



CITY OF TRINIDAD TRINIDAD, COLORADO

The City Council of the City of Trinidad, Colorado,
will hold its regular Work Session on Tuesday, July 29, 2014 immediately following a Special
Meeting at 1:00 P.M.
in City Council Chambers at City Hall, Third Floor, City Hall

AGENDA

1. Petitions and Communications, Oral or Written
2. Discussion regarding Water Treatment Plant Improvements with Black & Veatch engineering firm
3. Discussion regarding potential closure of Social Security Administration offices and community impact - Pam Baca, American Federation of Government Employees
4. Consideration of Acting City Manager appointment during the temporary absence of the Acting City Manager pursuant to Section 6.3 of the Home Rule Charter
5. Discussion regarding the Certified Local Government process – Tara Marshall
6. Consideration of assuming local plumbing inspection/permitting responsibilities
7. Consideration of Acting City Manager agreement
8. Discussion of possible grant through the Colorado Division of Homeland Security and Emergency Management for generators for the Trinidad Fire Department – Tim Howard, Fire Chief
9. Discussion of other agenda items

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Audra Garrett, City Clerk, 135 N. Animas Street, Phone (719) 846-9843, or FAX (719) 846-4140. At least a 48 hour advance notice prior to the scheduled meeting would be appreciated so that arrangements can be made to locate the requested auxiliary aid(s).



Council Communication

City Council Work-session Meeting: July 29, 2014

Prepared by: July 25, 2014

Dept. Head Signature: *Kevin A. Meador*

of Attachments: 1

2

SUBJECT: Water Treatment Plant Improvements, Phase 1 Project

Presenter: Kevin Meador, Black & Veatch Project Engineer

Recommended City Council Action: Discussion on consideration of the bid results for the Water Treatment Plant Improvements, Phase 1 Project.

Summary Statement: In November 2013, Kevin Meador, Black & Veatch Project Engineer provided City Council a report which identified the necessary improvements and recommendations at the Water Treatment Plant. Black & Veatch has accomplished the RFQ for Contractors, and the bid summary identifies work for the Electrical Design, Backwash Valve Specifications, Sedimentation Basin Pump Design, Valve Construction/Installation, and the Chlorine System Modification.

Expenditure Required: To be discussed further.

Source of Funds: Water Department Reserve Fund (\$1,860,000 budgeted in the Trinidad Water Treatment Plant Improvement line item which was based upon engineer's estimate.)

Policy Issue: Upgrades and maintenance at the Trinidad Water Treatment Plant are required to provide a reliable water supply and to meet required State standards for public health and safety.

Alternative: Currently in discussion with Black & Veatch, Project Engineer and Velocity Constructors, Inc., apparent low bidder to identify difference in the engineer's estimate and the bid.

Background Information: In 2013, City Council approved the engineering contract with Black & Veatch to conduct the Water Treatment Plant Improvements Design. The requested work was in response to a sanitary survey and inspection from the Colorado Department of Public Health and Environment at the WTP in 2011. During the inspection, CDPHE pointed out the need for the City to upgrade the WTP facility to include (1) refurbishing or abandoning the standing water tank, (2) modify and upgrade the chlorine disinfection system, (3) construct new filter backwash tank system, (4) replace existing filter bed backwash valves and actuators and WTP inlet and drain valves, and (5) design new residuals storage pond. Kevin Meador, Project Engineer provided City Council a report on the findings and recommendations. In the presentation, Black & Veatch identified the necessary improvements and recommendations for 2013, 2014, 2015 and 2016. Recently, city staff conducted a bid opening and received bids from three of four pre-qualified contractors. The contractor submitted their bids for the upgrades at the WTP facility to include (1) modify and upgrade the chlorine disinfection system, (2) construct new filter backwash tank system, and (4) replace existing filter bed backwash valves and actuators and WTP inlet and drain valves.

2

PROJECT: Water Treatment Plant Improvements-Phase 1

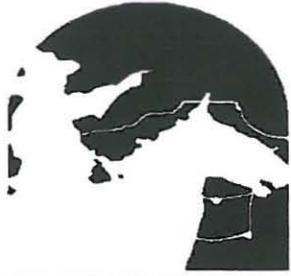
DATE: June 17, 2014

Time: 2:00 p.m. (M.S.T)

No.	Pre-Qualified Bidder's Name	Lump Sum Amount	Required Documents
1	Aslan Construction, Inc 120 Bunyan Avenue, Suite 200 Berthoud, Colorado 80513 970-344-1040	\$2,943,435 ⁰⁰ AIA: \$10,000	<input checked="" type="checkbox"/> Bid Form Signed <input checked="" type="checkbox"/> Addendum No. 1 acknowledged <input checked="" type="checkbox"/> List of Subcontractors <input checked="" type="checkbox"/> Equipment Questionnaire <input checked="" type="checkbox"/> Bid Bond Included
2	Glacier Construction Co. 8490 E. Crescent Parkway, Suite 250 Greenwood Village, Colorado 80111 303-221-5383	\$2,868,000 ⁰⁰ AIA: \$7,800	<input checked="" type="checkbox"/> Bid Form Signed <input checked="" type="checkbox"/> Addendum No. 1 acknowledged <input checked="" type="checkbox"/> List of Subcontractors <input checked="" type="checkbox"/> Equipment Questionnaire <input checked="" type="checkbox"/> Bid Bond Included
3	Moltz Construction, Inc. 8807 County Road 175 P.O. Box 729 Salida, Colorado 81201 719-539-7319	No Bid	<input type="checkbox"/> Bid Form Signed <input type="checkbox"/> Addendum No. 1 acknowledged <input type="checkbox"/> List of Subcontractors <input type="checkbox"/> Equipment Questionnaire <input type="checkbox"/> Bid Bond Included
4	Velocity Construction, Inc. 1330 South Cherokee Street Denver, Colorado 80223 303-984-7800	\$2,682,182 ⁰⁰ AIA: \$7,512	<input checked="" type="checkbox"/> Bid Form Signed <input checked="" type="checkbox"/> Addendum No. 1 acknowledged <input checked="" type="checkbox"/> List of Subcontractors <input checked="" type="checkbox"/> Equipment Questionnaire <input checked="" type="checkbox"/> Bid Bond Included

Bids opened and read aloud on June 17, 2014 @ 2:00pm by Wendy A. Peterson

and witnessed by Julia Vigil



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: July 29, 2014
PREPARED BY: Audra Garrett, Acting City
Manager
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

SUBJECT: Discussion regarding potential closure of Social Security Administration offices and community impact

PRESENTER: Pam Baca, American Federation of Government Employees

RECOMMENDED CITY COUNCIL ACTION: Listen to presentation.

SUMMARY STATEMENT: Ms. Baca asked to address City Council concerning this matter.

EXPENDITURE REQUIRED: No.

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Attached is information provided by Ms. Baca

3

3



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Social Security Admin.
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PAMELA BACA

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Field Operations Locals
AFGE, AFL-CIO

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**National Academy of Public Administration
Long-Term Strategic Vision and Vision Elements
for the Social Security Administration
March 10, 2014**

Focal Question: How might a changing environment (e.g., societal, demographic, technological changes/advances) impact SSA's ability to deliver services effectively and efficiently ten to fifteen years from now?

Long-term Strategic Vision: We anticipate and respond to customers' changing needs, delivering high quality services anywhere, anytime.

To fulfill SSA's mission in 2025 as part of a comprehensive approach to delivering government services, we:

- Are nimble and embrace change.
- Use online, self-service delivery as our primary service channel.
- Use integrated service delivery to enable customers to conduct their transactions seamlessly from start to finish.
- Automate processes to maximize operational efficiency, meet customer demand and diverse workforce expectations, resulting in a smaller workforce and in reduced physical infrastructure.
- Are flatter, integrated, and empower decision-making.
- Share consolidated support functions.
- Stress program integrity in everything we do.

Vision Elements: The vision consists of 29 elements that are divided into five categories.

Direct Service Delivery to Customers. The first category—Direct Service Delivery to Customers—includes elements related primarily to improving customer service.

1. Online self-service delivery is our primary service channel.
2. We provide direct service options (e.g., in-person, phone, online chat, video conference) in very limited circumstances, such as for complex transactions and to meet the needs of vulnerable populations.
3. Our service channels (e.g., in-person, on-line, telephone) are integrated, enabling seamless customer service and processing of most transactions from start to finish.

4. Our service delivery is integrated across SSA programs and with external partners to improve access to a broad suite of high quality government services (including “non-programmatic” or “non-core” activities).
5. We simplify programmatic, administrative, and operational policies in order to facilitate customers’ applications for benefits and our processing of them.

Indirect Support of Service Delivery. The second category—Indirect Support of Service Delivery—includes those elements primarily related to improving the cost-effectiveness of supporting work processes.

6. Our employees access integrated customer data, enabling efficient delivery of services across our programs and with other related government programs.
7. Our work processes are fully automated, except for those decisions that require some human judgment. We use expert systems to guide employees.
8. Our work is “portable” (e.g., electronic case files enable matching workload with available workforce capacity, advancing telework).
9. All our support functions (e.g., Human Resources, Finance) are provided through a shared services model (e.g., within SSA, across government, and by contract).
10. We systematically employ data analytics to inform the development of more efficient business processes and ensure program integrity.

The following three categories—Information Resources Planning and Management, Workforce, and Organization Structure and Dynamics—include vision elements related to supporting the envisioned service delivery model and work processes.

Planning and Management of Information Resources. The Planning and Management of Information Resources category includes elements related to the foundational enterprise capabilities needed to support such things as information sharing, cybersecurity, and rapid innovation of IT applications to meet business requirements. It encompasses not just the work of Systems, but the coordinated efforts of agency leaders, business customers and IT staff to plan and implement new systems to support mission performance.

11. We manage data at the enterprise level and our business systems are interoperable.
12. We maximize data sharing with external partners through improved exchange standards.

13. We employ a robust regime for providing information security and protecting customers' personal information over the entire data life cycle, including authentication protocols.
14. Our IT workforce is focused less on in-house application development and more on the analysis, architecture, systems integration, testing, and project management needed to effectively leverage private sector services to meet business needs.
15. We use a disciplined and responsive IT investment planning and applications portfolio management process to enable planning and implementation of new IT solutions in smaller, usable, and affordable increments to meet business requirements rapidly.

Workforce

16. Our integrated and diverse service delivery workforce is able to identify customer needs and manage transactions to completion efficiently and effectively.
17. Technology advances allow us to have a significantly smaller and more virtual workforce.
18. We make greater use of generalists with an emphasis on problem-solving, communication, and data analytics skills.
19. We use data analytics systematically to drive workforce decisions (e.g., training needs).
20. Our "blended" workforce delivers services with greater use of project-based employee and contractor teams.
21. We employ a more flexible grade and compensation structure to facilitate career paths that encourage employee retention by embracing employee development and providing opportunities across the organization or with partner organizations.
22. Our labor-management relations have a strategic focus on improving agency outcomes.

Organizational Structure and Dynamics

23. We embrace change and reward managed risk (e.g., training and performance management opportunities).
24. Our adaptive and open culture promotes new collaborative arrangements including those with external partners (e.g., other agencies and advocacy groups).
25. We institutionalize long-term, strategic thinking throughout the organization (e.g., planning, position descriptions, business processes).

26. Our communication and business processes enable a dispersed workforce that is no longer working in centralized, traditional offices.
27. Our physical infrastructure is significantly reduced and re-aligned based on service delivery changes, IT and automation investments, and workforce shifts.
28. Our consolidated and re-aligned organization integrates activities, eliminates duplicative work, and strengthens program integrity.
29. Our flatter organization, along with clear policies and guidelines, allows for fewer decision points and empowers employees, resulting in improved organizational performance.

Note: Program integrity and agility are important objectives of this vision. However, they are not the focus of one category. We instead call out elements within the five categories that make particularly important contributions to program integrity and agility.

DRAFT



AFGE STOP VISION 2025 CAMPAIGN

SSA's Vision 2025 Plan:

- ◆ **Calls for the elimination of direct service, which includes the field office and TSC structures;**
- ◆ **Would result in lost jobs in every community where an SSA office exists;**
- ◆ **Threatens community-based, direct service access for every American;**
- ◆ **Depersonalizes and reduces effective service for our communities, for our neighbors, our families, our nation;**
- ◆ **Calls for the contracting out of remaining jobs;**
- ◆ **Is a new front in a 30 year effort to devalue public service, to undermine the rightful role of good government in the well-being of the American public.**

The elimination of field offices and TSC means the elimination of jobs, YOUR JOB!

AFGE's response to SSA's Vision 2025 plan received the highest number of votes by SSA employees on SSA's IdeaScale voting system! We know that SSA employees understand the importance of services that they provide to the American public; that the programs we administer are complicated and difficult to navigate in times of deeply personal life events, such as a death of spouse or wage earner, facing retirement or becoming disabled. Each of these life events affect the people we serve in very different ways. Intellect and education mean nothing when you are hurting from the loss of a spouse or suffering a disability. Homelessness and minimal resources prohibit access to the internet. We work in a world that cannot always comply with "go to the internet," or "file on line."

AFGE Council 220 is working with AFGE, the AFL-CIO and a network of disability advocates and aged organizations to STOP SSA's VISION 2025 plan. This grassroots campaign will include an external and internal education strategy, a media and communications plan, and legislative goals.

But the best thought out plans will not succeed without the support of SSA employees! **We need your support, we need your membership, and we need your activism. Your participation is critical to this effort!**

JOIN AFGE TODAY!



Call Your Representative Today. Urge Them To Stop Closing Local SSA Offices and Cutting Vital Services!

Over the last few years, the Social Security Administration (SSA) has seen its budget frozen and reduced, resulting in 11,000 fewer staff to provide customer service to the roughly 25 million Americans that visited their local SSA office in 2013.

SSA has also closed nearly 80 local SSA offices and plans to close hundreds more. And they are proposing cuts in critical services. Effective August 1 you won't be able to get Social Security Number Printouts. An additional proposal to stop offering Benefit Verification forms was just reversed after grassroots pressure. Last year alone, 11 million people used these services.

This sharp decline in face-to-face customer service has got to stop. Americans have worked hard and paid for their Social Security. SSA should not make it more difficult for hard-working citizens to access their benefits. Call your Representative and express your concerns. We need you to make two calls:

Call #1: Call 1-888-907-8362. Urge your Representative to support the Social Security Administration Accountability Act of 2014 (H.R. 3997) and stop SSA's irresponsible plans to close local SSA offices.

Call #2: Call 1-202-234-3121. Urge your Representative to support the Seniors Access to Social Security Act of 2014 (H.R. 4964) which requires SSA to continue providing Social Security Number Printouts.

Local SSA offices and the services they provide are critical to communities across the country. Thank you for making the call. You can make a difference!

Get Involved: Save Our Social Security.

Find out more about what you can do to *Save Our Social Security*.
Go to: www.afge.org/saveoursocialsecurity.

American Federation of Government Employees, AFL-CIO

Do not reproduce or circulate on duty time, using government equipment or government resources. Do not call using a government phone or on duty time.

Stop Closing Social Security Field Offices Fact Sheet

The Threat:

- The Social Security Administration is determined to close hundreds of field offices across the U.S. without proper justification or investigation into potential harmful impacts on communities.
- Over the last few years SSA has seen its budget frozen and reduced, resulting in 11,000 fewer staff to provide face-to-face customer service to the 25 million Americans who visited Field Offices in 2013.
- SSA has closed nearly 80 Field Offices and reduced their hours of operation to only three full days each week.
- SSA will direct this enormous volume of people exclusively to their 800 phone number and their online website.
- So far, SSA has only justified these closings by stating the office spaces leases have expired-- A poor excuse for the decline of customer service.

Why this Hurts Americans:

- Using the SSA's own numbers, nearly 25 million Americans visited Field Offices in 2013.
- The customer service that people receive at these field offices ranges from obtaining replacement Social Security Cards and Benefit Verification printouts, to trained staff personally helping Americans understand the nuances of Social Security.
- Low-income and those with disabilities rely on their Local Field Offices to provide these basic services in order to obtain food stamps, apply for jobs, and obtain mortgages.
- A study by the Pew Research Center found that some 40 percent of seniors can't or won't use a computer – that's nearly 17 million people who will be forced to go online if these office closings continue.

