from State and local sources. North Dakota has identified at least \$1.8 million in additional State funding that will be invested, over and above the \$500,000 cited in the base budget. North Dakota can therefore effectively utilize \$1.6 million in supplemental Enhance-911 Act grant funds or any portion which may be awarded.

Project Component	Enhance-911 Funds	Matching Funds
Border Control Equipment – Final 50% of projected equipment installation and configuration (Sec. 5.2.1 of Master Plan)	\$250,000	
IP Routers – Two Redundant routers for border/gateway functions (Sec. 5.2 of Planning Report)	\$400,000	
Emergency Services Routing Proxy (ESRP) – Second Phase of Projected Investment (Sec. 5.2.2 of Master Plan)	\$1,050,000	
Professional Services for Deployment of Border Control Equipment and ESRP.	\$50,000	\$50,000 – Estimated in-kind dedication of Information Technology Dept. data and telecommunication staff
Administrative Project Management, project monitoring, progress reporting	\$50,000	
ESInet – Assurance of core backbone availability. Necessary upgrades to network end points for required connectivity, QoS (quality of service), and network security. (Sec. 5.1 of Planning Report)		\$500,000 of State special fund spending authority within the Information Technology Department (ITD) budget.
Centralized Data Services – 60% of the seamless statewide digital map development for integration into ESInet for use by all PSAPs . (Sec. 5.4 of Planning Report)		\$1,250,000 of State general funds appropriated to Dept. of Emergency Services for this development for the July 1, 2009-June 30, 2011 biennium.
TOTAL SUPPLEMENTAL BUDGET	\$1,800,000	\$1,800,000

(4) Designated E-911 Coordinator [404.4(a)(4)]

(4) Designated E-911 Coordinator. The identification of a single officer or government body to serve as the E-911 Coordinator of implementation of E-911 services and to sign the certifications required under this part. If the State has established by law or regulation an office or coordinator with the authority to manage E-911 services, that office or coordinator must be identified as the designated E-911 Coordinator and apply for the grant on behalf of the State. If the State does not have such an office or coordinator established, the Governor of the State must appoint a single officer or governmental body to serve as the E-911 Coordinator in order to qualify for an E-911 grant. If the designated E-911 Coordinator is a governmental body, an official representative of the governmental body shall be identified to sign the certifications for the E-911 Coordinator. The State must notify NHTSA in writing within 30 days of any change in appointment of the E-911 Coordinator.

The North Dakota State Legislature created, in 2007, the Emergency Services Communications Coordinating Committee (ESC³) and in 2009 expanded the role of this committee specifically directing it to “[s]erve as the governmental body to coordinate plans for implementing emergency 911 services and internet protocol enabled emergency applications for 911.” The specific State statute is reproduced below. The North Dakota Information Technology Department (ITD) which appoints one of the members of the ESC³, will act as applicant for this grant, as the ESC³ has no paid staff or fiscal management structure.

**57-40.6-12. Emergency services communications coordinating committee -
Membership - Duties.**

1. The governing body of a city or county, which adopted a fee on assessed communications services under this chapter, shall make an annual report of the income, expenditures, and status of its emergency services communication system. The annual report must be submitted to the emergency services communications coordinating committee. The committee is composed of four members, one appointed by the North Dakota 911 association, one appointed by the North Dakota association of counties, one appointed by the chief information officer of the state, and one appointed by the adjutant general to represent the division of state radio.
2. The committee shall:
 - a. Recommend to the legislative council changes to the operating standards for emergency services communications, including training or certification standards for dispatchers;
 - b. Develop guidelines regarding the allowable uses of the fee revenue collected under this chapter;
 - c. Request, receive, and compile reports from each governing body on the use of the proceeds of the fee imposed under this chapter, analyze the reports with respect to the guidelines, file its report with the legislative council by November first of each even-numbered year regarding the use of the fee revenue, and recommend to the legislative assembly the appropriate maximum fee allowed by section 57-40.6-02; and
 - d. Periodically evaluate chapter 57-40.6 and recommend changes to the legislative council; and
 - e. Serve as the governmental body to coordinate plans for implementing emergency 911 services and internet protocol enabled emergency applications for 911.
3. The committee may initiate and administer statewide agreements among the governing bodies of the local governmental units with jurisdiction over an emergency 911 telephone system to coordinate the procurement of equipment and services, fund the research, administration, and activities

(5) Certifications [404.4(a)(5)]

(i) The certification in Appendix B to this part, signed by the E-911 Coordinator, certifying that the State has complied with the required statutory and programmatic conditions in submitting its application. The State must certify that during the time period 180 days preceding the application date, the State has not diverted any portion of designated E-911 charges imposed by the State for any purpose other than the purposes for which such charges are designated, that no taxing jurisdiction in the State that will be a recipient of E-911 grant funds has diverted any portion of designated E-911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated, and that neither the State nor any taxing jurisdiction in the State that is a recipient of E-911 grant funds will divert designated E-911 charges for any purpose other than the purposes for which such charges are designated throughout the time period during which grant funds are available.

