

**AMENDMENT 3 TO THE
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION,
U. S. DEPARTMENT OF COMMERCE
AND
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
U. S. DEPARTMENT OF HOMELAND SECURITY
Agreement No. M72177**

This Amendment modifies the Memorandum of Understanding (MOU), Agreement No. M72177, between the National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce, and the Federal Emergency Management Agency (FEMA), U.S. Department of Homeland Security, through which FEMA provides grants management and administrative services to NTIA in support of the Public Safety Interoperable Communications (PSIC) Program. This Amendment extends the term of the agreement in accordance with the extension of the PSIC Program and provides funding for the extended period of service to be provided by FEMA.

The MOU between the parties is amended as follows:

1. In Section III (Authority), insert at the end thereof the follow new paragraph:

(D) An Act, Pub. L. No. 111-96, 123 Stat. 3005 (2009), which provides in pertinent part that:

(1) Notwithstanding section 3006(a)(2) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note), sums made available to administer the Public Safety Interoperable Communications Grant Program under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) shall remain available until expended, but not beyond September 30, 2012; and

(2) The period for performance of any investment approved under the Program as of November 6, 2009, is extended by one year, but not later than September 30, 2011, except that the Assistant Secretary of Commerce for Communications and Information may extend, on a case-by-case basis, the period of performance for any investment approved under the Program as of that date for a period of not more than 2 years, but not later than September 30, 2012.

2. In Section VI (Transfer of Funds), insert “\$985,735,000” in lieu of “\$983,735,000” for the total amount to be transferred, and insert “17,350,000” in lieu of “\$15,350,000” regarding amounts to be transferred for management and administrative services. Replace the information for processing payments with:

For NTIA: National Institute of Standards and Technology

ATTN: Jurgen Brunner
Accounts Payable Office
Building 101, Room A826
Gaithersburg, MD 20899

NTIA ALC (Agency Location Code): 13060001
Treasury Account Symbol: 13X5396
Object Class: 2599
ACCS: 61-07-4711000-300-0630
Business Partner Network Number: 127625023
Business Event Type Code: DISB

For FEMA: FEMA ALC: 70070001
Treasury Account Symbol: 70-07-0560
Business Partner Network Number: 052368391
Business Event Type Code: COLL

3. In Section VII (Contact), replace the contact information with the following:

For NTIA:

Name: Wayne Ritchie
Title: Chief Administrative Officer,
Office of Telecommunications and
Information Applications
Address:
National Telecommunications and
Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Room 4096
Washington, DC 20230
Phone: (202) 482-5515
Fax: (202) 501-8009
Email: writchic@ntia.doc.gov

Name: Nancy Vernon
Title: Budget Officer
Address:
National Telecommunications and
Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Room 4888
Washington, DC 20230
Phone: (202) 482-1057
Fax: (202) 482-0979
Email: nvernon@ntia.doc.gov

For FEMA:

Name: Carolyn Dunn
Title: Executive Officer
Address: 500 C Street SW
Techworld Building, Room 9103
Washington, DC 20472-3635
Phone: 202-786-9554
Fax: 202-786-9932

Name: Barbara Johnson
Title: Management Analyst Budget
Address: 500 C Street SW
Washington, DC 20472
Phone: (202) 646-4202
Fax:

Email: Carolyn.dunn@dhs.gov

Email: BarbaraE.Johnson@fema.gov

4. In Section VIII (Duration of Agreement, Amendments and Modifications), insert "September 30, 2012" in lieu of "September 30, 2010" and insert "90 days" in lieu of "six (6) months."

5. Replace Attachment I (PSIC Support Budget – Revised) with new Attachment I (Revised PSIC Support Budget).

All other terms and conditions in the MOU, as previously modified, remain unchanged.