The Social Security Administration's Inadequate Work-Around

The SSA 800 Phone Number

- The 800 number's busy rate and wait times are already unacceptable.
- Callers are also advised that they will have a shorter wait time after Tuesday.

MySSA

- MySSA uses a third party, Experian, to validate and safeguard a portion of user information.
- The [New York Times](#) and [USA Today](#) reported that a Vietnamese criminal ring, either broke into or were given access to an Experian database, and compromised 200 million accounts.
- Some users have reported that they are unable to create usernames and passwords to access the site.
- The website is dense and hard to navigate. You can't easily find the information you need to obtain SSN or Benefit Verification Forms.
- The 'Added Security' measures are confusing and potentially alarming.
- They mix true and false information for you to sift through to verify your identify.
- Some questions may cause users to panic and think their identity has been compromised.
- Alternatively, it asks for information that you may not know – like info from your W-2 or 1040 tax forms or the year your home was built (even if you live in an apartment building).

What Must Be Done:

Social Security Field Offices are critical to the communities they serve. Congress must impose an immediate moratorium on further closures until SSA comes clean about its plan for future closings.

**Statement Submitted by Witold Skwierczynski, President
National Council of Social Security Field Operations Locals, AFGE, AFL-CIO
Before the
Senate Special Committee on Aging
June 18, 2014**

Mr. Chairman, Members of the Committee

My name is Witold Skwierczynski. I am the President of the National Council of Social Security Field Operations Locals, of the American Federation of Government Employees. We are the recognized bargaining representative for approximately 28,000 employees who work in field offices, teleservice centers and card centers at the Social Security Administration.

I want to thank you for holding this timely and vital hearing today. It is timely because SSA is at a crossroads with one path leading to an internet portal and the other maintaining personal service to millions of Social Security beneficiaries. While the union believes that SSA must move down both paths simultaneously, it is clear that the agency sees only one way forward: Americans in the next ten years will use the internet alone to access SSA benefits and services.

Does this strategy make sense? The union says no, the SSA managers association says no, but to date, the policy remains unexamined by Congress and unexplained by SSA. In fact, until the recent release of the draft report by the National Association of Public Administration (NAPA), neither the Congress nor the public was even aware of SSA's vision for the program over the next eleven years. SSA has chosen not to involve either the public or the employee union in any meaningful dialogue regarding a fundamental change in the way it plans to deliver services to its customers. Government agencies should not be allowed to engage in such a fundamental change in how they operate without input and concurrence from effected citizenry. It's the responsibility of Congress to insure that government operates to benefit its constituents and not to benefit government.

It is essential that today's hearing begin a process of placing the SSA plan under a microscope and starting a national debate on the best ways SSA can serve the millions of beneficiaries who have paid for the services they expect SSA to be delivering for them.

SSA's Field Office Plan

Last year, SSA field offices served more than 43 million people and received over 68 million calls. In 2007, 42 million people visited field offices. Despite extraordinary efforts to reduce field office traffic, there has been no significant change over time. People simply want and need to discuss the complex issues that surround this program with someone who has the training and expertise to help.

In the midst of a very loud battle over Social Security cost-of-living adjustments, there has been a much quieter fight waged by SSA to reduce field office hours of operation, cut staff, halt critical services and generally move to eliminate the field office network at SSA. While this is an SSA plan, it has been unintentionally aided by Congress in the form of routine budget cuts to the agency.

Since 2010 SSA has closed 80 field offices around the country. Also in that time, the agency has eliminated all 500 rural contact stations, reduced field office hours by 90 minutes daily and 4 1/2 hours on Wednesdays (i.e., a 28% reduction in public office hours) and cut field office staff by 11,000. Closing contact stations provided SSA negligible savings since, by their nature, these offices were located in donated space. SSA only paid for employee transportation costs to travel to the facility. However, contact station closures virtually eliminated the face-to-face service option for rural SSA customers. **While budget cuts have required adjustments by SSA, we believe these decisions were less the result of short term budget shortfalls than they were efforts to reduce face to face service and the role of field offices.**

SSA has options for reducing spending that do not require service reductions to beneficiaries or the closure of field offices. The Union has urged the Agency to seek alternatives to cuts in the field office network including eliminating a bloated management structure which includes unnecessary layers of management and 42 all-management Area Director offices that cost millions in rent and perform no direct service for the American public. Eliminating field offices and reducing hours while keeping unnecessary offices for high graded managers, who do not take or review claims, is a waste of essential resources.

More importantly, reductions in SSA's administrative budget are not a certainty for the future. In fact, SSA received a small increase in its operational budget in FY 2014. The SSA Commissioner can and should propose a budget from Congress that maintains the field office structure necessary for the public to conduct its SSA business. The Independent Agency law allows the Commissioner to send such a budget directly to Congress without the requirement to send it to the President for approval. Commissioners have been reluctant to exercise this authority. The time has come to use this authority to attempt to obtain reasonable appropriations in SSA. The question of the role of field offices, the internet, and the call centers should be viewed from the perspective of what is best for the consumer, the retiree, the disabled person and the survivor who paid for the service since he or she first started working.

Today's SSA Office Experience

SSA has a proud reputation for providing its clients good public service. Veteran SSA employees can attest to the fact that employees were trained to make customer service the highest priority. Unfortunately, recent SSA service delivery decisions have caused serious erosion of this legacy. Today, clients encounter real difficulties obtaining their service of choice. If a claimant calls the SSA 800 number to speak to an agent, SSA's goal for FY 14 is that the average wait time will be 17 minutes. The actual average wait time is 26 minutes. During the core business hours this wait time is even longer.

If a claimant or beneficiary decides to travel to an SSA office for service, they will experience long waiting times and reduced staff. Over 50 offices have published average wait times of an hour. Waiting times only reflect the time that elapses once a client registers in the automated Visitor Intake Program. Often customers have considerable additional unrecorded waiting time before they can register.

Once a claimant is called to speak to a Service Representative, they will often be encouraged to use a self-help computer to file their claim whether they have an appointment or not. SSA's policy is to require staff to direct claimants to these self-help computers where they exist. Some managers require employees to direct all claimants to such self-help computers whether or not the claimants want to use them. Customers do not travel to a Social Security office to use a computer. They can do that in their

homes. Forcing, coercing or offering them a computer option when they came to the office for face-to-face service is frustrating to the customer and certainly does not constitute good public service.

Many offices have a policy that they will not take claims from walk-in customers without appointments absent an emergency. Consequently, walk-in customers are either referred to a self-help computer or an appointment is established for them at a future date and they are sent home. Sending a claimant home who traveled to an SSA office for help does not constitute good public service.

Many offices have maxed out on their appointment calendars (i.e., SSA has a 60 day maximum length for appointments). In many SSA offices, a walk-in claimant is denied an interview and an appointment if the calendar is full. A protective filing is established on a hand written form and hopefully this person will be added to the appointment calendar in the unknown future. Sending claimants home who want to file a claim with no claim taken and no appointment set up is not good public service.

Many offices that have no self-help computers and that don't allow walk-in claims, require employees to tell claimants that SSA cannot take their claim today. They are instructed to go home and file online if they want to file a claim or, if they have no computer, to go to a local library to file their claim online. SSA has not met with library officials regarding such referral policies. It is bad public service to send a claimant home without taking their claim, without setting up an appointment and without taking a protective filing and sending the claimant to a library or their home to file online.

Where self-help computers exist in field offices, employees report that most clients who attempt to use them for filing claims have extreme difficulty completing the process. SSA employees commonly are required to provide extensive assistance which defeats the purpose of referring clients to the self-help computers – saving staff time.

Staff reductions are partly responsible for SSA's decision to manipulate the public into using online services. However, there appears to be a broader design. As reflected in SSA's FY 15 Performance Plan, the FY 14-18 SSA Strategic Plan and the draft Vision 2025 plan, SSA's goal is to make online service the primary service delivery system and, consequently, access to face-to-face service will be reduced despite the fact that the volume of walk-in customers has not changed.

Field Office Closures

According to our analysis, SSA has closed 80 field and teleservice offices since 2010. The process was initiated by former Commissioner Astrue and has accelerated in the last two years. Why these particular offices were closed is essentially unknown as SSA has offered no justification for these decisions. SSA consults with no one before making a decision to close an office. When a decision is made to close an office, SSA deliberately provides the union and the impacted Congressperson a short advanced notice of the closure. SSA conducts a formal meeting with the employees informing them of the closure. The union is invited to the meeting but not informed in advance of the topic of discussion. No rationale is given, no alternatives suggested. SSA is simply closing the office – permanently. The union can only negotiate the methodology of reassigning the employees – not the actual closure. No

notice is given to the public of the closure. No press release about it is issued by SSA. SSA doesn't bother to notify Senators in the state of the office. SSA does not notify local government. SSA does not notify local interest groups that assist seniors, the poor and the disabled. The Union has long suspected

that the primary motivation for these closures had nothing to do with the public policy issues involved, but instead is related to the expiration of building leases.

Prior to deciding to close an office, SSA does not seek input from Congress, the public, SSA employees, customer interest groups, local government, local employers, local institutions or anyone from the community. This is no way to operate an open and transparent government. Legislation exists requiring the postal service to justify postal office closures and to require public hearings prior to making a decision whether to close a postal facility. No such legal requirement exists in SSA. SSA has taken advantage of the lack of legal impediments to engage in a strategy that makes it virtually impossible for any interested party to argue effectively against an office closure. Many closures result in effectively eliminating a face to face option for seniors, disabled individuals and the poor who have no ability to travel to the different office located in another community. SSA does not appear to consider customer transportation issues when deciding to close offices. Many closures have left customers with no public transportation options to travel to another SSA office. If driving is not an option, face-to-face SSA service stops being an option. Nor is there any sort of appeals process and despite Congressional, customer and community objections, not one closure decision was overturned.

For these reasons, the Council has strongly supported H.R. 3997, a bipartisan bill in the House introduced by Rep. Brian Higgins (D-NY) and John Duncan Jr. (R-TN) which would impose a moratorium on future closures and require SSA to provide advance notice of a closing, a clear justification for the decision, a public hearings process to involve the communities affected, Congressional notice and other requirements. It is our hope that similar language will be included in the Labor-HHS-Education Appropriations bill for the FY 2015 conference report.

Numi-lites and Benefit Verification Statement

This year SSA launched its most aggressive attack on field offices since Commissioner Astrue first began the process of closing them. The agency announced that Americans will no longer be able to access Social Security number printouts (numi-lites) as of August 1 or benefit verification statements as of October 1, through a field office. For the first time, beneficiaries needing these forms, and last year 11 million people came into a field office for one or the other, will be required to use other methods to obtain this vital information. Those desiring benefit verification will be required to either obtain it through the two year old SSA internet portal called MySSA or to make a request through the 800 Number and wait 7-10 days for the verification in the mail. Numi-lites will no longer be available and individuals will have to apply for a new or replacement S.S. card and wait a week to 10 days for it to arrive in the mail. **About one million numi-lites were issued by field offices last year for job applicants and requested by employers. If those people are forced to wait a week to get an actual card, the job will most likely have gone to the next person in line.**

Benefit verification statements, of which 5 million were requested last year, are used for car loans, mortgage applications, housing assistance and a wide range of other purposes.

My SSA

SSA responds to virtually all concerns voiced about the suspension of services at field offices by referring people to My SSA. Whether it's an earnings statement, benefit verification form, change of address or just about anything else, the answer is "go to MySSA".

The first major problem with that answer is, even according to SSA, fully one-third of the people attempting to access the service fail to get registered. The reason is Experian Credit Corporation of Ireland. In order to provide security for transactions anticipated by SSA on this site, it was determined that security protocols should be conducted by the Irish credit agency. In attempting to register for My SSA, people are asked a series of questions about their personal finances intended as identifiers.

Questions can include: Do you have a 12, 24, 36, 48 or 60 month term on your last car loan? Among the six loans listed, which is still current? Which of the five mortgage loans listed above is yours? If the answer is none, check does not apply. And using your date of birth, which of the list of zodiac signs below is yours? (see attachment for actual registration screens)

This information must all be available and at hand in order to answer the questions. A wrong answer brings you back to the beginning of the process. The questions vary with each attempt to register, so one cannot anticipate what may be asked other than that many inquiries will have to do with personal financial information contained in your Experian credit report.

Even the simple task of creating a password is difficult. Here are the instructions:

8 characters minimum and must contain:

- at least one uppercase letter (A-Z)
- at least one lowercase letter (a-z)
- at least one number (0-9)
- at least one symbol (For example: ! @ # \$ % ^ & *)
- must begin with a letter or number.

And keep in mind that the password must be remembered for future use of MySSA.

Not only is this an overly cumbersome and difficult process to navigate, it also opens a very wide door to identity theft and fraud.

Another major problem is that internet usage in the U.S., particularly broad band use, is far lower than many believe. A New York Times article from last year on internet use by the general populace states that 60 million adults lack internet skills. 20% of adults never use the internet. 76% of white households use the internet and 57% of black households use it. The 20% figure hasn't changed since 2009. Slightly more than 1/2 of Americans 65 and older use the internet. Internet use is lowest in the south: particularly in Mississippi, Alabama and Arkansas. US is only 7th in Internet use behind Britain, Canada, South Korea, Germany, France, and Australia. SSA's response to this reality is to ignore it.

MySSA and Experian Credit Corporation

In April 2012, SSA contracted with Experian, a global information services provider based in Ireland, to provide security questions of more than 300 million social security number holders. This was in spite of ongoing Congressional investigations into the company's practices and vulnerabilities regarding identity theft. SSA provides Experian identifying information about the number holder requesting access to MySSA. The information provided includes the customer's last name, first name, DOB, address, and

phone number. Experian uses this information to match to their records and asks the number holder "Out-of-Wallet" questions to determine the authenticity of the person requesting access to MySSA accounts.

In October 2013, Experian was caught selling US data, more than 200 million accounts, from their Identify Proofing Services to a Vietnamese Identity theft ring. Experian is being investigated by the US Secret Service and FBI. It has since been reported that the ring operated throughout New York and New Jersey. However government officials have not been able to verify that scope and extent of damage. As details from testimony are made known, it becomes clear that 5 out of 6 US adults are at risk.

On June 17, 2014 Associate Press reported that the State of Mississippi has sued Experian because their database contains massive errors regarding individual's credit history and that it was virtually impossible for anyone to change erroneous Experian records. The report indicated that 32 other states led by Ohio had also sued Experian for similar reasons. These errors jeopardize the ability for an SSA customer to register for MYSSA since the data an individual provides may very well contradict Experian's erroneous records.

SSA customers should not be denied immediate benefit verification data during a face-to-face field office visit and be told that their only option is to register for a flawed MYSSA program that uses flawed Experian data to determine identity. One of the examples cited in the Mississippi lawsuit was the case of an individual who could not obtain a loan because Experian had attributed a family member's credit history to the wrong person. Another example cited by the Mississippi suit concerns a person who Experian erroneously placed on a terrorism watch list. This is the supposedly secure verification system used by SSA to insure that a MYSSA enrollee is genuine.

We strongly believe that SSA must reexamine its relationship with Experian in light of the fact that states are suing them for gross negligence and for knowingly providing error ridden data and refusing to utilize reasonable procedures to correct their mistakes.

Another problem with MY SSA is that only those with a credit history can answer the Experian questions. Failure to respond accurately to results in rejection and an inability to use MYSSA. Why should the poor, homeless and credit challenged be precluded from obtaining a benefit verification on demand letter during a walk in interview because of SSA's flawed decision to use Experian to verify the identity of MYSSA enrollees?

In the short time that MySSA accounts have been in effect, the risk of fraud and identity theft has been present. Last June 2013, SSA's OIG stated they received 37,000 reports from various sources concerning questionable changes to a beneficiary's record. Unfortunately, direct deposited benefits became vulnerable to criminal activity, i.e. hackers and identity theft. The OIG learned that identity theft criminals targeted and obtained senior citizens personally identifiable information, which SSA relies upon to identify the beneficiary on the MySSA accounts. These criminals were able to fool the Myssa.gov system and change the direct deposit information, and the fraud has continued. Since this breach was discovered, countless reports of similar activity continue to be reported to SSA offices around the country. In a recent meeting with SSA officials, AFGE was told that despite efforts made to identify fraudulent bank account and routing numbers used by identity thefts, new accounts are opened as fast as identified accounts are closed. It is a "moving target."

