

**MEMORANDUM OF UNDERSTANDING**  
**between the**  
**State of Vermont, Department of Public Safety**  
**and**  
**Town of Richmond**  
12/21/20

This Memorandum of Understanding (MOU) is entered into by the Town of Richmond (hereinafter referred to as the "Municipality"), and the Vermont Department of Public Safety (hereinafter referred to as "DPS"). The MOU is effective on the 21<sup>st</sup> day of December 2020, and includes the following agreements:

Whereas,

DPS, on behalf of the Municipality, applied for and received a grant award (Award Number: PDMC-PL-01-VT-2019-004) for Pre-Disaster Mitigation (PDM) funds; and

This FEMA award made on July 28, 2020 (FEMA approval letter date), a copy of which is attached to this MOU in order to update the 2017 Chittenden County Multi-Jurisdictional All-Hazards Mitigation Plan, including an updated base-plan and individual annexes for each participating jurisdiction, to include: Bolton, Buels Gore, Burlington City, Charlotte, Essex, Hinesburg, Huntington, Jericho, Milton, Richmond, Shelburne, South Burlington, St. George, Underhill, Westford, Williston, and Winooski (hereinafter referred to as "Participating Jurisdictions").

The total budget project cost is \$128,000, with a Federal share of \$96,000 awarded (75%). The Participating Jurisdictions will be responsible for the non-federal match of \$32,000 (25%). The Municipality will be responsible for contributing a maximum of \$1,882.35 financially towards this required match.

DPS is responsible for hiring, supervising, and compensating (25% of which costs being provided by the Participating Jurisdictions) the Contractors who perform the Work; and

DPS and the Municipality expect the Work to be performed beginning in January 2021 through plan approval for all plan annexes no later than the current plan expiration date of March 5, 2022;

NOW, THEREFORE, DPS and the Municipality agree to the following responsibilities to carry out this work:

**I. DPS agrees to:**

1. Selection of Contractor. Follow the DPS procurement guidelines to procure the Contractor to be hired by DPS.
2. Agreement with Contractor. Enter into an agreement for the services of a Contractor to update the 2017 Chittenden County Multi-Jurisdictional All-Hazards Mitigation Plan, including an updated base-plan and individual annexes for all Participating Jurisdictions.
3. Payment Procedures. Pay the Contractor for eligible Work costs identified in the PDM grant applications within 30 days of submittal.
4. Billing Procedures. Send an electronic bill to Municipality quarterly, to include copies of the invoice(s) for eligible work by a Contractor and supporting documentation, based on the following schedule:
  - i. April 15, 2021 billing for the period of January 2021 through March 2021
  - ii. July 15, 2021 billing for the period of April 2021 through June 2021

- iii. October 15, 2021 billing for the period of July 2021 through September 2021
  - iv. January 15, 2022 billing for the period of October 2021 through December 2021
  - v. April 15, 2022 billing for the period of January 2022 through March 2022
  - vi. *July 15, 2022 billing for the period of April 2022 through June 2022 (if needed)*
5. Communications. Communicate with the Municipality on a regular basis about the progress of the Work, costs, and any additional issues or concerns that may arise during the course of plan development.
  6. Management of Grant. Manage the FEMA grant and coordinate any correspondence relevant to this MOU.

**II. The Municipality agree to:**

1. Payments. Contribute up to \$1,882.35 financially towards the non-federal funds required to complete the Work. The Municipality agrees to pay the billed amount each quarter within one-month of the bill date (see billing scheduled in Section I.4). The Municipality agrees that it will not commit these funds as match to any other funding source.
2. Coordination with DPS. Meet with the DPS representative assigned to the Work to receive regular progress updates regarding the Work schedule and costs.
3. Public Access to Information. Acknowledge that any information provided to DPS may be a public record under the Vermont Access to Public Records Act, 1 V.S.A §§31S et seq., and subject to dissemination and release by DPS. The Municipality acknowledges that financial records, supporting documents, procurement records, and all other records pertinent to this FEMA-funded project shall be retained in dedicated files for a minimum of three years after the end of the FEMA grant period.

**III. The Parties Agree:**

1. Amendments. That this MOU may be amended from time to time based upon agreement by the parties. No changes, modifications, or amendments in the terms and conditions of the MOU shall be effective unless reduced to writing and signed by the duly authorized representative of DPS and the Municipality.
2. Effective Date. That this MOU will continue in effect until the end of the Period of Performance for this grant, March 29, 2023.
3. Billing. Any bill in this MOU will be provided by delivery of a hard copy to the Municipality at Town of Richmond, 203 Bridge St. Richmond, VT 05477

Signed and dated,

\_\_\_\_\_  
 Signature of Municipal Representative  
 David Sander, Selectboard Chair  
 Print Name and Title  
 \_\_\_12/21/20\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of DPS Representative  
 \_\_\_\_\_  
 Print Name and Title  
 \_\_\_\_\_  
 Date