**FOR THE NATIONAL TELECOMMUNICATIONS
AND INFORMATION ADMINISTRATION:**


Lawrence E. Strickling
Assistant Secretary for Communications
and Information

Date: August 19, 2010

**FOR THE FEDERAL EMERGENCY
MANAGEMENT AGENCY:**


Elizabeth M. Harman
Assistant Administrator for Grant Programs
Federal Emergency Management Agency

Date: Sept. 2, 2010

Attachment I – Revised PSIC Support Budget

Attachment II – Determinations and Findings Statement Pursuant to 48 C.F.R. § 17.503

Attachment 1 - Revised GPD Budget Plan

TOTAL FEMA GPD BUDGET		
	Old Budget	New Budget
Fiscal Year 2007	\$ 3,600,000	\$ 3,600,000
Fiscal Year 2008	\$ 2,500,000	\$ 2,500,000
Fiscal Year 2009	\$ 4,475,000	\$ 4,475,000
Fiscal Year 2010	\$ 4,275,000	\$ 3,775,000
Fiscal Year 2011	\$ 500,000	\$ 2,500,000
Fiscal Year 2012		\$ 500,000
TOTAL	\$ 15,350,000	\$ 17,350,000
Grant Awards - FY 2007	\$ 968,385,000	\$ 968,385,000
TOTAL AMOUNT	\$ 983,735,000	\$ 985,735,000

Attachment 1 - Revised GPD Budget Plan

FY 2007			
Task		Old Budget	New Budget
Management & Administration	\$	2,950,000	\$ 2,950,000
Program Management - Contract	\$	1,500,000	\$ 1,500,000
Grant Planning / Development	\$	750,000	\$ 750,000
IT Development	\$	700,000	\$ 700,000
Technical Assistance	\$	-	\$ -
Program Management	\$	-	\$ -
Direct Technical Assistance	\$	-	\$ -
Other	\$	650,000	\$ 650,000
Direct Costs (Travel)	\$	400,000	\$ 400,000
Direct Costs (Non-Travel)	\$	250,000	\$ 250,000
TOTAL	\$	3,600,000	\$ 3,600,000

FY 2008			
Task		Old Budget	New Budget
Management & Administration	\$	2,500,000	\$ 2,500,000
Program Management/Development	\$	1,000,000	\$ 1,000,000
Grant Administration / Grant Techs	\$	1,000,000	\$ 1,000,000
IT Development	\$	500,000	\$ 500,000
Technical Assistance	\$	-	\$ -
Program Management	\$	-	\$ -
Direct Technical Assistance	\$	-	\$ -
Other	\$	-	\$ -
Direct Costs (Travel)	\$	-	\$ -
Direct Costs (Non-Travel)	\$	-	\$ -
TOTAL	\$	2,500,000	\$ 2,500,000

FY 2009			
Task		Old Budget	New Budget
Management & Administration	\$	1,000,000	\$ 1,500,000
Program Management - Contract	\$	500,000	\$ 500,000
Program Management - FEMA			\$ 500,000
IT Development (Reporting)	\$	500,000	\$ 500,000
Grantee Assistance and Monitoring	\$	1,000,000	\$ 2,800,000
Grantee Assistance	\$	500,000	\$ 2,000,000
NEPA Technical Assistance			\$ 500,000
Post Award Monitoring	\$	500,000	\$ 300,000
Other	\$	-	\$ 175,000
Direct Costs (Travel)	\$	-	\$ 150,000
Direct Costs (Non-Travel)	\$	-	\$ 25,000
TOTAL	\$	2,000,000	\$ 4,475,000

Attachment 1 - Revised GPD Budget Plan

FY 2010			
Task		Old Budget	New Budget
Management & Administration	\$	2,000,000	\$ 1,250,000
Program Management -Contract	\$	500,000	\$ 500,000
Program Management -FEMA			\$ 450,000
IT Development (Reporting)	\$	500,000	\$ 300,000
Grantee Assistance and Monitoring			\$ 2,400,000
Grantee Assistance	\$	500,000	\$ 1,300,000
NEPA Technical Assistance			\$ 600,000
Post Award Monitoring	\$	500,000	\$ 500,000
Other			\$ 125,000
Direct Costs (Travel)			\$ 100,000
Direct Costs (Non-Travel)			\$ 25,000
TOTAL	\$	2,000,000	\$ 3,775,000