Unfortunately, AFGE continued objection to making Social Security beneficiaries and number holders vulnerable falls on deaf ears. SSA dismissed our recommendation and stated that the number of

beneficiaries effected by the identity theft were less than one half of one percent of all beneficiaries. Therefore, "this is an acceptable risk."

Consumer Affairs recently reported "there's really no specific advice we can give you regarding how to protect yourself from data brokers with poor security habits or identity-theft entrepreneurs other than the standard "Be vigilant and check your accounts" advice you always see in identity-theft-protection articles like this. Before last October or so, such articles also advised you to "Sign up for monitoring with one of the three major credit bureaus, including Experian." It honestly seemed like a good idea at the time.

Until Congress, Experian, SSA and consumer protection agencies can develop safe guards that would protect Social Security number holders, SSA's beneficiaries should never be put at risk of losing their monthly benefits to identity thieves. In many cases, their benefits are their sole income and the theft of a monthly benefit could have a devastating impact on the beneficiary's life.

MySSA too, may have been a good idea at the time, but it continues to make Social Security beneficiaries and number holders unnecessarily vulnerable. The government should never make its most vulnerable citizens at risk of losing their livelihood. No level of risk is acceptable.

Social Security 800 Number

The alternative to MySSA for some services such as benefit verifications is the 800# and if you are prepared to wait half an hour for service you can get help. But the current 26 minute wait time is an average which means many wait much longer to receive assistance. Of course after waiting for an agent to become available, the customer will also have to patiently wait 7-10 days for a mailed benefit verification letter. In addition to the increase in waiting time, the call center busy rate is up 20 percent over last year and staffing is down to its lowest point since SSA established 800 number service. There is no way that understaffed Teleservice Representatives will be able to effectively serve in a timely manner the millions of people requesting help.

SSA's Vision 2025

In March a draft report by the National Academy of Public Administration for the Social Security Administration and entitled, 'Long-Term Strategic Vision and Vision Elements' began circulating around Washington. The report was prepared under contract to SSA and apparently was written by a group of "futurists" from around the country. What these people know about the lives and needs of Social Security beneficiaries is unknown at the moment, but will be known when it is released and embraced by SSA. In fact, there is already an SSA website devoted to it.

Here is what the report said with respect to the future of field offices:

Vision Elements: *The vision consists of 29 elements that are divided into five categories.*

Direct Service Delivery to Customers. *The first category—Direct Service Delivery to Customers—includes elements related primarily to improving customer service.*

1. *Online self-service delivery is our primary service channel.*
2. *We provide direct service options (e.g., in-person, phone, online chat, video conference) in very limited circumstances, such as for complex transactions and to meet the needs of vulnerable populations. (emphasis ours)*

3. *Our service channels (e.g., in-person, on-line, telephone) are integrated, enabling seamless customer service and processing of most transactions from start to finish.*
4. *Our service delivery is integrated across SSA programs and with external partners to improve access to a broad suite of high quality government services (including “non-programmatic” or “non-core” activities).*
5. *We simplify programmatic, administrative, and operational policies in order to facilitate customers’ applications for benefits and our processing of them.*

The policy is clear: direct service to beneficiaries will only be available “in very limited circumstances”. Now we can debate the exact meaning of this term, but to do so would be to ignore SSA’s demonstrated actions to reduce field offices and services over the past five years and the agency’s Strategic Plan which mirrors the NAPA plan although the policy is more camouflaged in that document. This is the first goal outlined in their current Strategic Plan:

Goal: Deliver Innovative, Quality Services

Develop and Increase the Use of Self-Service Options

Enhance the Customer Experience by Completing Customers’ Business at the First Point of Contact

Partner with Other Agencies and Organizations to Improve Customers’ Experience and Align with the Administration’s One-Government Approach

Evaluate Our Physical Footprint to Incorporate Improved Service Options

As more people are able to take advantage of our online services, fewer people will need to visit an office. As a result, we will not need to maintain the current number of Social Security offices. We will streamline our field structure, as well as our administrative structure, to reduce costs and make the best use of our employees’ time and skills.

The SSA strategic plan is simply a more carefully worded version of the same policy. Over the next 10 years the agency plans to “reduce [its] physical footprint” and “streamline our field structure” which translated means eliminate field offices. One can debate the nuances, but the intent is clear.

Our biggest single concern about the NAPA plan and SSA’s internet usage policy is that the agency appears to be engaged in a breathless race to achieve this goal. Over the next five years, the number of Americans age 55 and older will increase by more than 10 million, dramatically increasing the demand for SSA services. Who doubts that over such a short span of time, there will still be millions of Americans unable or unwilling to make critical financial decisions affecting their retirement by themselves on a computer?

SSA seems not to recognize this reality and is rushing headlong into a future that will leave SSA customers angry and feeling cheated by their government. If you doubt this, take a look at any of the television ads now being broadcast by insurance companies, banks and other service based companies touting their personal touch and personal service as opposed to faceless, nameless telephone operators, pre-recorded messages and a computer terminal.

People not only want face to face service at SSA, they need it. **According to our most recent survey of employees, over 55% of internet claims filed require re-contact due to erroneous or missing information. Often, these errors are never corrected. Over 50% of SSA employees who review internet claims state that most (50% or more) internet applicants appear to have selected disadvantageous months to begin receiving their retirement benefits.** That means these applicants, assuming average life expectancy, will be losing money with their choice of the month they elect to begin receiving retirement benefits. Only through the work of a trained and experienced field office employee, can beneficiaries be assured their benefits will be accurately determined and appropriate for the individual circumstances of each beneficiary. That's the major benefit of a face-to-face or telephone interview with a trained SSA claims representative. Reducing or eliminating this option will result in many claimants losing money due to uninformed choices.

Online disability claims are even worse according to SSA employees who review them. Applications consist of over 100 screens. Applicants are asked detailed questions about their medical history and how their disabilities adversely affect their ability to work and engage in day to day activities. Many fail to document all of their conditions and/or all of their medical sources and medications. The poor online disability claims product results in a low approval rate for initial claims. Many claimants appeal their decisions and enter the lengthy disability appeals process that has received significant public criticism. Accurate and complete initial claims, that would be more likely with the assistance of trained SSA claims representatives, would insure that initial disability decisions are accurate – thus, avoiding the difficult and lengthy appeals process.

Mr. Chairman, Members of the Committee, instead of the myopic, one size fits all vision for the future advanced by SSA, allow us to offer the Union's view of what the agency should aspire to be:

- 1) An immediate moratorium on all Field office closures and consolidations. SSA should publicize its criteria and justification for consolidating and/or closing an office. Before any office can be closed or consolidated, SSA must evaluate the impact of a proposed closure on the effected communities, the Agency and the employees. SSA must schedule a public hearing no less than 30 days before the scheduled closure and/or consolidation, to allow the public to weigh in impact of the agency's decision. SSA should provide advance notice to the public, Congress and employees at least 180 days before any proposed closing
- 2) SSA should not dictate what kind of service the public should receive. Service options, including face-to-face, telephone and appointments, should be maintained to meet the public's needs and their desired methodology for interacting with SSA. SSA's infrastructure should reflect public's needs (e.g., field offices, contact stations, residence stations, TSCs, etc...). Direct service options to meet the needs of vulnerable populations should be the cornerstone of SSA's public service goals and obligations.
- 3) SSA's Commissioner should demand the resources needed to accomplish the public's choice of service delivery methodologies. The Commissioner should initiate an aggressive campaign to compel Congress to authorize the funding levels needed to secure necessary staffing and

resources, rather than the arbitrary funding levels provided by Congress. Sufficient staff would result in the reduction and elimination of backlogs of claims and integrity workloads and the maintenance of such workloads in the future. The Commissioner should campaign for Congress to take SSA's Administrative expenses off budget so that Congress can decide how much money is needed to run SSA and not impose artificial budget caps.

4) SSA should reinstate and retain services to the public, such as the Numi-lite and benefit verifications since more than 11 million people request these services annually. Who are we to tell them no?

5) SSA should not embrace a business model of "acceptable risk" with regards to number holders and beneficiary's Personal Identifiable Information housed on SSA's data base. Every effort to protect the integrity of SSN accounts and PII should be afforded number holders and SSA beneficiaries. SSA should not automate SS-5's for duplicate SSN cards.

6) SSA should increase staff and expand office hours and or shifts to meet the needs of the public.

7) SSA should embrace a "zero tolerance" identity theft and integrity policy with regards to automation and IT solutions. (No 3rd party access to records, SSN information without consent of the number holder and/or beneficiary.)

8) SSA should make every effort to flatten unnecessary administrative layers, such as area directors and supervisory staff. Supervisors to employee ratios should double and be at least 15 employees to 1 management official. All Area Directors offices should close in the next 2 years and the staffs redeployed to direct service work.

9) DDS employees should be converted to Federal SSA Field office employees. This would allow "one-stop" direct public service as disability claims could be taken, medical evidence could be developed and decisions could be adjudicated by the same employee. The Disability Claims Manager position should be reinstated and sufficient DCMS should be assigned to every field office.

10) SSA's Merit Promotion system should provide Operations employees with a grade structure that mirrors those employees in Headquarters and other staff components.

11) SSA should create promotional opportunities for TSC employees who have dead end jobs with little promotion opportunities.

12) SSA should not use SSA employees to coerce the public into filing internet claims or e services. Internet claims and e-services should be an option, not a mandate. Customers should decide the methodology by which they conduct SSA business. SSA should eliminate sweatshop working conditions in TSCs that create stress and an unhealthy working environment such as unannounced service observations, plug in policies, restrictive leave policies and monitoring policies that include timing of employee trips to the rest room

13) Managers, who create hostile working environment, bully employees, practice nepotism or cronyism and/or engage in discrimination, should be terminated.

14) SSA's Merit Promotion System should be revised, so that most worthwhile employees are promoted, rather than base promotions on who you know or who you are related to.

- 15) SSA should end discrimination in the workplace.
- 16) SSA should train their managers to be more sensitive and aware of the many issues that plague our employees returning from military duty.
- 17) SSA should reinstate the annual mailing of PEBEs statements in an effort to educate the public of the importance of Social Security and to gain support for a vital, productive program.
- 18) SSA should work collaboratively with labor at all levels of the agency (local, regional, national.)
- 19) SSA should preserve its network of community based hearing offices and properly staff such offices for face-to-face hearings workloads. Bargaining unit non- attorneys should be the prime source for promotions to ODAR decision writer positions.
- 20) Claimants should be provided the option of timely face-to-face hearings and not coerced into and/or disadvantaged by video hearings.
- 21) SSA should strive to make offices comfortable places to work and as secure as possible. All Field offices should have metal detection devices. Guards in field offices should search conduct bag searches of all non-SSA visitors. All field offices should have ergonomically sound furniture. Violence, threats and disruptive behavior should not be tolerated.
- 22) 3rd parties will only be allowed to file claims and appeals on behalf of claimants if such 3rd parties are trained, certified and licensed. SSA will be able to bar 3rd parties from filing claims and appeals on behalf of the public if such 3rd parties are guilty of misconduct.
- 23) Any claims filed through the internet will be reviewed for accuracy by an SSA employee before the claim is finalized and adjudicated.
- 24) SSA will continue do regard the vast majority of work performed in SSA as inherently governmental. Contracting out will not be used to replace current employees and will not be used to replace those who leave the Agency.
- 25.) SSA and/or Congress will provide its employees an improved benefit package that includes paid maternity leave, student loan reimbursement, time to engage in charitable endeavors, fitness facilities and/or subsidies, day and elder care facilities and/or subsidies, enhanced career development opportunities, needed position upgrades, and a health work place.

Mr. Chairman, it our strongest recommendation that you view this hearing as the beginning of a process in which Congress carefully reviews SSA's current strategic plan, in light of the NAPA report, and works with the agency, the union and the public to fundamentally revise it. In our view, a plan that embraces both the field offices and the internet and allows beneficiaries to choose the way they interact with the program should be the consensus goal.

Congress of the United States
Washington, DC 20515

June 20, 2014

The Honorable Carolyn Colvin
Acting Commissioner, Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Acting Commissioner Colvin:

As you know, our Social Security system provides financial stability for individuals and families at retirement, the onset of a disability, or the loss of a spouse or parent. Social Security is also important in our constituents' daily lives, which is why we want to make sure field offices are available and accessible to meet their needs. At the same time those field offices must provide all necessary services, which is why we are concerned with the decision to discontinue in-person access to benefit verification statements and eliminate Numi-lites. We strongly urge you to reconsider and find solutions that protect the Americans who rely on you for help.

Last year, 11 million people used field offices to request copies of Social Security Numbers (Numi-lites) and/or benefit verification statements from SSA offices, where they can be printed out immediately. Beginning in August, with respect to Numi-lites, and October, with respect to benefit verification statements, these valuable services will be discontinued. Americans will no longer be able to walk into field offices to request these documents, but instead, will have to apply online or by phone for benefit verifications or apply for a Social Security card, adding 7 to 10 days to wait times. While SSA has indicated that an exception policy will address dire situations, we are concerned this will be burdensome to administer and that many people with urgent needs will be left out.

Middle class Americans have regular need for the benefit verification statement for tax purposes, car loans, mortgages, or rental agreements. Additionally, these forms are used in applying for low income benefits, housing, or workforce programs. And unemployed job seekers may need proof of their Social Security numbers quickly, without having to wait for a Social Security card to arrive in the mail, to make sure that they don't miss out on jobs when potential employers are moving quickly.

The SSA's plan to have people access their benefit verification statements over the phone or online, is likely to exacerbate access issues for the most vulnerable. The call centers are not equipped to handle the new demand. Callers in March experienced a 26 minute average wait

time as compared to 9 minutes a year ago. The busy rate is up 20 percent over last year and staffing at the call centers is down to its lowest point since they were established. And this is before millions of new calls for the benefit verification form.

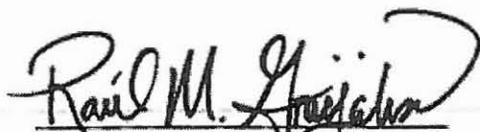
Transitioning to online forms will present a very difficult challenge particularly for the millions of Americans who lack computers, printers and computer expertise. Moreover, never before have Americans been required to use SSA's online services. This will mark a first, and it is not clear that the system is capable of handling this new volume of online usage.

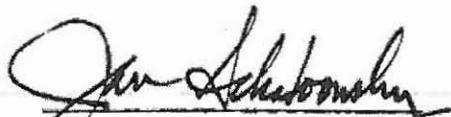
We urge you to continue providing vital services through a robust network of SSA field offices. Limiting access to these forms without understanding the effects on Americans could result in unintended consequences for our constituents. We understand SSA has suffered budget cuts, however discontinuing these services is likely to increase rather than decrease cost at the expense of millions of beneficiaries who need, want and have paid for these services. While Numi-lites cost mere pennies to generate, the alternative -- a Social Security card -- will cost SSA about \$25 to print, not including mailing costs. Until an affordable alternative is found, the failure to provide Numi-lites will cause delays and increased costs. SSA would also need to add a large number of call center staff to respond to the large increase in call volume, further increasing costs.

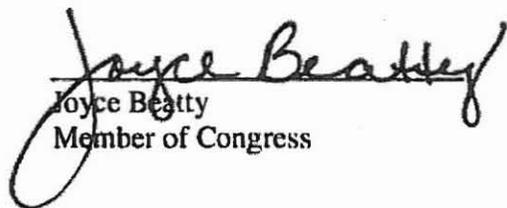
It is critical that the Social Security Administration reverse its decision to discontinue in-person access to benefit verification statements. We also want to work with you to find a solution to the over-reliance on Numi-lites and delays in being able to receive new or replacement Social Security cards.

