

CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on the 20 day of May, 2020, and filed with the agency secretary on the 20 day of May, 2020.

AGENCY NAME: Alabama 9-1-1 Board

X Amendment          New          Repeal (Mark appropriate space)

Rule No. 585-X-2-.08

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Alabama 9-1-1 Board Grant Program

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes from proposed rule**

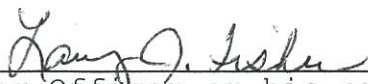
NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXVIII,  
ISSUE NO. 6, AAM, DATED March 31, 2020.

Statutory Rulemaking Authority: Code of Alabama 1975, Sections 11-98-1, 11-98-4.1, 11-98-5, and 11-98-5.2, as amended

(Date Filed)  
(For LRS Use Only)

REC'D & FILED  
MAY 20 2020

LEGISLATIVE SVC AGENCY

  
\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.

RULES AND REGULATIONS OF THE ALABAMA 9-1-1 BOARD

CHAPTER 585-X-2

BOARD OPERATIONS AND MEETINGS

585-X-2-.08      Alabama 9-1-1 Board Grant Program.

(1)      Goal, Purpose and Funding.

(a)      The grant program is established by the Alabama 9-1-1 Board (the Board) to provide financial assistance to Emergency Communication Districts (ECDs) based on needs in compliance with Sec. 11-98-1 et seq. Code of Ala. 1975, as amended. The purpose is to fund non-recurring costs or capital expenditures to achieve or maintain continuity and enhancement of 9-1-1 services assuring that every location in the State of Alabama has access to 9-1-1 service.

(b)      The grant program is funded to the extent that funds are available to the Board. ~~From one percent (1%) of the total amount of the statewide 9-1-1 charges paid to the 9-1-1 Board during each month for payment of administrative expenses. Therefore, funds are limited and any grant awards are contingent on the availability of funds.~~

(2)      Eligibility.

(a)      Eligible Applicants:

1.      The applicant must be a validly formed and operating Alabama ECD at the time of submission of grant application.

2.      The ECD must be in compliance with Sec. 11-98-1 et. seq. Code of Ala. 1975, as amended.

3.      The ECD must be willing and available to provide reasonable ECD and/or PSAP data at the request of the Alabama 9-1-1 Board or its designee.

4.      The ECD must have submitted an ECD certification for the grant cycle during which it is applying.

5. The ECD must have submitted the annual reporting information required by the Alabama Department of Examiners of Public Accounts for the grant cycle during which it is applying.

(3) Definitions.

(a) All definitions stated in Sec. 11-98-1 Code of Ala. 1975, as amended and Chapter 585-X-3 Administrative Code of Alabama are applicable, in addition to the following:

1. "Grant Cycle" - the timeframe assigned in the calendar

2. "Deliverable"- item to be provided as a product of the grant project process.

(4) Calendar.

(a) The application period will open on or before July 1<sup>st</sup> in each fiscal year. Applications are due on or before September 1<sup>st</sup> after the grant cycle is opened. Review of applications will take place for thirty (30) days after the application period ends, and grants, if any, will be awarded at the next regularly scheduled Board meeting after the review is completed. Applicants may submit no more than one application per grant cycle. An application not funded in a grant cycle must be resubmitted in order to compete again in a subsequent grant cycle.

(5) General Conditions.

(a) The applicant must provide one original printed copy along with one electronic version of the application package with any accompanying documentation to be postmarked or delivered to the office of the Alabama 9-1-1 Board on or before September 1<sup>st</sup>.

(b) Procurement shall be based on the ECD's governing authority's purchasing requirements and any purchasing requirements of the State of Alabama.

(c) All grant applications shall be accompanied by at least two (2) written competitive complete quotes from different vendors for grants requesting new equipment or services. If the applicant is unable to provide at least two (2) quotes, then an explanation as to why must be included.

(d) If two or more ECDs choose to apply jointly

for a grant, each ECD will be required to submit an application detailing the funds requested by that ECD and the project components as it pertains to that ECD. Additionally, a combined grant project summary will be required detailing the entire project as well as a memorandum of understanding of all ECDs involved in the project.

(e) Applications must include all necessary costs (including that of any third party) required for the full implementation of the project. If the grant application award is less than the total cost of the project, the applying ECD will be required to provide verification of its ability to fund the difference.

(6) Eligible Use of Funds.

(a) Grant funds must be used pursuant to Section 11-98-6 Code of Ala. 1975, as amended, which states how funds must be used by an ECD.

(b) Any property acquired with grant funds must be used for the direct benefit of the ECD throughout the useful life of the property.

(7) Review of Applications by the Board.

(a) The decision to fund or award or not award grants is entirely at the discretion of the Board.

(b) A Committee or working group of the Board will evaluate all complete and eligible applications submitted to the Board or its designee based on the substance of the request and make recommendations to the full Board using Deliberation Forms formulated by the Board.

(c) The Board or its designee will notify applicants within thirty (30) days after receipt of the application if the application does not meet the guidelines and will identify items that need to be provided before the application will be considered by the Board or its designee.

(d) An applicant should demonstrate that it has developed an attainable plan to achieve or maintain continuity and enhancement of 9-1-1 services and priority will be given to those projects that:

1. Require immediate funds to continue operation, including but not limited to, replacement, repair, or upgrade of a system critical to the provision of

modern 9-1-1 service;

2. Implement measures that maximize efficiencies in the provision of modern 9-1-1 service in the State of Alabama, including but not limited to, regionalization or consolidation of facilities and systems, etc.

3. Enhance existing services or fill the technology needs of the ECD that will facilitate significant progress toward achieving readiness for and compatibility with next generation 9-1-1 technology systems, including but not limited to, hardware, software, and services, as well as protective, enhancing, and backup systems to 9-1-1.

(e) Since applicants must compete against other applicants for available grant funds, the Board or its designee will award funds after considering the following factors:

1. Soundness of project plan;
2. Feasibility of project;
3. Readiness to proceed;
4. Sustainability of the project without additional funding from the Board; and,
5. Degree to which grant funds will assist in achieving or maintaining, compliance with any Board adopted standards, policies, projects, missions, plans, objectives or rules.

(8) Approval and Award.

(a) Within sixty (60) days after the application deadline, the Board or its designee will make a decision to either approve or disapprove each application. The Board or its designee may choose to modify the amount of any grant awarded by either increasing or decreasing the amount requested in the application or designating a match requirement.

(b) The Board or its designee will notify each applicant in writing of the Board's or its designee's decision regarding the application.

(9) Administrative/Reporting Requirements.

(a) Successful applicants must enter into a Grant Project Agreement with the Board or its designee. The Grant Project Agreement will establish the terms and conditions of the grant award.

(b) Successful applicants will be required to submit a Request for Change Form for approval prior to any changes being made to the project.

(c) Successful applicants will be required to submit a Status Report during the project based on the terms and conditions set forth within the Grant Project Agreement.

(10) Forms.

(a) The Board shall formulate and publish, all forms necessary to administer the grant program, including but not limited to, Grant Application, Grant Project Agreement, Request for Change, Status Report, and Deliberation Forms.

**Authors:** Leah Missildine, James T. Sasser

**Statutory Authority:** Code of Ala. 1975, §11-98-4.1, as amended.

**History: New Rule:** Published October 31, 2019; effective December 15, 2019. **Amended:** Filed March 11, 2020; effective July 13, 2020