FY 2011			
Task		Old Budget	New Budget
Management & Administration	\$	500,000	\$ 995,000
Program Management -Contract	\$	300,000	\$ 645,000
Program Management -FEMA	\$	200,000	\$ 250,000
IT Development (Reporting)			\$ 100,000
Grantee Assistance and Monitoring			\$ 1,450,000
Grantee Assistance			\$ 700,000
NEPA Technical Assistance			\$ 50,000
Post Award Monitoring			\$ 700,000
Other			\$ 55,000
Direct Costs (Travel)			\$ 50,000
Direct Costs (Non-Travel)			\$ 5,000
TOTAL	\$	500,000	\$ 2,500,000

FY 2012			
Task		Old Budget	New Budget
Management & Administration			\$ 500,000
Program Management -Contract			\$ 300,000
Program Management -FEMA			\$ 200,000
IT Development (Reporting)			
Grantee Assistance and Monitoring			\$ -
Grantee Assistance			
NEPA Technical Assistance			
Post Award Monitoring			
Other			
Direct Costs (Travel)			
Direct Costs (Non-Travel)			
TOTAL	\$	-	\$ 500,000

**UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION**

INTERAGENCY ACQUISITION UNDER THE AUTHORITY OF THE ECONOMY ACT

**DETERMINATION AND FINDINGS
AGREEMENT NUMBER - M72177**

Upon the basis of the following findings and determination, made pursuant to the authority of the Federal Acquisition Regulation (FAR) Subpart 17.5, the effort described in the findings may be acquired by the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA), and the Department of Homeland Security (DHS) for Public Safety Interoperable Communications (PSIC) by an interagency acquisition under the Economy Act of 1932, as amended, (31 U.S.C. 1535 and 1536), and in compliance with Part 6 (6.002) of the Federal Acquisition Regulation.

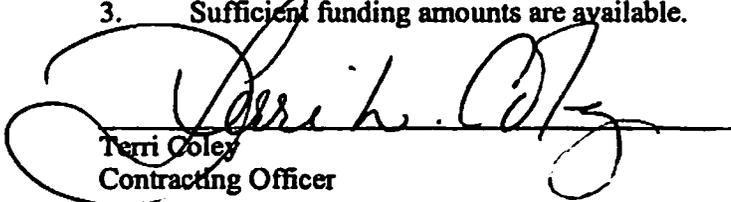
FINDINGS

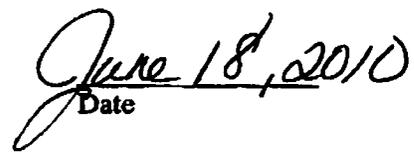
1. NTIA's Office of Telecommunications and Information (NTIA), is in need of An extension and additional funding for the Interagency Agreement with Department of Homeland Security's Federal Emergency Management Agency (FEMA) which is providing Grants Administration support for PSIC grants.
2. This action is authorized under the Economy Act (31 U.S.C. 1535), which provides for an agency may place an order with a major organizational unit within the same agency or another agency.
3. NTIA will provide additional funds in the amount of \$2,000,000.00 to DHS / FEMA for their continued support through the extended period. NTIA certifies that the funds are available.

DETERMINATION

Based on the foregoing findings, it is hereby determined that the following requirements of FAR 17.503 are met:

1. Use of an interagency acquisition in the best interest of the Government and the supplies or services cannot be obtained as conveniently or economically by contracting directly with a private source.
2. The acquisition does not require contracting action by the servicing agency and that the servicing agency has the capabilities or expertise to enter into a contract for such supplies or services which is not available within the requesting agency.
3. Sufficient funding amounts are available.


Terri Coley
Contracting Officer


Date