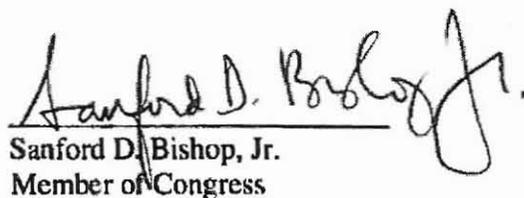
We hope you will take seriously the concerns of the undersigned Members.

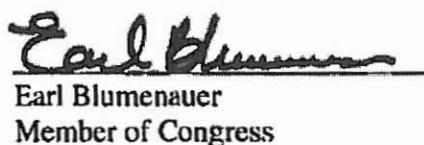
Sincerely,

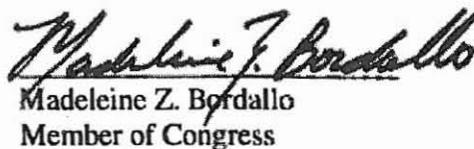

Raúl M. Grijalva
Member of Congress


Jan Schakowsky
Member of Congress

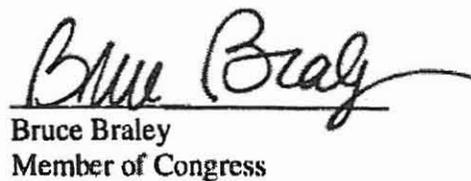

Joyce Beatty
Member of Congress

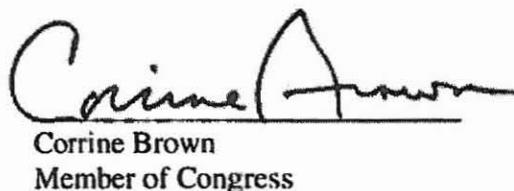

Sanford D. Bishop, Jr.
Member of Congress

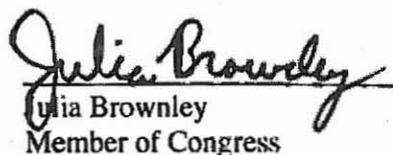

Earl Blumenauer
Member of Congress


Madeleine Z. Bordallo
Member of Congress

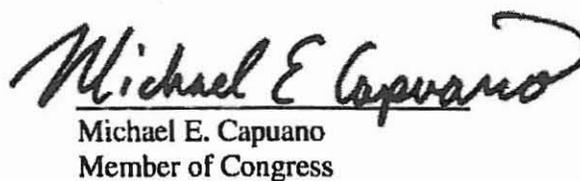

Robert A. Brady
Member of Congress

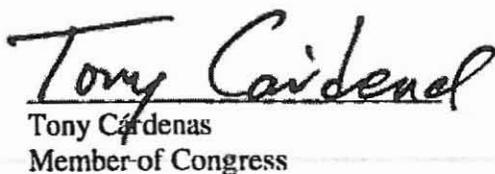

Bruce Braley
Member of Congress

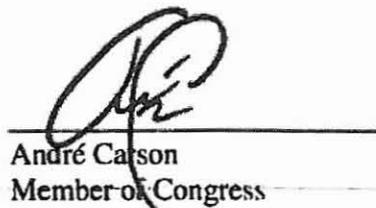

Corrine Brown
Member of Congress

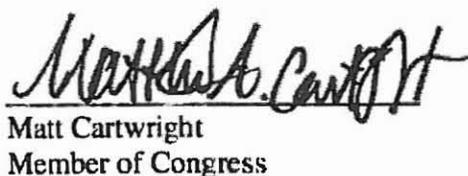

Julia Brownley
Member of Congress

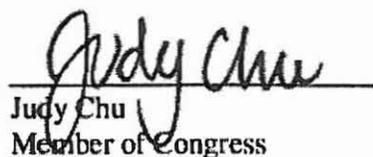

Cheri Bustos
Member of Congress

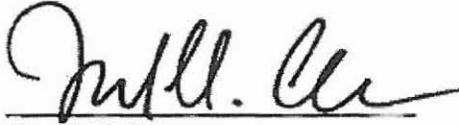

Michael E. Capuano
Member of Congress


Tony Cardenas
Member of Congress

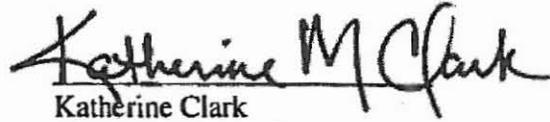

André Carson
Member of Congress


Matt Cartwright
Member of Congress

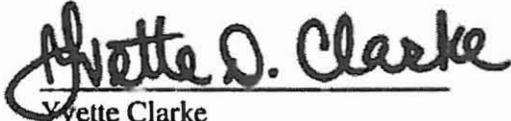

Judy Chu
Member of Congress



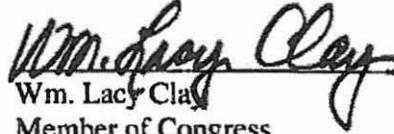
David Cicilline
Member of Congress



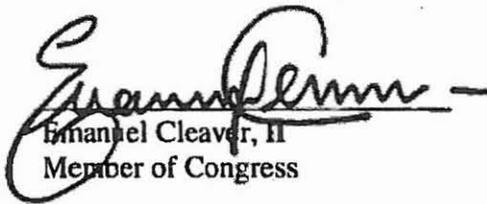
Katherine Clark
Member of Congress



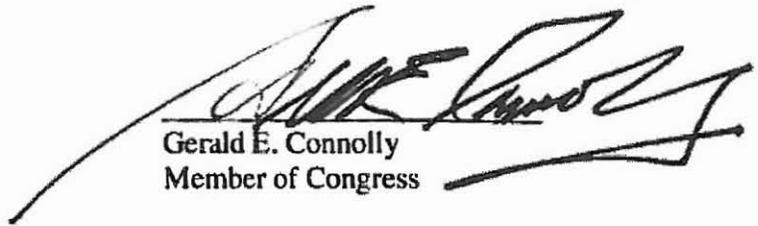
Yvette Clarke
Member of Congress



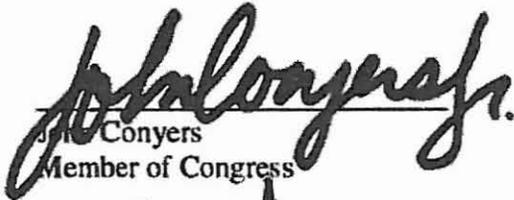
Wm. Lacy Clay
Member of Congress



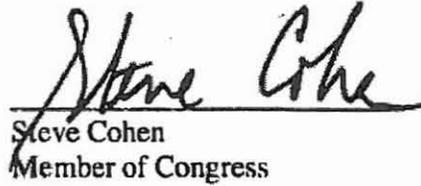
Emanuel Cleaver, II
Member of Congress



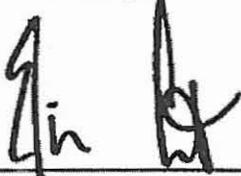
Gerald E. Connolly
Member of Congress



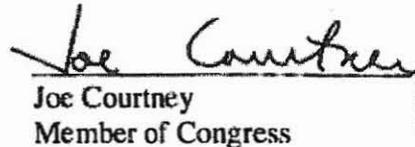
John Conyers
Member of Congress



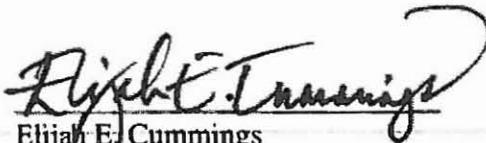
Steve Cohen
Member of Congress



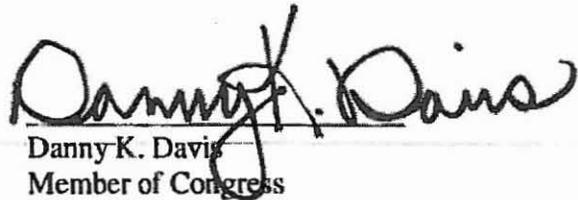
Jim Costa
Member of Congress



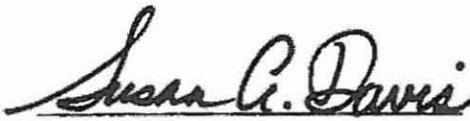
Joe Courtney
Member of Congress



Elijah E. Cummings
Member of Congress



Danny K. Davis
Member of Congress



Susan A. Davis
Member of Congress



Peter DeFazio
Member of Congress

D'ana DeGette

Diana DeGette
Member of Congress

Suzan DelBene

Suzan DelBene
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Theodore E. Deutch

Theodore E. Deutch
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Tammy Duckworth

Tammy Duckworth
Member of Congress

Donna F. Edwards

Donna F. Edwards
Member of Congress

Keith Ellison

Keith Ellison
Member of Congress

William L. Enyart

William L. Enyart
Member of Congress

Elizabeth H. Esty

Elizabeth Esty
Member of Congress

Chaka Fattah

Chaka Fattah
Member of Congress

Sam Farr

Sam Farr
Member of Congress

Lois Frankel

Lois Frankel
Member of Congress

Marcia L. Fudge

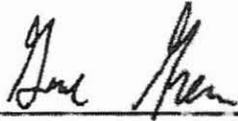
Marcia L. Fudge
Member of Congress

Pete Gallego

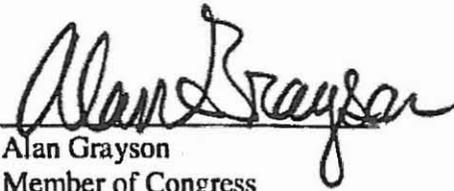
Pete Gallego
Member of Congress

Joe Garcia

Joe Garcia
Member of Congress



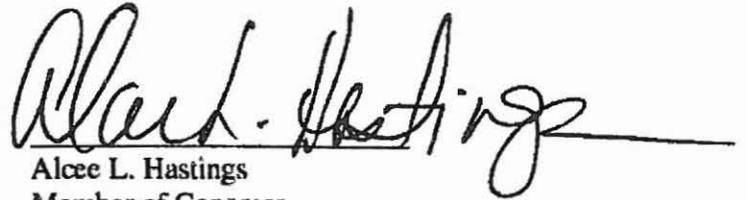
Gene Green
Member of Congress



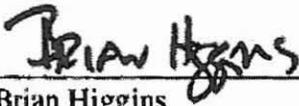
Alan Grayson
Member of Congress



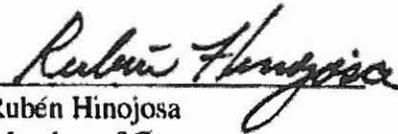
Luis V. Gutiérrez
Member of Congress



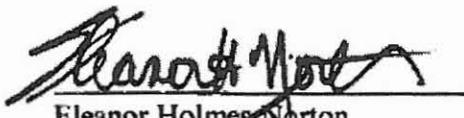
Alcee L. Hastings
Member of Congress



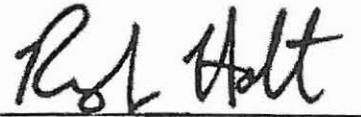
Brian Higgins
Member of Congress



Rubén Hinojosa
Member of Congress



Eleanor Holmes Norton
Member of Congress



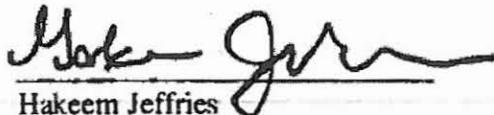
Rush Holt
Member of Congress



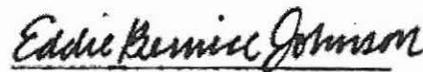
Michael M. Honda
Member of Congress



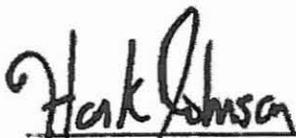
Sheila Jackson Lee
Member of Congress



Hakeem Jeffries
Member of Congress



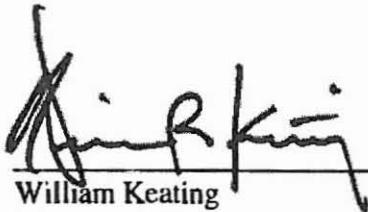
Eddie Bernice Johnson
Member of Congress



Hank Johnson
Member of Congress

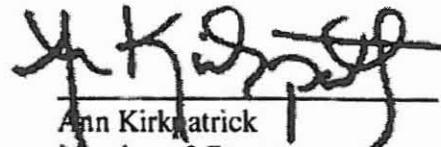


Marcy Kaptur
Member of Congress


William Keating
Member of Congress

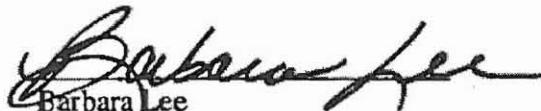

Robin L. Kelly
Member of Congress

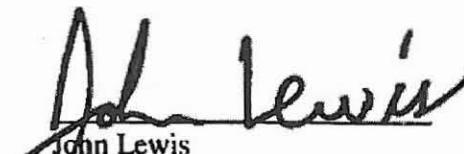

Derek Kilmer
Member of Congress


Ann Kirkpatrick
Member of Congress


Rick Larsen
Member of Congress

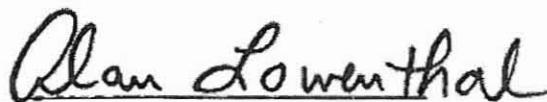

John B. Larson
Member of Congress


Barbara Lee
Member of Congress

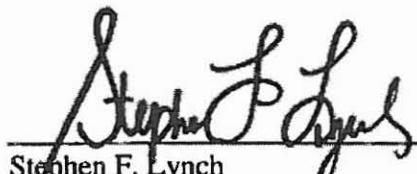

John Lewis
Member of Congress

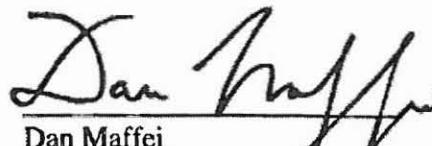

Dan Lipinski
Member of Congress


Dave Loebsack
Member of Congress


Alan Lowenthal
Member of Congress


Michelle Lujan Grisham
Member of Congress


Stephen F. Lynch
Member of Congress


Dan Maffei
Member of Congress

Carolyn B. Maloney
Carolyn B. Maloney
Member of Congress

Jim McDermott
Jim McDermott
Member of Congress

Negrete McLeod
Negrete McLeod
Member of Congress

James P. McGovern
James P. McGovern
Member of Congress

Gregory W. Meeks
Gregory W. Meeks
Member of Congress

Grace Meng
Grace Meng
Member of Congress

Gwen Moore
Gwen Moore
Member of Congress

Jim Moran
Jim Moran
Member of Congress

Jerrold Nadler
Jerrold Nadler
Member of Congress

Grace J. Napolitano
Grace Napolitano
Member of Congress

Beto O'Rourke
Beto O'Rourke
Member of Congress

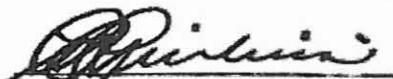
Ed Pastor
Ed Pastor
Member of Congress

Gary C. Peters
Gary C. Peters
Member of Congress

Scott Peters
Scott Peters
Member of Congress



Collin C. Peterson
Member of Congress



Pedro R. Pierluisi
Member of Congress



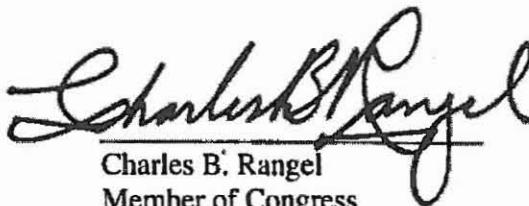
Chellie Pingree
Member of Congress



Mark Pocan
Member of Congress



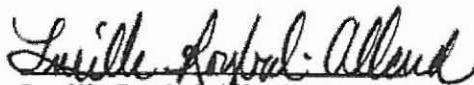
Jared Polis
Member of Congress



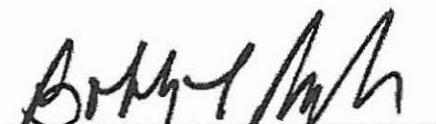
Charles B. Rangel
Member of Congress



Cedric Richmond
Member of Congress



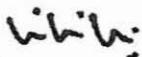
Lucille Roybal-Allard
Member of Congress