(ii) Submitted on an annual basis 30 days after the end of each fiscal year during which grant funds are available, the certification in Appendix C to this part, signed by the E-911 Coordinator, making the same certification as required under paragraph (a)(5)(i) of this section concerning the diversion of designated E-911 charges.

The required initial certification, with the original signature of the Chair of the Emergency Services Communications Coordinating Committee, was submitted with the complete application by Federal Express on July 28, 2009. A copy of this document is included with the electronic submittal of the entire grant application. Annual certifications will be submitted on an annual basis 30 days after the end of each fiscal year during which the grant funds are available.

Appendix A

Report

for

Next Generation 9-1-1 Planning

submitted to

**North Dakota Association of Counties and
North Dakota 9-1-1 Association**

December 2008 ©



Appendix B To Part 400 -

Initial Certification For E-911 Grant Applicants

(To be submitted as part of the application)

1. On behalf of the STATE OF NORTH DAKOTA, I, JERRY BERGQUIST AS CHAIRMAN OF THE EMERGENCY SERVICES COMMUNICATIONS COORDINATING COMMITTEE, hereby certify that:

(check only one box below)

- NORTH DAKOTA has established by law or regulation THE EMERGENCY SERVICES COMMUNICATIONS COORDINATING COMMITTEE with the authority to manage E-911 services in the State, and I am its representative. See NDCC 57-40.6-12 (Included in the application narrative). RUSS LINDBLOM will serve as the designated E-911 Coordinator.
- ~~*[State or Territory]* does not have an office or coordinator with the authority to manage E-911 services, and the Governor of *[State or Territory]* has designated~~

(check only one circle below)

- ~~me as the State's single officer to serve as the E-911 Coordinator of E-911 services implementation; or~~
- ~~The *[Governmental Body]* as the State's single governmental body, to serve as the E-911 Coordinator of E-911 services implementation, and I am its representative.~~

(check all boxes below)

- The State has coordinated the application with local governments, tribal organizations and PSAPs within the State.
- The State has established a State 911 Plan, consistent with the implementing regulations, for the coordination and implementation of E-911 services or for migration to an IP-enabled emergency network.
- The State will ensure that at least 90 percent of the grant funds are used for the direct benefit of PSAPs.
- The State has integrated telecommunications services involved in the implementation and delivery of Phase II E-911 services or migration to an IP-enabled emergency network.
- The State will provide at least 50 percent of the cost of each project funded under this grant from non-Federal sources or the Territory will comply with the matching requirement of 47 C.F.R. § 400.4(a)(2)(ii) (as applicable), consistent with the requirements of 49 C.F.R. § 18.24.

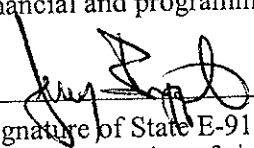
- II. I further certify that the State has not diverted and will not divert any portion of designated E-911 charges imposed by the State for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application and continuing throughout the time period during which grant funds are available.

I further certify that no taxing jurisdiction in the State that will receive E-911 grant funds has diverted any portion of the designated E-911 charges for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application.

I further certify that the State will ensure that each taxing jurisdiction in the State that receives E-911 grant funds does not divert any portion of designated E-911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated during the time period which grant funds are available.

I agree that, as a condition of receipt of the grant, the State will return all grant funds if the State obligates or expends, at any time for the full duration of this grant, designated E-911 charges for any purpose other than the purposes for which such charges are designated or presented, and that the State will ensure that if a taxing jurisdiction in the State that receives E-911 grant funds diverts any portion of designated E-911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated during the time period which grant funds are available, the State will ensure that E-911 grant funds distributed to that taxing jurisdiction are returned.

- III. I further certify that the State will comply with all applicable laws and regulations and financial and programmatic requirements for Federal grants.



Signature of State E-911 Coordinator
(or representative of single governmental body)

7/17/2009
Date

Chairman, Emergency Services
Communications Coordinating Committee
Title