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**IDAPA 38
TITLE 06
CHAPTER 02**

**38.06.02 - RULES GOVERNING THE IDAHO EMERGENCY
COMMUNICATIONS COMMISSION GRANTS**

000. LEGAL AUTHORITY.

The following rules are promulgated in accordance with Section 31-4816(9), Idaho Code, by the Commission. (4-11-06)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 38.06.02, "Rules Governing the Idaho Emergency Communications Commission Grants". (4-11-06)

02. Scope. Pursuant to Section 31-4818, Idaho Code, the Commission is directed to distribute moneys in the Idaho Emergency Communications Fund to eligible entities. These rules will govern the grant process. (4-11-06)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, the Commission may have written statements that pertain to the interpretation of these rules or to the documentation of compliance with these rules. Any such documents are available for public inspection and copying at the office of this Commission. (4-11-06)

003. ADMINISTRATIVE APPEALS.

This chapter does not provide for administrative appeals of the procedures set forth in this chapter. (4-11-06)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (4-11-06)

005. OFFICE -- OFFICE HOURS -- MAILING AND STREET ADDRESS.

The Idaho Emergency Communications Commission is located in the Department of Administration at 650 W. State Street, Boise, Idaho, 83720-0003. The Commission's mailing address is P.O. Box 83720, Boise, Idaho 83720-0003. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. (4-11-06)

006. PUBLIC RECORDS ACT COMPLIANCE.

All rules contained in this chapter are subject to and in compliance with the Idaho Public Records Act (Title 9, Chapter 3, Idaho Code). (4-11-06)

007. -- 010. (RESERVED).

011. DEFINITIONS.

01. Applicant. A Consolidated Emergency Communication Center submitting a grant application. (4-11-06)

02. Commission. The Idaho Emergency Communications Commission as established within the Department of Administration by Section 31-4815(1), Idaho Code. (4-11-06)

03. Consolidated Emergency Communication Center. A governmental or multi-governmental organization authorized to collect emergency communication fees in accordance with Title 31, Chapter 48, Idaho Code. (4-11-06)

04. Emergency Communications Grant Fund (ECGF). The portion of the Fund made available annually for grant disbursement. (4-11-06)

05. Fund. The Idaho Emergency Communications Fund established by Section 31-4818, Idaho Code. (4-11-06)

06. Grant Cycle. The period between July 1 through the following June 30 for grant application distribution, submission, award notice and disbursement in accordance with dates established in Section 021 of these rules. (4-11-06)

07. Taxing District. A fire protection district created pursuant to Section 31-1402, Idaho Code, an ambulance service created pursuant to Section 31-3901, Idaho Code, or an ambulance service district created pursuant to Section 31-3908, Idaho Code. (4-11-06)

012. -- 015. (RESERVED).

016. GRANT ADMINISTRATION.

01. Emergency Communications Grant Fund Source. The moneys that may be available through the ECGF are from the emergency communications fees placed in the Fund pursuant to Section 31-4818, Idaho Code. (4-11-06)

02. Alternate Emergency Communications Grant Fund Sources. Grants, donations, gifts, and revenues from other sources may augment the ECGF amount available when any limitations or requirements related to the use of such revenues are consistent with these rules. (4-11-06)

03. Other Emergency Communications Grants. The Commission may secure grants from federal, foundation, or other sources. When these sources place requirements or restrictions that are contrary to these rules, the Commission may establish a separate application, disbursement, or documentation program as appropriate. (4-11-06)

04. Emergency Communications Fund Grant. The amount of funds available through ECGF will be determined annually by the Commission in accordance with Section 31-4818, Idaho Code. (4-11-06)

017. -- 020. (RESERVED).