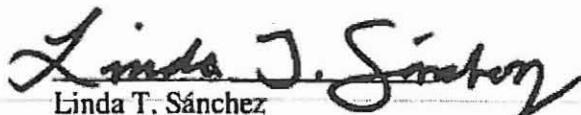
Bobby Rush
Member of Congress



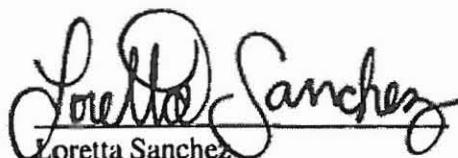
Tim Ryan
Member of Congress



Gregorio Kilili Camacho Sablan
Member of Congress



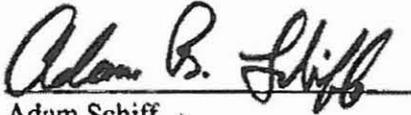
Linda T. Sánchez
Member of Congress



Loretta Sanchez
Member of Congress



John P. Sarbanes
Member of Congress



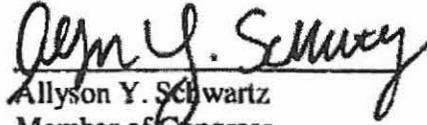
Adam Schiff
Member of Congress



Brad Schneider
Member of Congress



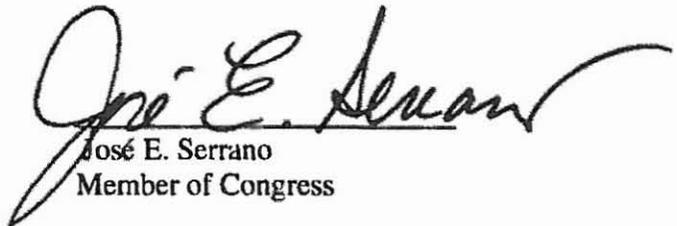
Kurt Schrader
Member of Congress



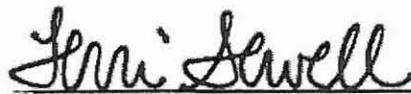
Allyson Y. Schwartz
Member of Congress



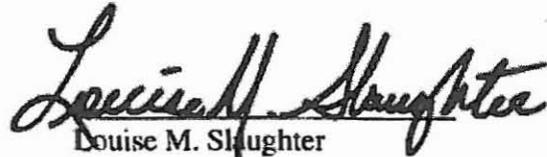
Robert C. "Bobby" Scott
Member of Congress



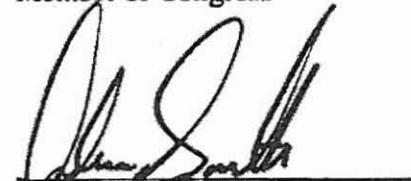
José E. Serrano
Member of Congress



Terri Sewell
Member of Congress



Louise M. Slaughter
Member of Congress



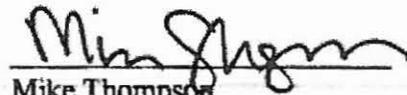
Adam Smith
Member of Congress



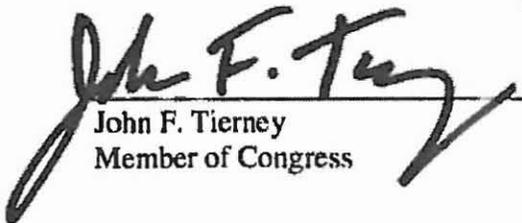
Jackie Speier
Member of Congress



Mark Takano
Member of Congress



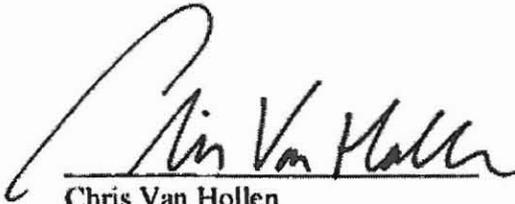
Mike Thompson
Member of Congress



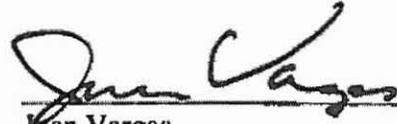
John F. Tierney
Member of Congress



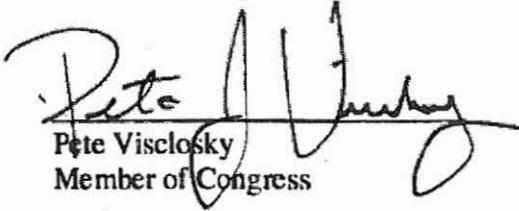
Paul D. Tonko
Member of Congress



Chris Van Hollen
Member of Congress



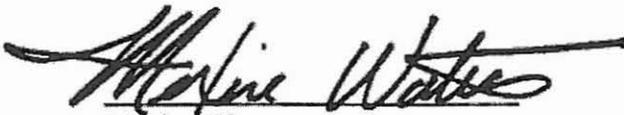
Juan Vargas
Member of Congress



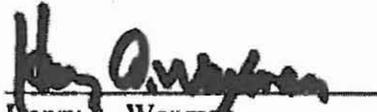
Pete Visclosky
Member of Congress



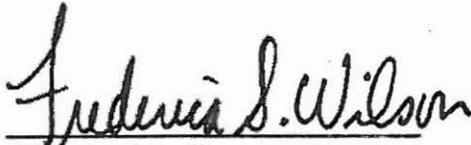
Tim Walz
Member of Congress



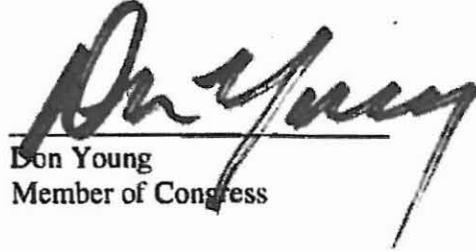
Maxine Waters
Member of Congress



Henry A. Waxman
Member of Congress



Frederica S. Wilson
Member of Congress



Don Young
Member of Congress



C.A. Dutch Ruppertsberger
Member of Congress



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Vision 2025

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DIRECT SERVICE DELIVERY TO CUSTOMERS »

AFGE's Official Plan for 2025!

AFGE Plan for Vision 2025

AFGE Calls for the rejection of SSA's contracted vision plan for 2025 prepared by the National Academy of Public Administrators (NAPA), which calls for the elimination of direct public service, the Field Office and TSC Structure, and promotes the contracting out of remaining jobs at SSA.

In place of the Agency's Vision 2025 plan, AFGE recommends the following:

- 1) A moratorium on all Field office closures and consolidations. SSA should publicize its criteria and justification for consolidating and/or closing an office. Before any office can be closed or consolidated, SSA must evaluate the impact of a proposed closure on the effected communities, the Agency and the employees. SSA must schedule a public hearing no less than 30 days before the scheduled closure and/or consolidation, to allow the public to weigh in impact of the agency's decision. SSA should provide advance notice to the public, Congress and employees at least 180 days before any proposed closing
- 2) SSA should not dictate what kind of service the public should receive. Service options, including face-to-face, telephone and appointments, should be maintained to meet the public's needs and their desired methodology for interacting with SSA. SSA's infrastructure should reflect public's needs (e.g., field offices, contact stations, residence stations, TSCs, etc...). Direct service options to meet the needs of vulnerable populations should be the cornerstone of SSA's public service goals and obligations.
- 3) SSA's Commissioner should demand the resources needed to accomplish the public's choice of service delivery methodologies. The Commissioner should initiate an aggressive campaign to compel Congress to authorize the funding levels needed to secure necessary staffing and resources, rather than the arbitrary funding levels provided by Congress. Sufficient staff would result in the reduction and elimination of backlogs of claims and integrity workloads and the maintenance of such workloads in the future. The Commissioner should campaign for Congress to take SSA's Administrative expenses off budget so that Congress can decide how much money is needed to run SSA and not impose artificial budget caps.
- 4) SSA should reinstate and retain services to the public, such as the Numi-lite and benefit verifications since more than 11 million people request these services annually. Who are we to tell them no?
- 5) SSA should not embrace a business model of "acceptable risk" with regards to number holders and beneficiary's Personal Identifiable Information housed on SSA's data base. Every effort to protect the integrity of SSN accounts and PII should be afforded number holders and SSA beneficiaries. SSA should not automate SS-5's for duplicate SSN cards.
- 6) SSA should increase staff and expand office hours and or shifts to meet the needs of the public.
- 7) SSA should embrace a "zero tolerance" identity theft and integrity policy with regards to automation and IT solutions. (No 3rd party access to records, SSN information without consent of the number holder and/or beneficiary.)



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8) SSA should make every effort to flatten unnecessary administrative layers, such as area directors and supervisory staff. Supervisors to

employee ratios should double and be at least 15 employees to 1 management official. All Area Directors offices should close in the next 2 years and the staffs redeployed to direct service work.

9) DDS employees should be converted to Federal SSA Field office employees. This would allow "one-stop" direct public service as disability claims could be taken, medical evidence could be developed and decisions could be adjudicated by the same employee. The Disability Claims Manager position should be reinstated and sufficient DCMS should be assigned to every field office.

10) SSA's Merit Promotion system should provide Operations employees with a grade structure that mirrors those employees in Headquarters and other staff components.

11) SSA should create promotional opportunities for TSC employees who have dead end jobs with little promotion opportunities.

12) SSA should not use SSA employees to coerce the public into filing internet claims or e services. Internet claims and e-services should be an option, not a mandate. Customers should decide the methodology by which they conduct SSA business. SSA should eliminate sweatshop working conditions in TSCs that create stress and an unhealthy working environment such as unannounced service observations, plug in policies, restrictive leave policies and monitoring policies that include timing of employee trips to the rest room

13) Managers, who create hostile working environment, bully employees, practice nepotism or cronyism and/or engage in discrimination, should be terminated.

14) SSA's Merit Promotion System should be revised, so that most worthwhile employees are promoted, rather than base promotions on who you know or who you are related to.

15) SSA should end discrimination in the workplace.

16) SSA should train their managers to be more sensitive and aware of the many issues that plague our employees returning from military duty.

17) SSA should reinstate the annual mailing of PEBEs statements in an effort to educate the public of the importance of Social Security and to gain support for a vital, productive program.

18) SSA should work collaboratively with labor at all levels of the agency (local, regional, national.)

19) SSA should preserve its network of community based hearing offices and properly staff such offices for face-to-face hearings workloads. Bargaining unit non- attorneys should be the prime source for promotions to ODAR decision writer positions.

20) Claimants should be provided the option of timely face-to-face hearings and not coerced into and/or disadvantaged by video hearings.

21) SSA should strive to make offices comfortable places to work and as secure as possible. All Field offices should have metal detection devices. Guards in field offices should search conduct bag searches of all non-SSA visitors. All field offices should have ergonomically sound furniture. Violence, threats and disruptive behavior should not be tolerated.

22) 3rd parties will only be allowed to file claims and appeals on behalf of claimants if such 3rd parties are trained, certified and licensed. SSA will be able to bar 3rd parties from filing claims and appeals on behalf of the public if such 3rd parties are guilty of misconduct.

23) Any claims filed through the internet will be reviewed for accuracy by an SSA employee before the claim is finalized and adjudicated.

24) SSA will continue do regard the vast majority of work performed in SSA as inherently governmental. Contracting out will not be used to replace current employees and will not be used to replace those who leave the Agency.

25.) SSA and/or Congress will provide its employees an improved benefit package that includes paid maternity leave, student loan reimbursement, time to engage in charitable endeavors, fitness facilities and/or subsidies, day and elder care facilities and/or subsidiess, enhanced career development opportunities, needed position upgrades, and a health work place



COUNCIL COMMUNICATION

4

CITY COUNCIL MEETING: July 29, 2014
PREPARED BY: Audra Garrett, Acting City Manager
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

SUBJECT: Appointment of Acting City Manager during temporary absence of the Acting City Manager

PRESENTER: Audra Garrett, Acting City Manager

RECOMMENDED CITY COUNCIL ACTION: Forward to the 8/5/14 Regular Meeting for consent and confirmation of the appointment

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is a requirement of Section 6.3 of the Home Rule Charter

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Section 6.3 of the Home Rule Charter the filing of an appointment letter naming a qualified administrative City employee to act as Acting City Manager during a temporary absence or disability of the City Manager.

4



CITY of TRINIDAD

P. O. Box 880
TRINIDAD, COLORADO 81082
TELEPHONE (719) 846-9843
FAX NO. (719) 846-4140

MEMO

TO: Mayor & City Council

FROM: Audra Garrett, Acting City Manager *A. Garrett*

SUBJECT: Appointment of Acting City Manager in my absence

DATE: July 18, 2014

Please accept my recommendation of Public Works/Utilities Director Mike Valentine as Acting City Manager during any temporary absence or disability I may realize, pursuant to Section 6.3 of the Trinidad Home Rule Charter. Mr. Valentine has indicated his willingness to accept the duties should the need arise.

Thank you for your consideration.



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: July 29, 2014
PREPARED BY: Audra Garrett, Acting City
Manager
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

SUBJECT: Consideration of assuming local plumbing inspection/permitting responsibilities

PRESENTER: Chris Kelley, Chief Building Official

RECOMMENDED CITY COUNCIL ACTION: Consider whether to assume local permitting and inspection.

SUMMARY STATEMENT: Senate Bill 13-162 allows local jurisdictions to provide inspections and permitting for plumbing.

EXPENDITURE REQUIRED: No.

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Chief Building Official Chris Kelley has obtained a Residential, Commercial and Combination Plumbing Inspector certifications which would allow him to perform the required plumbing inspection for the City of Trinidad.



Dora
Department of Regulatory Agencies

**Division of Professions
and Occupations.**
Lauren Larson
Division Director

**Examining Board of
Plumbers**
Mark E. Browne
Program Director

John W.
Hickenlooper
Governor

Barbara J. Kelley
Executive
Director

MEMORANDUM

TO: Local Jurisdictional Authorities

FROM: Kye Lehr

DATE: 7.03.2014

RE: Senate Bill 13-162

The requirement for any individual performing plumbing inspections to be certified as a plumbing inspector by a nationally recognized model code organization became effective July 1, 2014.

Also effective July 1, 2014, all plumbing installations within the state are to be inspected by state plumbing inspectors unless a local jurisdiction provides written intent to commence providing inspection in their jurisdictions to the Plumbing board.

You are receiving this notice as the Plumbing Board has not received:

- Written intent to provide plumbing permits and inspections in your jurisdiction and/or;
- Certification identification for persons providing plumbing inspections.

There is a simple fill-in-the-blank form available on the Board's website;

<http://www.dora.colorado.gov/professions/plumbing>

A grey book mark on the left side of the page labeled "Jurisdiction Information Input" is there for your convenience or click this link to go directly to the page:

<http://doraapps.state.co.us/Community/se.ashx?s=25113745299A0FBE>

Filling out the survey-type sheet and submitting it is considered giving "written intent" to the board as required by SB133-162

Please feel free to contact me if you have any question.

Sincerely,

Kye Lehr
303 894 2977
kye.lehr@state.co.us

Tom Acre

From: Chris Kelley [chris.kelley@trinidad.co.gov]
Sent: Tuesday, July 22, 2014 3:44 PM
To: audra.garrett@trinidad.co.gov
Subject: FW: DORA Plumbing Inspection Requirements - URGENT !!!

Chris S. Kelley CBO
Chief Building Inspector
135 N. Animas
Trinidad, Colorado 81082
(719) 846-9843 ext 128
fax (719) 846-0952

From: Colorado Chapter of the ICC [mailto:janine.snyder@cityofthornton.net]
Sent: Tuesday, July 22, 2014 8:16 AM
To: chris.kelley@trinidad.co.gov
Subject: DORA Plumbing Inspection Requirements - URGENT !!!


Colorado Chapter of the International Code Council is
Dedicated to the improvement of building safety.
COLORADO CHAPTER OF THE INTERNATIONAL CODE COUNCIL

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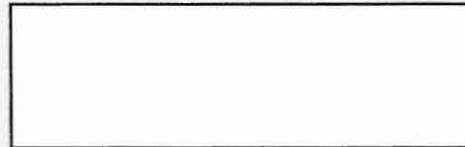
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Don't Forget...

