



Effective
April 30, 2010
Amended
March 9, 2018

Equipment Cache Rules for Borrowing
RELATIVE TO THE
GOVERNANCE AND OPERATION OF REGIONAL EQUIPMENT CACHES
ESTABLISHED BY THE
NORTHEAST (MASSACHUSETTS) HOMELAND SECURITY REGIONAL ADVISORY COUNCIL

1. Parties eligible to borrow and use the goods procured with Northeast Homeland Security Regional Advisory Council Funds shall be known as “Requesting Eligible Parties” (REPs) and shall include all “local units of government”, as defined by the U.S. Homeland Security Act of 2003 and any subsequent pertinent laws (i.e. any subdivision of state government), state government units, and all regional units within or adjacent to the NERAC region that have signed the Cache Borrower Subscription Form.
2. Resources subject to these Regional Emergency Cache Rules (Rules) are intended for use according to the following hierarchy. For competing requests within each tier, the discretion of the cache host and the cooperation of all parties to operate in good faith is recommended to ensure equitable distribution of limited resources:

First ...	For use by REPs from within the NERAC region in response to bona fide emergencies*.
Second ...	For use by REPs from outside the NERAC region in response to bona fide emergencies.
Third ...	For use by out of state communities geographically adjacent to the NERAC region in response to bona fide emergencies.
Fourth ...	For use by REPs from within the NERAC region in managing special events or temporary circumstances.
Fifth ...	For use by REPs from outside the NERAC region in managing special events or temporary circumstances.
Sixth ...	For use by the Host for any governmental purpose of its own, provided goods in use are released to REPs in need under the first and second scenarios above.

3. All Parties acknowledge and understand that the goods subject to the Rules may be put to use only to supplement the resources of REPs and may not be used to replace or substitute for like resources of the REPs abandoned in favor of their use of cache resources.
4. NERAC has set an equipment usage fee approved by the Executive Office of Public Safety and Security and the Department of Homeland Security, to be collected by the Host and applicable to all REPs. The fee formula is 0.1% of the original cost of the item. Fee funds will be used for routine equipment inspection and maintenance efforts for cache equipment including the replacement of light bulbs, oil changes, weather-related tasks, and other related maintenance efforts. Please visit www.nerac.us for a complete list of Cache Site Equipment Fees.
5. The Host will provide access to goods at all times, without exception, in support of REPs engaged in emergency response. The Host shall provide access during normal business hours in support of non-emergency access to goods.
6. REPs are solely responsible to arrange and pay the cost of transport of goods to and from the cache.
7. REPs are financially responsible for consumable goods used from a NERAC Cache Site. REPs are also responsible for labor and material costs associated with work left to be performed by the Host in order to restore the goods to their condition when loaned (ie. the refueling, cleaning, or restocking of borrowed items). The Host will invoice the responsible REP directly for costs incurred.

* “Bona fide emergencies” are any response circumstance that a REP characterizes as an emergency involving preservation of life and/or property or mitigation of threats to the same.



8. REPs are responsible to return non-consumable goods in the same condition as when loaned. REPs are financially responsible for repairs and extraordinary maintenance left to be performed by the Host in order to restore the goods to their condition when loaned. The Host will invoice the responsible REP directly for costs incurred.
9. REPs must contact the manager of the Cache Site from which the equipment was borrowed immediately after the discovery of a mechanical failure or defect that requires extraordinary maintenance. The Cache Site Manager will then decide either to allow the REP to perform the required maintenance at its expense, replace the equipment with a working item from the cache site, or recall the equipment immediately. The cost of extraordinary maintenance performed by REPs will not be subtracted from any accrued User Fees.
10. REPs are responsible for completing any ordinary or routine maintenance on equipment while it is in their custody to ensure that the equipment is returned in the same condition as when loaned.
11. REPs may not loan borrowed resources to another party, but are instead obligated to return them to the Cache Host when they are no longer needed, and must immediately return resources engaged in non-emergency use if called upon for emergency use elsewhere. The Cache Host may retrieve resources, at the REPs' expense, if the REP is in violation of this provision.
12. Under no circumstances will NERAC or the Host deny the loan of available goods to an REP during a bona fide emergency. However, access to goods for non-emergency use may be denied to parties with delinquent accounts.
13. The Host may recall adequate quantities of goods from non-emergency use to meet emergency needs as necessary.
14. Equipment may be pre-staged in anticipation of an emergency at the sole discretion of the Hosts.
15. Please visit www.nerac.us for a complete listing of NERAC Cache Site resources.