021. GRANT CYCLE.

01. Application Availability. The Commission shall make an application and guidance available no later than July 1 of each year. (4-11-06)

02. Application Period. The Applicant shall have until July 31 to complete and submit the application to the Commission. (4-11-06)

03. Application Evaluation Period. Prior to September 15, the Commission and, if applicable, a grant subcommittee, shall evaluate the applications received. (4-11-06)

04. Award Notification. Prior to October 31, the Commission shall issue notification to every Applicant regarding the disposition of its grant request. (4-11-06)

05. Grant Disbursement. Grant disbursement shall occur prior to April 30. (4-11-06)

06. Deadline for Return of Funds. All unused grant funds must be returned by the Applicant no later than May 31. (4-11-06)

022. -- 025. (RESERVED).

026. APPLICATION REQUIRED.

A completed application must be submitted by the Applicant on or before the conclusion of the application period specified in Section 021 of these rules in order to be considered during the Grant Cycle. (4-11-06)

01. Application Frequency. Only one (1) application per Consolidated Emergency Communication

- Center may be filed in any Grant Cycle. (4-11-06)
- 02. Required Information.** The Applicant must provide the Commission with information, including: (4-11-06)
- a. Description of proposed equipment purchases; (4-11-06)
 - b. Type, quantity, and purpose of similar equipment presently in use by the Applicant; (4-11-06)
 - c. Age and condition of equipment being replaced, if applicable; (4-11-06)
 - d. Documentation of one (1) or more vendor price quotes for all proposed equipment purchases; (4-11-06)
 - e. Prioritization by the Applicant of equipment requested when the application requests funding for two (2) or more items; (4-11-06)
 - f. Operating budget; (4-11-06)
 - g. All funding sources and revenue generated by source; (4-11-06)
 - h. Amount of emergency communications fee charged in accordance with Title 31, Chapter 48, Idaho Code; (4-11-06)
 - i. Resident population within the Applicant response area in Idaho; (4-11-06)
 - j. Migrant and tourist population within the Applicant response area in Idaho; (4-11-06)
 - k. Number and name(s) of law enforcement, fire, and emergency medical service organizations for which the Consolidated Emergency Communications Center serves as the primary 911 agency; (4-11-06)
 - l. County, city, or Taxing District endorsement(s); (4-11-06)
 - m. Federal Tax Identification Number and DUNS Number (Dun & Bradstreet Data Universal Numbering System); (4-11-06)
 - n. Contact person for verification of information; and (4-11-06)
 - o. Narrative description of need. (4-11-06)
- 03. Incomplete Application.** An application missing required information may be excluded from consideration for an award. (4-11-06)
- 04. Application Purpose.** The grant application and any attachments submitted by the Applicant shall be the primary source of information for awarding a grant. (4-11-06)
- 027. -- 030. (RESERVED).**
- 031. AWARD ELIGIBILITY REQUIREMENTS.**
To be considered for an award, an Applicant must meet all of the following requirements: (4-11-06)
- 01. Consolidated Emergency Communication Center Services.** The Applicant must be a Consolidated Emergency Communication Center collecting emergency communications fees in accordance with Title 31, Chapter 48, Idaho Code, delivering or seeking to deliver Consolidated Emergency Communication services. (4-11-06)
 - 02. Allowable Equipment.** Only equipment identified as allowable in the application guidance may be

purchased with grant funds. (4-11-06)

03. Applicable Law. The Applicant must be in compliance and must warrant to continue to be in compliance with applicable law, including but not limited to Section 31-4804(5), Idaho Code. (4-11-06)

04. Bid Laws. The Applicant must agree to follow all applicable bid laws in the acquisition of any equipment paid for with grant funds. (4-11-06)

05. Use of Funds. The Applicant must agree to use any grant funds in strict compliance with the grant terms and agree to provide written documentation or proof of expenses to the Commission as required by the grant terms. (4-11-06)

032. -- 035. (RESERVED).

036. AWARD RECOMMENDATION.

If the Commission uses a grant subcommittee, the Commission shall request a recommendation from the grant subcommittee regarding the distribution of grant funds. (4-11-06)

01. Assessment and Validation of Need. The grant subcommittee, if used, shall review grant applications prior to making a recommendation about awards. (4-11-06)

02. Contingency Awards. The grant subcommittee, if used, may make contingency award recommendations in the event that other awards are withdrawn as described in Section 047 of these rules. (4-11-06)

03. Commission Approval. Whether or not a grant subcommittee is used, all awards must be approved by the Commission. If no grant subcommittee is used, the Commission shall review the applications and may make provision for contingency awards, as set forth above. (4-11-06)

037. -- 040. (RESERVED).