Next Meeting
Friday, 2/7/14
City Park Rec Center

Month, Day 20XX

Dear Chris S. Kelley,



MEMORANDUM

TO: Local Jurisdictional Authorities
FROM: Colorado State Plumbing board
DATE: 7.21.2014
RE: Senate Bill 13-162

Community room
10455 Sheridan Blvd
Westminster, CO
Agenda

IgCC Hearings
Memphis, Tennessee
April 27 - May 4
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AIA approved classes
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The requirement for any individual performing plumbing inspections to be certified as a plumbing inspector by a nationally recognized model code organization became effective July 1, 2014.

Also effective July 1, 2014, all plumbing installations within the state are to be inspected by state plumbing inspectors unless a local jurisdiction provides written intent to commence providing inspection in their jurisdictions to the Plumbing board.

These are not Plumbing Board rules but state laws enacted by the 2013 Legislative session and signed into law by Governor Hickenlooper.

The Plumbing Board has received notification of intent and certifications of plumbing inspectors from only 57 jurisdictions. If you have not already contacted the board by the method indicated below, please do so. This information is critical for the board to comply with the requirements of Title 12 - Article 58 Colorado Revised Statutes that tasks them with providing plumbing inspections.

If you have not already provided the information below to the board, please click the link provided.

1. 1. Written intent to provide plumbing permits and inspections in your jurisdiction and/or;
2. 2. Certification or license identification for persons providing plumbing inspections.

Information may be sent directly to the board by clicking this link to go directly to the page:

<http://doraapps.state.co.us/Community/se.ashx?s=25113745299AoFBE>

Filling out the survey-type sheet and submitting it is considered giving "written intent" to the board as required by SB133-162

As the statutes require all plumbing installations to be inspected by state plumbing inspectors or certified inspectors from local jurisdictions having authority, any inspections performed by non-state, non-certified inspectors, who are not Colorado state licensed plumbers are null and void.

Please feel free to contact me if you have any question.

Sincerely,
Kye Lehr
303 894 2977
kye.lehr@state.co.us

August Meeting Reminder



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: July 29, 2014
PREPARED BY: Les Downs, City Attorney
DEPT. HEAD SIGNATURE:
OF ATTACHMENTS: 1

SUBJECT: Consideration of Acting City Manager agreement

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Forward to the 8/5/14 Regular Meeting for consideration

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: An employment agreement for Audra Garrett to serve as City Clerk exists from March, 2005. This would represent an addendum to serve as Acting City Manager.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- This addendum would ratify the appointment of Audra Garrett as Acting City Manager and set forth duties, compensation and term.

7

7

ADDENDUM TO EMPLOYMENT AGREEMENT

This Addendum to Employment Agreement ("**Agreement**") is entered into this ____ day of _____, 2014, between the City of Trinidad, Colorado, a home rule municipal corporation of the County of Las Animas, State of Colorado (hereinafter, the "**City**"), and Audra Garrett, a natural person (hereinafter, "**Clerk/ACM**").

RECITALS

WHEREAS, the City employs Audra Garrett as the City Clerk of the City of Trinidad; and

WHEREAS, the City desires to employ the services of Audra Garrett as Acting City Manager for the City of Trinidad, Colorado, and Clerk/ACM desires to accept employment as Acting City Manager for said City.

WHEREAS, it is the desire of both parties to formally establish certain conditions and benefits of employment for said Clerk/ACM.

NOW, THEREFORE, in consideration of the respective rights and obligations set forth herein, the parties hereto agree as follows:

1. **Employment.** The City hereby employs Clerk/ACM as Acting City Manager for the City of Trinidad, Colorado, to provide the services described herein, subject to the terms, covenants, and conditions of this Agreement for a period of 180 days. Clerk/ACM's employment as Acting City Manager for the City shall commence on July 15, 2014.

In addition to those duties set forth in the Employment Agreement dated March 14, 2005, Clerk/ACM shall perform the following additional duties:

2. **Manager's Duties.**
 - (a) **Duties Prescribed by Charter.** In accordance with Chapter VI, § 6.5, of the Home Rule Charter for the City of Trinidad, Colorado (the "**Charter**"), Manager shall serve as the chief administrative officer of the City and shall be responsible to the City Council for all City affairs placed in his/her charge by the Charter, the City Council, or by law. Pursuant to the Charter, Manager shall have the following powers and duties:
 - (i) Be responsible for the enforcement of laws and ordinances for the City;
 - (ii) Hire, suspend, transfer, and remove City employees for cause, except as otherwise provided in this Charter;
 - (iii) Make appointments on the basis of executive and administrative ability, training, and experience related to the work which they are to perform;
 - (iv) Cause a proposed budget to be prepared annually and submit it to the City Council and be responsible for the administration of the budget after its adoption;
 - (v) Prepare and submit to the City Council as of the end of the fiscal year a complete report on finances and administrative activities of the City for the preceding year, and upon request of the City Council make written and verbal reports at any time concerning the affairs of the City;

- (vi) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations to the City Council for adoption as he/she may deem necessary or expedient;
 - (vii) Exercise supervision and control over all executive and administrative departments, and recommend to the City Council any proposal he/she thinks advisable to establish, consolidate, or abolish administrative departments;
 - (viii) Be responsible for the enforcement of all terms and conditions imposed in favor of the City in any contract or public utility franchise, and upon knowledge of any violation thereof, report the same to the City Council for such action and proceedings as may be necessary to enforce the same;
 - (ix) Attend Council meetings and participate in discussions with the Council in an advisory capacity;
 - (x) Establish a system of accounting and auditing for the City which shall reflect, in accordance with generally accepted accounting principles, the financial condition of the City;
 - (xi) Establish, subject to approval by the City Council, appropriate personnel rules and regulations governing officers and employees of the City; and
 - (xii) Perform such other duties as may be prescribed by the Home Rule Charter of the City, or by ordinance, or required of him/her by City Council which are not inconsistent with the City Charter.
- (b) Duties Prescribed by Ordinance. Pursuant to Article 4 of Chapter 2 of the Code of Ordinances of the City, Manager shall have the following additional duties:
- (i) Be responsible for the preparation of plans and specifications, estimating cost, advertising for bids, supervision, and approval of any public work or special improvement;
 - (ii) Establish and maintain proper relationships with other levels of government and public service agencies and conduct all business negotiations between them and the City, the nature of which does not require the personal attention of the elected officers of the City;
 - (iii) Act as an ex-officio member of all agencies, boards, commissions, and bureaus established by the City.
- (c) Other. Clerk/ACM shall not enter into any multi-year agreements that would in any way alter or modify any employee's existing employment or employment contract without first notifying City Council of the same.

3. **Compensation.**

- (a) Salary. The base salary to be paid to Clerk/ACM for her services as Clerk/Acting City Manager shall be Ninety-Two Thousand Five Hundred Dollars (\$92,500.00) annually, which shall be paid in equal installments every two weeks, or at such other intervals as may be set by the City. Such salary may be revised from time to time by appropriate action of the City Council at any time. Such salary, and all other monetary compensation, is subject to employer withholdings, e.g., for FICA, Medicare, any applicable occupational

privilege tax, and any court-ordered deductions such as garnishments. Such salary may also be reduced by deductions that the Clerk/ACM authorizes for insurance, retirement plan contributions, and other similar purposes.

(b) Benefits. In addition to such base salary, Clerk/ACM shall receive such other benefits as provided through her existing employment as City Clerk, including health and life insurance, social security, vacation and sick leave, paid holidays, personal leave days, and retirement plan benefits.

4. Term of Agreement. This agreement for purposes of serving as the Acting City Manager shall remain in full force and effect for a period of up to 180 days.

5. General Provisions.

(a) This Agreement constitutes the entire addendum to the employment agreement dated March 14, 2005, between the parties, and shall not be construed to supersede the March 14, 2005 agreement.

(b) Effective Date. This Agreement shall become effective commencing on the date first written above.

(c) Severability. If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be deemed servable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties and/or their duly authorized officials have executed this Agreement.

THE CITY OF TRINIDAD, COLORADO

By: _____
Mayor

Dated: _____

ATTEST:

DONA VALENCICH, INTERIM CITY CLERK

APPROVED AS TO FORM:

Les Downs, City Attorney

CLERK/ACM



COUNCIL COMMUNICATION



CITY COUNCIL MEETING: July 29, 2014
PREPARED BY: Audra Garrett, Acting City Manager
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

SUBJECT: Discussion of possible grant through the Colorado Division of Homeland Security and Emergency Management for generators for the Trinidad Fire Department – Tim Howard, Fire Chief

PRESENTER: Tim Howard, Fire Chief

RECOMMENDED CITY COUNCIL ACTION: Consider whether to submit the grant application

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: Yes, \$12,500

SOURCE OF FUNDS: 2015 CIP Fund

POLICY ISSUE: None

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Chief Howard will discuss this grant application with Council.



STATE OF COLORADO
DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT



Hazard Mitigation Grant Program
Generator Projects
A Handbook for Local Officials

STATE OF COLORADO
HAZARD MITIGATION GRANT PROGRAM
GENERATOR PROJECTS

TABLE OF CONTENTS

SECTION

1.	INTRODUCTION.....	1
2.	PURPOSE OF THIS HANDBOOK.....	2
3.	PURPOSE OF HMGP FUNDED GENERATOR PROJECTS.....	2
4.	COST EFFECTIVENESS.....	3
	4.1. Key Inputs For Conducting A BCA	3
	4.2. Sample Budget.....	4
5.	TYPES OF GENERATORS	5
	5.1. Fixed Generators	5
	5.2. Portable Generators	5
	5.3. Transfer Switches	6
	5.4. Power Phase Differences	7
	5.5. Sizing Considerations	7
	5.6. Size Determination	8
6.	SCENARIOS	8
7.	KEY DEFINITIONS & CONCEPTS.....	10
8.	GETTING THE APPLICANTS PROPOSAL STARTED.....	12
	A. Applicant's Authorized Agent.....	12
	B. Duties Assigned to the Applicant's Authorized Agent.....	12
	C. Pay Requests	12
	D. Rounding to Whole Dollars.....	13
	E. Certification & Authorization.....	13
	F. Scope of Work.....	14
	G. Activation of Sub-Grantee Project Systems.....	14
	H. Bidding Out Work.....	14
	I. Cost Over-Runs and Under-Runs.....	15
	J. Enforcement.....	15

9.	PROJECT CLOSEOUT.....	16
	A. Closeout Request.....	16
	B. Record Retention.....	16
	C. Single Audit Act.....	17
	ADDITIONAL PROGRAM INFORMATION	18

STATE OF COLORADO
HAZARD MITIGATION GRANT PROGRAM
GENERATOR PROJECTS

1. INTRODUCTION:

Hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects. Therefore, hazard mitigation actions are measured in terms of long-term hazard risk reductions and, when possible, the goal of hazard mitigation should be the permanent elimination of negative consequences resulting from a hazard. It is important to differentiate hazard mitigation from other phases of emergency management; chiefly because preparedness, response and recovery measures address the needs created by the occurrence of a disaster or emergency, rather than interrupting or eliminating the disaster caused cycle of damage, recovery and re-damage.

For the reason outlined above, the State of Colorado Division of Homeland Security and Emergency Management (DHSEM) encourages public and non-governmental agencies and organizations, private business and industry, and all Colorado citizens, to integrate hazard mitigation activities into their future development and sustainability plans.

On March 30, 2011, President Obama signed Presidential Policy Directive 8: National Preparedness (PPD-8), and the National Mitigation Framework was finalized in May 2013. The National Mitigation Framework comprises seven core capabilities, including Threats and Hazard Identification, Risk and Disaster Resilience Assessment, Planning, Community Resilience, Public Information and Warning, Long-term Vulnerability Reduction, and Operational Coordination. The Federal Emergency Management Agency's (FEMA's) Hazard Mitigation Assistance (HMA) programs provide funding for eligible activities that are consistent with the National Mitigation Framework's Long-term Vulnerability Reduction capability.

The Hazard Mitigation Grant Program (HMGP) is one of the HMA grant programs that support implementation of the National Mitigation Framework. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288, as amended), hereinafter referred to by the simplified title "Stafford Act", and implemented by Title 44, Code of Federal Regulations, Sub-Part N, Part 206.431. Further, FEMA's Hazard Mitigation Assistance Unified Guidance, dated June 12, 2013, outlines eligibility criteria and grant utilization methodologies for HMA grants.

Any use of coercive methods, police powers, or eminent domain condemnation used in connection to any FEMA funded mitigation project is prohibited. Additionally, Section 308 of the Stafford Act and Title VI of the Civil Rights Act of 1964 require administration of all HMA programs in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, disability, English proficiency, or economic status.

This handbook supplements the law, regulations, and guidance mentioned above and focuses exclusively on the HMGP and its ability to fund safe room projects.

2. PURPOSE OF THIS HANBOOK:

This guidance document was created to assist those applying for mitigation assistance through the Hazard Mitigation Grant Program (HMGP) offered by the Federal Emergency Management Agency (FEMA) and State of Colorado, DHSEM. It includes a step-by-step guide to the most common questions when filling out the Hazard Mitigation Generator Application. However, there may be additional assistance needed. If this occurs, please contact Colorado's State DHSEM Mitigation Team at 303-915-2848. To review FEMA's HMGP requirements please refer to the website at [FY 2013 Hazard Mitigation Guidance | FEMA.gov](#) which can be downloaded.

3. PURPOSE OF HMGP FUNDED GENERATOR PROJECTS:

The purpose of HMGP funded generator projects is to mitigate the effects of loss of function due to power interruption. Of particular importance to FEMA and the State of Colorado are critical facilities whose continuous functioning sustains community resilience and readiness in the presence of disaster and its negative effects. Examples of critical facilities include, but are not limited to: hospitals, fire & police stations, and water and waste treatment plants.

Generators are emergency equipment that provides a back-up source of emergency power. Generators and related equipment (e.g. hook-ups & transfer switches) are eligible provided that they are cost-effective, contribute to a long-term solution to the problem they are intended to address, and meet other program eligibility criteria.

To be eligible for the HMGP, a grant proposal must:

1. Be in conformance with the State Mitigation Plan and Local or Tribal Mitigation Plan approved under 44 CFR part 201.4; or for Indian Tribal governments acting as grantees, be in conformance with the Tribal Mitigation Plan approved under 44 CFR 201.7;
2. Have a beneficial impact upon the designated disaster area, whether or not located in the designated area;
3. Be in conformance with 44 CFR part 9, Floodplain Management and Protection of Wetlands, and 44 CFR part 10, Environmental Consideration;
4. Solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed. Projects that merely identify or analyze hazards or problems are not eligible;
5. Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster. The grantee must demonstrate this by documenting that the project;

- i. Addresses a problem that has been repetitive, or a problem that poses a significant risk to public health safety if left unsolved,
- ii. Will not cost more than the anticipated value of the reduction in both direct damages and subsequent negative impacts to the area if future disasters were to occur,
- iii. Has been determined to be the most practical, effective, and environmentally sound alternative after consideration of a range of options,
- iv. Contributes, to the extent practicable, to a long-term solution to the problem it is intended to address,
- v. Considers long-term changes to the areas and entities it protects, and has manageable future maintenance and modifications requirements.

4. COST EFFECTIVENESS:

When evaluating a generator project, it is necessary to determine the Benefit Cost Ratio (BCR) of the proposed project (unless the proposal is submitted under the initiative portion of the HMGP). This determination can be done by entering the data listed below:

4.1. Key inputs for conducting a Benefit Cost Analysis (BCA):

a. Project Useful Life:

According to **OMB Circular A-76 – Revised Supplemental Handbook (March 1996), Performance of Commercial Activities**, the useful life for generators or generator sets is nineteen years. This value can be used as the default useful life value when performing the BCA. It may be altered based on manufacturer warranty or other documentation that can demonstrate that the generator may be able to provide service for longer than nineteen years. Analysts should use the nineteen year project useful life first. For generator connection only proposals the useful life of miscellaneous electrical equipment and components is twenty years (*see OMB A-76 Appendix 3, FSC 6115 & 5999*).

b. Project Costs:

The cost of generators varies by size, installation, and purpose. The generator's size and specifications should be reasonable, appropriate, and necessary to continuing critical functions of the facility. The exact costs for generators, installation, and components should be tabulated by the subapplicant and included when performing the BCA.

c. Facility and Value of Service:

Analysis for facilities for potable water, waste water, police stations, fire stations, and hospitals can be quickly performed using FEMA's **BCA toolkit** and the **Damage Frequency Assessment (DFA) module**, which provides service values for these facilities. To use these values, the analyst will need some information regarding the population served by the facility. For example, if a generator is to be installed at a waste water treatment plant, the analyst will need to know how many customers are served by the facility, as well as how many days the facility was not able to operate because of power

failure. These values can typically be obtained from the facility manager and can be provided on official letterhead for documentation purposes.

d. Recurrence Determination:

Recurrence information used in the analysis may vary by location or by cause of power failure, such as wind or flood.

Recurrence intervals may be determined by using some of the tools provided below:

- If power outages are attributed to flooding, recurrence information for the flooding event should be used in the analysis. The National Weather Services provides the Precipitation Frequency Data Server at <http://hdsc.nws.noaa.gov/hdsc/pfds/> which can be utilized to establish a frequency for various precipitation events.
- U.S. Geological Survey stream gauge data can also be used to extrapolate frequency information for flood events, details of which can be found in the *Supplement to the Benefit-Cost Analysis Reference Guide* in the FEMA library at <http://www.fema.gov/library/viewRecord.do?id=4830>
- National Snow and Ice Data Center (National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, National Science Foundation) at <http://nsidc.org/data/search/data-search.html>.
- Insurance claims, Bureau-Net information, damage repair records, data from the State/local agency, or local government Newspaper accounts citing credible sources (other than homeowner accounts) could be used in conjunction with the DFA module's unknown frequency calculator. Using this method may require more time as three events are required for analysis.

4.2. Sample Budget

In this section, provide the details of all costs of the project. An accurate and reasonable cost estimate is essential.

Do not include contingency costs in the budget.

a. Materials

Item	Quantity	Cost per Unit	Cost
75 kw Diesel Generator	1	\$38,000.00	\$38,000.00
Transfer Switch, Wiring & Conduit	1	\$15,500.00	\$15,500.00
Concrete Pad 14' x 10'	1	\$1,600.00	\$1,600.00
		Total Material	\$55,100.00

b. Labor

Description	Hours	Rate	Cost
Generator Installation	120	\$72.00	\$8,640.00
		Total Labor	\$8,640.00

c. Fees Paid

Description of Task	Hours	Rate	Cost
Engineering Const. Oversight/Permits	40	\$91.00	\$3,640.00
Project Management	52	\$92.00	\$4,784.00
		Total Fees	\$8,424.00

Total Estimated Project Cost \$72,164

- d. Funding Sources (round figures to the nearest dollar): The maximum FEMA share for HMGP projects is 75%. The remaining 25% can be made up of State and local funds as well as in-kind services. HMGP funds may not be matched with other Federal funds except for those funds which lose their Federal identity at the State level – such as CDGB).

Estimated FEMA Share	\$54,123.00	75 % of Total
Estimated State Share	\$9,021.00	12.5% of Total
Estimated Local Share	\$9,020.00	12.5% of Total

5. TYPES OF GENERATOR PROJECTS:

5.1. Fixed Generators:

A permanently installed generator that is a stand-alone project can be considered under regular HMGP funding if the generator protects a critical facility. A generator that is a component of a larger project (e.g. elevation of a lift station) can also be funded under the regular HMGP and aggregation of the BCA is permitted. Having a permanently installed generator is recommended for critical facilities, but not required.

Having any working generator can be helpful during an emergency since it assists in maintaining necessary, and potentially critical, operations. It can be set up with an automatic, remote, or manual transfer switch (mentioned below) depending on the circumstances likely to be faced by the facility. Regardless of the type of generator you choose, having a safe and accessible location which is pre-wired (or permanently wired) with connections for the generator, for a can save you valuable time during an emergency.

It should be noted that fixed generators are generally available in larger sizes than portable generators and usually at a lesser cost. However, very large fixed generators (750kw and above) often must be towed and/or hoisted into position and can be difficult to move in places with limited accessibility.

5.2. Portable Generators:

Portable generators are eligible provided that they meet all the HMGP requirements as described in 44 CFR Section 206.434. Portable generator projects that cannot be determined to be cost-effective via standard HMA benefit-cost methodology may still be eligible under the 5% initiative program (provided it can be demonstrated that the proposal would not

otherwise fail a BCA). The applicant must provide assurance that the portable generator will be readily available to protect the functions of the facility(ies) specified in the proposal. The proposal should describe transport, hook up, and fuel supply and storage requirements at multiple facilities and how these will be executed if the generator is portable.

A portable generator might be a better choice if you need to power only a few vital electrical items as would be less expensive than having a fixed generator. A portable generator would also be more applicable if you have multiple lift gates that need to be opened individually, but do not require continuous power. Or if you have another need to have a portable generator that you can move around to multiple needed locations.

Additionally, permanently installed generator connections that can receive power from a portable generator are cost-effective alternatives to fixed units. These connections are covered under HMGP 5% initiative. The benefit of this approach is flexibility. During an emergency a single generator could be moved into position, connected and used as needed; and when the need is met, it can be moved to the next position and the steps repeated.

5.3. Transfer Switches:

a. Manual Transfer Switches

Manual transfer switches are hardwired to your control panel and used to power portable or optional standby generators. Manual switches must be manually turned on and off when the electricity goes out or comes back on. The switch can be wired to essential circuits in the building, such as lights or wired to run the building. Manual transfer switches are most commonly used when a portable generator system is involved.

b. Automatic Transfer Switches

Automatic transfer switches automatically turn the generator on and switch power to it when they detect a drop in line voltage and turn the generator off when they sense the line power is restored. Automatic transfer switches can be beneficial because of their simplicity, but are generally more expensive and may not be cost effective. It is recommended that the applicant discuss their needs with a licensed electrician to determine which would be better suited for each individual project.

c. Remote Transfer Switches

In certain cases, such as mass alert warning systems, a battery powered remote transfer switch might be appropriate. This approach requires a higher level of implementation planning and, therefore, should be discussed with both a qualified electrician and the program staff at the State Hazard Mitigation Office. Additionally, as on-going maintenance of such systems is required, the Operations

and Maintenance Agreement for this project type is expanded to include identification of the source of such funding and an additional requirement for a written funds availability letter to cover the system during its useful life.

5.4. Power Phase Differences

a. Single Phase:

The standby generator for a small facility must supply the same type of current that the utility company supplies to the home and should closely match the current in voltage and in the number of phases supplied. For the smaller facility, this means single-phase current at 120 and 240 volts. The generator will connect to the facility using four wires—two “line” wires which carry current, a third wire called a neutral used in conjunction with either “line” wire to provide 120 volts, and a ground wire for safety.

b. Three Phase:

Depending on the type of facility, there might be a need for three-phase current. Large motors are often used for commercial refrigeration, air cooling and handling, and to operate heavy machines. Three phase generators may be the best option for a facility that requires a large amount of power since they are more likely to provide the type of feed required for running the facility.

Some facilities may require voltages higher than 240 or 120 volts, and some three-phase standby generators are capable of supplying higher voltages. Some installations will need transformers and other equipment to change the voltage to the facility’s requirements. Three phase generators supply power with three wires that carry the three-phase current, a fourth neutral wire, and a ground wire. Many code jurisdictions require an engineering plan for commercial applications before permits are issued and some also require an engineer’s supervision during installation.

5.5. Sizing Considerations:

The size of generator needed will vary dependent on the usage and type of facility. A local shelter, that would house displaced members in community during an emergency, would be different than a local fire house that needs a generator to assist in an emergency to operate the doors. It may not be necessary for the generator to support the facility at full capacity, but should be sized to support the critical functions of the facility.

Determining what functions the generator would need to support, is crucial in selecting the correct generator for the facility. The rated output of the selected generator must be matched to the maximum anticipated capacity needed. It is best to

create a worksheet to determine the needs of the facility. Making a list of what functions will be needed to be powered by the generator during an emergency.

The wattage needed is a major part of selecting a generator. The starting wattage and the running wattage are needed to determine the size of the generator needed. It is recommended to consult an electrician to help determine the size needed to allow the facility to function during emergency situation.

5.6. Site Determination:

Determining a site for the generator is important. It should be close enough to the facility that it is easily accessible. This would also reduce the cost since less material would be used to hook-up the generator to the facility.

The selected site should not be in a Special Flood Hazard Area or, if no feasible alternative exists, the generator must be elevated to a height at or above the 500-year anticipated flood elevation and must also comply with the community's floodplain management ordinance.

6. SCENARIOS:

Different power failure scenarios at various facilities are outlined below. For analysis purposes, each facility was reviewed using 4 days of loss of service due to power failure at the 25-year recurrence. The 25-year recurrence interval for the test cases is based on observed wind speeds and the frequency was extrapolated using the Advanced Technology Council Wind Speed tool for the New York metropolitan area. Other project locations should use the appropriate recurrence intervals for the hazard being mitigated. Analysis was performed using the DFA module in the BCA Toolkit.

The scenarios are for demonstration purposes only. Dollar amounts and frequency intervals were chosen for comparison purposes only. Analysts should use the appropriate values for the facility being examined. For those performing the analysis, assistance is available through the benefit-cost helpline at bchelpline or at 1-855-540-6744. The helpline is not allowed to perform or review analyses but can provide answers to specific questions regarding methodologies.

When performing the BCA, inputs used in the module should be documented, as with all analysis. Documentation sources may include, but are not limited to, correspondence with facility or site managers, data available from the county or facility Web site, information from other government Web sites, media releases, engineering analysis, and letters from the facility manager. Discussion of data documentation is available in the BCA training materials available on FEMA.gov. There are no special or extraordinary data documentation requirements for this project type.

Scenario 1: The Purchase and Installation of a Generator at an Urban Police Station

In this scenario we have the following information:

- The police station has 119 officers who serve up to 27,000 residents
- The police station loses power and the efficiency of the police station drops to 50 percent (assumes 50 percent of the force are working out of other facilities or within the community)
- The power is not fully restored for 4 days
- The project useful life for the generator is 19 years
- The project cost is \$50,000

With the above information we come up with a benefit cost ratio of 1.23

Scenario 2: The Purchase and Installation of a Generator at an Urban Fire Station

In this scenario we have the following information:

- The fire station has 119 firefighters who serve up to 27,000 residents
- The fire station loses power and the efficiency of the fire station drops to 50 percent
- The power is not fully restored for 4 days
- The project useful life for the generator is 19 years
- The project cost is \$50,000

With the above information we come up with a benefit cost ratio of 0.80

Scenario 3: The Purchase and Installation of a Generator at an Urban Hospital

In this scenario we have the following information:

- The hospital serves up to 27,000 residents
- The power is not fully restored for 4 days
- The project useful life for the generator is 19 years
- The project cost is \$200,000

With the above information we come up with a benefit cost ratio of 1.0

Scenario 4: The Purchase and Installation of a Generator at a Rural Area Water Treatment Plant (Potable Water)

In this scenario we have the following information:

- The water treatment plant serves up to 15,000 customers
- The plant loses power for 3 days

- A 100-year recurrence interval is used
- The project cost is \$200,000

With the above information we come up with a benefit cost ratio of 1.05

Scenario 5: The Purchase and Installation of a Generator at an Urban Area Waste Water Treatment Plant

In this scenario we have the following information:

- The waste water treatment plant serves up to 500,000 residents
- The waste water treatment plant loses power and there is no service
- The power is not fully restored for 4 days
- The project useful life for the generator is 19 years
- The project cost is \$1,500,000

With the above information we come up with a benefit cost ratio of 24.8

Even though this is a positive number, it would not be considered as a stand-alone project.

7. KEY DEFINITIONS & CONCEPTS:

GRANTEE: The State of Colorado enters into a FEMA-State agreement and in doing so becomes designated as the Grantee. The Governor designates an Authorized Representative (GAR); who may in turn appoint alternates and subordinates to implement the various assistance programs authorized by the President. The Grantee is required to develop and maintain a current FEMA approved State Standard Hazard Mitigation Plan in order to receive financial assistance.

SUB-APPLICANT & SUB-GRANTEE: State agencies, local units of government, Tribal governments, and certain non-profit organizations qualify as applicants, and those with FEMA approved mitigation proposals are designated as Subgrantees. The Grantee, through the Colorado DHSEM, enters into a grant agreement with Subgrantees who are authorized to acquire certain flood damaged real property. These grant agreements contain provisions to ensure HMGP funded acquisitions are undertaken in a manner that is consistent with the requirements of 44CFR§206.434 and other federal and state regulations.

FUNDING: The State of Colorado will receive a HMGP award equal to 15% of the FEMA funds expended by the Individual and Public Assistance programs, certain Mission Assignments, and certain other direct assistance programs. Because HMGP funding is formula based, it is not unusual for the grant estimate to undergo change long after the date of declaration.

FUNDS Applicants should be aware that historically the funds requested from the

AVAILABILITY: HMGP exceed the amount of money available. Therefore, applicants should regard the HMGP as a competitive grant; and should rank their proposals in priority order; highest first, second next, and so on.

NOTICE OF INTENT: Following a major disaster declaration, the Colorado Officer of Emergency Management will notify potential HMGP applicants of the program's availability. In response to such a notification, potential applicants should prepare and submit to the Grantee a "Notice of Interest (NOI)" form (*see Sample NOI form*).

SUB-GRANT APPLICATION: Upon receipt of all NOI Forms, the Grantee evaluates the applicant's proposed projects against the minimum eligibility requirements established under FEMA and State guidelines. The Grantee will send HMGP application packages to all eligible applicants who have submitted an acceptable NOI. Additionally, the Grantee will advise all eligible applicants of its priorities for distributing HMGP funding.

COST SHARING: The total project cost, once tabulated, is divided federal and non-federal shares. The maximum federal share may not exceed 75% of the project's cost. The minimum non-federal share is no less than 25% and can be derived from multiple sources. Additionally, the non-federal share may be a cash contribution, cash equivalent contributions, or a combination of both.

BONA FIDE NEED RULE: FEMA will only consider HMGP proposals that undertake work related to mitigating a legitimate, or bona fide, need arising in, or sometimes before, and continuing to exist in the fiscal year for which the appropriation is/was made. In simpler terms, FEMA will not approve grant funding for any project that is already underway or complete before the project's approval can be granted by FEMA. Additionally, project costs cannot be incrementally approved as a way of providing partial funding to a project already underway.

DUPLICATION OF PROGRAMS: Many federal grant programs prohibit duplication of program (DOP) payments or co-mingling funds between different grants. However, the Community Development Block Grant (CDBG) is a federal appropriation to states and certain communities that can be used to meet all or some of the non-federal match requirement under the HMGP. If used, you will be required to identify this source because the combination of FEMA HMGP and CDBG funds may trigger the requirement for a Single Audit Act report.

8. GETTING THE APPLICANTS PROPOSAL STARTED:

Once an applicant decides to pursue a HMGP grant a series of sequenced steps should occur.

A. Applicant's Authorized Agent:

The applicant must pick an individual to manage development of the proposal. In many cases this individual will be an employee of the applicant who has knowledge of the applicant's organizational structure, local ordinances, and is aware of the problem(s) to be addressed through hazard mitigation. The selected individual is designated the "applicant's agent", and a resolution appointing the agent must be forwarded to the Grantee with the applicant's NOI (*see sample Designation of Agent Resolution form*).

B. Duties Assigned to the Applicant's Authorized Agent:

The applicant's agent should become familiar with the laws, rules, regulations, and guidance that pertain to the HMGP. The State of Colorado provides assistance to help guide the agent through this process and much of the information necessary to manage the application's development is included in this handbook. The applicant's agent will ultimately manage development of the applicant's HMGP proposal; to include assigning tasks to others; while retaining overall responsibility for the work. In many cases the applicant's agent will become the Subgrantee's Project Officer if and when the proposal is approved.