041. CRITERIA FOR EQUIPMENT.

The following weighted criteria shall be used to evaluate applications for equipment, with maximum weight available for each criterion as indicated. Greater value will be assigned to conditions indicating greater need for each criterion: (4-11-06)

01. Applicant Equipment Age. The age of similar equipment currently in use by the Applicant; value = fifteen (15). The application demonstrating older equipment will be assigned greater value. (4-11-06)

02. Applicant Equipment Availability. Similar equipment currently in use by the Applicant; value = fifteen (15). The application demonstrating lack of similar equipment will be assigned greater value; the application demonstrating no access to similar equipment will be assigned the maximum value. (4-11-06)

03. Anticipated Use. An estimate of the frequency of use for the equipment; value = fifteen (15). The application demonstrating a higher ratio of dispatch per capita will be assigned greater value. (4-11-06)

04. Duration of Use. An estimate of the length of time the equipment would be used, expressed as a mean time; value = fifteen (15). The application demonstrating a greater duration of use will be assigned greater value. (4-11-06)

05. Fiscal Resource Base. The proportion of operating budget supported by tax revenue; value = ten (10). The application demonstrating less revenue from taxes expressed as a percent of total revenue for the most recent year will be assigned greater value. (4-11-06)

06. City, County and Taxing District Endorsement. The proportion of Idaho cities, counties and Taxing Districts within which the Applicant's primary service area occurs that endorse the application; value = five (5). The application demonstrating a larger percent of endorsements will be assigned greater value. (4-11-06)

07. Population. The number of people residing in the Consolidated Emergency Communications Center's service area; value = five (5). The application demonstrating a greater number of people will be assigned greater value. (4-11-06)

08. Square Mileage. The area served by the Consolidated Emergency Communications Center; value = fifteen (15). The application demonstrating a greater square mileage will be assigned greater value. (4-11-06)

09. Number of Law Enforcement, Fire and Emergency Medical Service Agencies Dispatched. Value = ten (10). The application demonstrating a higher number of law enforcement, fire and emergency medical service agencies will be assigned greater value. (4-11-06)

10. Narrative. The need for and lack of availability of funds from other sources as documented by the Applicant; value = twenty (20). The application demonstrating a greater need for and lack of available funds will be assigned greater value. (4-11-06)

042. -- 045. (RESERVED).

046. UNUSED GRANT FUNDS.

All grant funds not expended for costs associated with the Applicant's award shall be returned by May 31 of the Grant Cycle. (4-11-06)

047. WITHDRAWAL, DISCONTINUANCE, ASSIGNMENT.

01. Withdrawal. Any Applicant may withdraw or forfeit an application at any time. (4-11-06)

02. Ability to Compete. The withdrawal of an application does not affect the Applicant's ability to reapply in a subsequent Grant Cycle. (4-11-06)

03. Discontinuance. The Commission may discontinue the grant award or approval process if any of the following occurs: (4-11-06)

a. The chief administrative official of the Applicant or his designee submits a notice of withdrawal in written form to the Commission. (4-11-06)

b. The Applicant does not provide required documentation during the award or approval process. (4-11-06)

c. The Commission determines the Applicant is out of compliance with any award eligibility requirements. (4-11-06)

04. No Right of Assignment. The Applicant may not assign any award to another Applicant or another Consolidated Emergency Communications Center. (4-11-06)

048. FRAUDULENT INFORMATION ON GRANT APPLICATION.

Providing false information on any application or document submitted under these rules is grounds for declaring the Applicant ineligible. Any and all funds determined to have been acquired on the basis of fraudulent information must be returned to the Commission. (4-11-06)

049. -- 999. (RESERVED).

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