C. Pay Requests:

Federal HMGP funds are awarded to cover the federal share of all direct project costs. A portion of the project's non-federal required matching funds may be awarded by the State of Colorado or provided under the CDBG if so approved. The remaining non-federal share must be matched from the source(s) indicated in the applicant's proposal. Generally, funds are provided on a reimbursement basis. Although the Grantee reserves the right to waive the reimbursement rule for extraordinary circumstances, in most cases this action will be reserved to advancing funds necessary to acquire those real properties scheduled for closing within thirty days of the request for funds. Therefore, if your community does not have the financial resources to cover payments before receiving grant funds, you may want to plan ahead when it comes to scheduling closings or paying invoices.

Access to these funds will be through a Letter of Credit Pay Request (format to be supplied by the Grantee during the kick-off meeting). The Letter of Credit Pay Request must be accompanied by supporting documentation showing expense(s) for which reimbursement is being sought. The State Hazard Mitigation Officer reviews all pay requests and documentation before processing the request. From that point each request generally takes 10-15 days before funds are deposited electronically into the applicant's account. In the event the subgrantee does not have electronic

funds transfer (EFT) capabilities, a paper check (State Warrant) will be issued and mailed first-class to the subgrantee's business address.

The following are the procedures for completing and submitting a Letter of Credit Pay Request:

1. The community's Applicant's Agent prepares and submits a full or partial payment request for allowable costs outlined in the Grant Agreement and the FEMA approved scope-of-work.
2. The Letter of Credit Pay Request will specify the FEMA and DHSEM project numbers; the name of the subgrantee; requester's name; the project's title; and date of the request.
3. Additionally, the Letter of Credit Pay Request will outline the funds being requested based on both the budget line item and the cost share for each expense. The following is an example of the fund request format (*see example below*):

	Grant Object (FEMA Approved Budget Line Item)	Eligible Expenditure	Federal Share (75%)	Non-Federal Share (25%)	Attached Supporting Documentation
Itemized Costs and Supporting Documentation	Engineering/Bid preparation	\$3,000.00	\$2,250.00	\$750.00	Copy of , bid for services, Invoice from John Doe Engineering Firm, Check 9876 to John Doe Engineering Firm fro \$3,000.00
	Excavation Site Work	\$6,000.00	\$4,500.00	\$1,500.00	Check 9877 to Jon Doe Engineering Firm for Excavation Site work.
	Foundation and electrical work	\$28,000.00	\$21,000.00	\$7,000.00	Check 9879 for foundation to Jon Doe Engineering Firm for the amount of \$2,000.00. Check 9882 to Jon Doe Engineering Firm in the amount of \$26,000.00.
	Generator/ Transfer Switch	\$36,000.00	\$27,000.00	\$9,000.00	Check 9885 to Jon Doe Engineering Firm in the amount of \$36,000.00 for generator and transfer switch.
	Site Restoration	\$2,500.00	\$1,875.00	\$625.00	Check 9895 to Jon Doe Engineering Firm for site restoration.
	TOTAL COSTS	\$75,500.00	\$56,625.00	\$18,875.00	Remaining non-federal share: \$18,875.00. Paid by subgrantee.

D. Rounding to Whole Dollars:

The federal government uses only whole dollar amounts when awarding and reconciling project awards. Therefore, the Letter of Credit Pay Request should also be prepared using a whole dollar amount system. Under this system each claimed expense is listed by approved budget line item and divided according to the authorized federal and non-federal cost shares. Tabulations are done line-by-line rather than by the total. Any line amount division resulting in fractional federal or state cost share will be rounded down if 49¢ or less and rounded up if 50¢ or more.

E. Certification & Authorization

This part of the Form is self-explanatory; however, if the Letter of Credit Payment Request is not signed by the subgrantee's authorized agent or the Chief Executive or Fiscal Officer, the request cannot be processed and will be returned.

F. Scope of Work:

The approved Scope of Work (SOW) represents what information has been submitted, reviewed, and approved in the project. FEMA's approval letter will identify the specific locations and types of safe rooms approved for construction. Only the activities on the approval letter will be eligible for project inclusion. The SOW will also include details on budget line items and if conditions exist that may affect continuance of the work.

In the event the subgrantee discovers that the approved SOW needs to be modified, the subgrantee will notify the Grantee of the need for a change in writing. A Change of Scope is not guaranteed and the subgrantee should take all reasonable and necessary steps to limit or stop further project work until approval of the change has been granted by FEMA.

If an approved activity is found to be unworkable, the subgrantee may request in writing an activity to be substituted from the project's stand-by list. Because of environmental review requirements only those properties on the stand-by list may be substituted. When such a substitution does not cause an increase in the project's budget the Grantee may ask for expedited approval from FEMA of the substitution. However, when a cost increase is necessary, the Grantee must identify where the additional money will come from and whether or not the approved action remains cost-beneficial.

Although the Grantee reserves the right to deny the request as part of its management responsibilities, only FEMA has the authority to approve the requested action.

G. Activation of Subgrantee Project Support Systems:

The subgrantee should next activate all of its systems that were developed for support of the project. This includes drawing cash from the designated general or special account to open the project account; releasing advertisements for bid of design services; and, notifying the project participants that the project is approved.

H. Bidding Out Work:

The subgrantee must have written procedures that cover all procurement actions which must, at a minimum, comply with Federal requirements as stated by 44 CFR, Part 13.36. When procuring goods and/or services, the subgrantee's agent must use a fair and competitive process conducted pursuant to the applicable regulations and procedures outlined below:

1. In arranging for professional services, buyers are required to follow the procurement standards established by the Colorado Department of Personnel and Administration, State Purchasing Office.
2. All purchases are required to be made as prescribed in the appropriate state laws and the Federal *Uniform Administrative Requirements for Grants and Agreements* (2 CFR, Chapter II, Part 225 – formerly OMB Circular A-87).

3. "Cost-plus-percentage-of-cost" or "percentage of construction cost" contracting is prohibited and contract methodologies using same are not allowed.
4. In order to avoid awarding a contract to barred contractors, the subgrantee must conduct reasonable research into the background of bidders and sub-contractors before entering into a purchase agreement or contract.

I. Cost Over-Runs and Under-Runs:

It is understood that the project's budget was based on best available information, but it was still developed through an estimation process. Therefore, it is important for the subgrantee to identify when the project's budget has too little or too much money. The funds needed to cover cost over-runs should come from the approved project first.

When the approved project is able to restructure its budget to meet the requirement, the subgrantee can wait until its next quarterly report filing to notify the Grantee of the change. However, when the subgrantee is unable to restructure its obligations to accommodate the cost over-run, the subgrantee must immediately notify the Grantee of the situation and not incur any additional financial obligations. The Grantee may have a small amount of reserve funds available to deal with over-runs or not. If no reserve funds are available, the Grantee can examine other approved projects to determine if a cost under-run might exist, and if so, it can request from FEMA a de-obligation of funds from the donor project and a supplemental obligation of funds to the deficient project.

The obligation of funds to cover cost over-runs cannot be guaranteed since the HMGP is formula based and federal subscriptions may not exceed the Grantee's total award.

J. Enforcement:

As a condition of receiving grant assistance, FEMA requires the subgrantee to maintain the generator in accordance with the approved project scope. The subgrantee is required to undertake periodic inspections of the generator to ensure that compliance is being maintained. If the subgrantee discovers that the project is out of compliance (or is informed of same at any time), the subgrantee shall notify the Grantee of the violation and indicate what steps are being taken to remedy the situation. The subgrantee will then have 60-days to bring the property back into compliance. If compliance cannot be achieved within the 60-day timeframe, the Grantee will notify the FEMA Regional Administrator of the violation and must also outline how the matter will be resolved. The Grantee may indicate any of the following as possible remedies:

1. The subgrantee is working to remedy the situation, but needs additional time (specify length) to complete the action. No enforcement action is needed.
2. The subgrantee is working to remedy the situation, but lacks the resources necessary to compel a solution. Enforcement action is needed.
3. The subgrantee has failed to demonstrate good faith and is not working to resolve the problem. Enforcement action is needed.

4. The Grantee lacks the authority to remedy the situation and asks the FEMA Regional Administrator to intervene.

If enforcement action is needed, the FEMA Regional Administrator may direct that future FEMA grant funds be withheld pending corrective action; that the subgrantee reimburse FEMA and the State a prorated portion of the expended project funds equal to all of the costs necessary to cure the violated property; and/or require the transfer of Title to another eligible entity. If none of these actions brings the property back into compliance, the FEMA Regional Administrator may refer the matter to the Office of Chief Counsel for criminal and civil prosecutions in a court of competent jurisdiction (*see 44 CFR §80.19*).

9. PROJECT CLOSEOUT:

A. Closeout Request:

Once all approved mitigation actions are complete, and all issues connected with same are extinguished, the subgrantee may request formal project closeout from the Grantee. The closeout request must be in writing and the following supporting documentation must be attached:

1. A sufficient number of photographs demonstrating that the generator has been constructed / installed;
2. Latitude and Longitude coordinates for the generator;
3. Any equipment purchased, leased, or rented to support the project needs to be returned (for credit if possible), or disposed of under the terms of the General Services Administration's (GSAs) surplus property program. Tracking of government property may be accomplished using FEMA Form 20-18 (OCT 04 Version).

B. Record Retention:

The subgrantee is required to maintain project documentation for at least three years after the project's "official" completion. In this case "official" means after all work is complete, all bills are paid and any non-expendable property is reconciled, all audit requirements (including Single Audit Act reporting) have been satisfied, and the Grantee and FEMA agree that the project is complete. Project files with records that contain personally identifiable information (PII) are covered under the Privacy Act of 1975 (5 U.S.C. §522A, as amended). The subgrantee must maintain confidentially of all PII records and can only release said records in accordance with the disclosure rules outlined in the Act. Further, the subgrantee must document of all disclosures of PII information and re-set the three year record retention schedule to reflect the day of disclosure as the first day. These records are usually retained at the local level in accordance with local requirements.

C. Single Audit Act:

Any time a non-federal entity expends \$500,000 in federal grant awards in a single fiscal year it is required to obtain an annual audit in accordance with the Single Audit Act Amendments of 1996. The Single Audit Act review will incorporate review elements included in Office of Management and Budget (OMB) Circulars A-87, A-102, A-110, and A-133 (to include the current year's compliance supplement). Additional information about the Single Audit Act may be found online at:

http://www.whitehouse.gov/omb/financial_fin_single_audit

The cost of conducting an audit in compliance with the Single Audit Act is eligible for project reimbursement so long as the project award alone is \$500,000 or more and no other federal grant is in excess of the reporting threshold; or if the project award contributes 50% or more of the combined federal grants that equal or exceed \$500,000.00. If another federal award greater than the HMGP award exists, the cost for a Single Audit Act report will not be eligible.

ADDITIONAL PROGRAM INFORMATION

GRANTEE RECOMMENDATION: The Grantee will convene a team of hazard mitigation subject matter experts to review and rank the submitted applications. Ranking factors may include any of the following:

- a. How completely does the proposed action solve the identified problem;
- b. How closely does the proposed action match the Grantee's priorities;
- c. What is the benefit versus cost ratio of the proposed action;
- d. What is the total cost of the proposal and what percentage does that cost represent out of the total funds available; and,
- e. Does the application identify a post-project use for the acquired land?

The project ranking team's recommendations are then submitted to the GAR for the final assessment of those projects to be included in the Grantee's HMGP application to FEMA.

FEMA APPROVAL: FEMA will review the State's application and award HMGP funds to the Grantee for those projects that meet all eligibility requirements. FEMA will follow the Grantee's ranking structure when reviewing applications. The Grantee will then execute a cooperative agreement with the subgrantee in order to release funding to the subgrantee for project execution.

The application's format will be created by the Grantee to ensure that opportunities to enter all data required by FEMA are included. Applications submitted in formats not approved by the Grantee will be returned to the applicant without consideration. Applicants will be advised of the Grantee's deadline for applicants to submit completed mitigation proposals. Interim deadlines may be required based upon project.

APPLICANT'S BRIEFING:

The Grantee may conduct an HMGP applicant's briefing, either at its office in Centennial, CO, or in various locations throughout the impacted area, or both. The applicant's agent, the agent's back-up (if one exists), and any individual that has special responsibilities for assisting or participating in the development of the community's HMGP application should plan to attend the applicant's briefing. The briefing will outline general information about the HMGP, the disaster event and the Grantee's mitigation priorities; provide updates on any recent changes to rules, regulations or guidance; allow an opportunity for applicants to ask questions and receive answers; and, allow the Grantee to distribute HMGP materials such as forms, guidance documents, and brochures. This briefing is not intended for the general public and the applicant should not invite its citizens. The public will not be barred from observing the briefing.

FUNDING: The State of Colorado will receive a HMGP award equal to 15% of the FEMA funds expended by the Individual and Public Assistance programs, certain Mission Assignments, and certain other direct assistance programs. Because HMGP funding is formula based, it is not unusual for the grant estimate to undergo change long after the date of declaration.

Generator Budget

Project Name:
Location:

Note: Insert Data Only in the Cells Shaded Blue

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	(A)	(B)	(C)	(D)
	Itemized Costs	Eligible Generator Costs	FEDERAL SHARE of Eligible Costs (75%)	LOCAL SHARE of Eligible Costs (25%)
Permit Fees	\$ -	\$ -	\$ -	\$ -
Development Site				
a. Land	\$ -	Ineligible	Ineligible	Ineligible
b. Legal Fees	\$ -	Ineligible	Ineligible	Ineligible
c. Surveys	\$ -	Ineligible	Ineligible	Ineligible
d. Recording Fees	\$ -	Ineligible	Ineligible	Ineligible
Site Preparation	\$ -	\$ -	\$ -	\$ -
Emergency Electrical Lighting	\$ -	\$ -	\$ -	\$ -
Emergency Electrical Outlets	\$ -	\$ -	\$ -	\$ -
Generator and Transfer Switch	\$ -	\$ -	\$ -	\$ -
Generator Enclosure	\$ -	\$ -	\$ -	\$ -
Construction Management Fees	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -

Summary

Total Eligible Cost	\$ -
Federal Share of Generator Project	\$ -
Local Share of Generator Project	\$ -
Annual Management Costs	\$ -



**DESIGNATION OF AGENT
RESOLUTION**

BE IT RESOLVED _____ OF _____
(Governing Body) (Public Entity)

THAT _____,
(Name) (Title)

is hereby authorized to execute for and in behalf of

a public entity established under the laws of the State of Colorado, all required forms and documents for the purpose of obtaining financial assistance for the Hazard Mitigation Grant Program (HMGP) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended)

Passed and approved this _____ day of _____, 20__.

CERTIFICATION

I, _____, duly appointed and _____
(Name) (Title)

of _____, do hereby certify that the above is a true and correct copy of
(Public Entity)

a resolution passed and approved by the _____
(Governing Body)

of _____ on the _____ day of _____ 19__.

(Signature) (Official Position) (Date)

Maintenance Agreement

The _____ of _____, State of Colorado, hereby agrees that if it receives any Federal aid as a result of the attached project Sub-Application, it will accept responsibility, at its own expense if necessary, for the routine maintenance of any real property, structures, or facilities acquired or constructed as a result of such Federal aid. Routine maintenance shall include, but not be limited to, such responsibilities as keeping vacant land clear of debris, garbage, and vermin; keeping stream channels, culverts, and storm drains clear of obstructions and debris; and keeping detention ponds free of debris, trees, and woody growth.

The purpose of this agreement is to make clear the Sub grantee's maintenance responsibilities following project award and to show the Sub grantee's acceptance of these responsibilities. It does not replace, supersede, or add to any other maintenance responsibilities imposed by any Federal law or regulation and which are in force on the date of project award.

Annual inspections should be documented and maintained by the Sub-grantee, since this would be essential in determining the eligibility of Federal funding for future damages arising at the project site.

To the best of my knowledge and belief, all data/information that is submitted within this Sub-Application is true and correct. I represent this Sub-grantee and am authorized by the governing body of this jurisdiction to sign on behalf of the sub-grantee, committing the Sub-grantee to this agreement.

Signature _____

Date _____

