



U.S. DEPARTMENT OF HOMELAND SECURITY

**AMERICAN RECOVERY AND REINVESTMENT ACT OF  
2009**

**PORT SECURITY GRANT PROGRAM**

**GUIDANCE AND APPLICATION KIT**

**MAY 2009**



U.S. DEPARTMENT OF HOMELAND SECURITY

**Title of Opportunity:** Fiscal Year 2009 American Recovery and Reinvestment Act Port Security Grant Program

**Funding Opportunity Number:** DHS-09-GPD-116-2200

**Federal Agency Name:** Department of Homeland Security/Federal Emergency Management Agency

**Announcement Type:** Initial

**Dates:** Completed applications must be submitted **no later than 11:59 PM ET, June 29, 2009.**

**Additional overview information:**

The American Recovery and Reinvestment Act (ARRA) Fiscal Year 2009 Port Security Grant Program (PSGP) contains significant improvements based on extensive outreach feedback from our maritime partners, including:

***Creation of Jobs (pages 7 and 33)***

The creation of new jobs is one of the requirements within the ARRA through the PSGP.

***Fiduciary Agent Requirements (page 11)***

The Fiduciary Agent process will not be used for this specific Port Security Grant Program. Applicants will apply directly to FEMA through [grants.gov](http://grants.gov).

***Group I and II Funding Allocations (page 11)***

Each Group I and Group II port area will compete for funding identified in their corresponding Group.

***Cost Sharing Requirements (page 16)***

The ARRA removed the Federal cost share requirement for this program.

***Additional Applicant Information (page 18)***

Additional applicant information is requested to be added by the applicant to the investment justification. This information will aid in investment justification review and competition for funds process.

***Construction (pages 34-35)***

Additional construction projects have been identified.

***Unallowable Costs (page 37)***

Not all items that were allowable under FY2009 PSGP are allowable under the ARRA PSGP.

# CONTENTS

Contents.....	2
Part I. FUNDING OPPORTUNITY DESCRIPTION.....	3
Part II. AWARD INFORMATION .....	9
Part III. ELIGIBILITY INFORMATION .....	10
A. Eligible Applicants.....	10
B. Cost Sharing .....	16
C. Restrictions .....	16
D. Other .....	16
Part IV. APPLICATION AND SUBMISSION INFORMATION .....	17
A. Address to Request Application Package .....	17
B. Content and Form of Application .....	17
C. Submission Dates and Times .....	30
D. Intergovernmental Review .....	30
E. Funding Restrictions .....	30
Part V. APPLICATION REVIEW INFORMATION .....	38
A. Review Criteria.....	38
B. Review and Selection Process .....	38
C. Anticipated Announcement and Award Dates .....	39
Part VI. AWARD ADMINISTRATION INFORMATION .....	40
A. Notice of Award .....	40
B. Administrative and National Policy Requirements .....	40
C. Reporting Requirements .....	57
D. Additional ARRA Reporting and Compliance Requirements.....	60
Part VII. FEMA CONTACTS.....	65
Part VIII. OTHER INFORMATION .....	68

## PART I.

# FUNDING OPPORTUNITY DESCRIPTION

On February 17, 2009, the President signed into law the American Recovery and Reinvestment Act of 2009 (ARRA) (Public Law 111-5). The Act, which provides \$787 billion in stimulus funds to the Nation, lays out new requirements for Federal agencies in their grants processes to allow for more transparency and accountability across all programs. Under this funding, ARRA provides \$150 million in stimulus funding for the Port Security Grant Program (PSGP). The ARRA PSGP is one of two grant programs that constitute the Department of Homeland Security (DHS) Fiscal Year (FY) 2009 ARRA focus on transportation infrastructure security activities. The ARRA PSGP is one tool in the comprehensive set of measures authorized by Congress and implemented by the Administration to strengthen the Nation's critical infrastructure against risks associated with potential terrorist attacks. The *Maritime Transportation Security Act of 2002*, as amended (46 U.S.C. §70107), established the PSGP to implement Area Maritime Transportation Security Plans and facility security plans among port authorities, facility operators, and State and local government agencies required to provide port security services. The ARRA PSGP is an amended program based on PSGP, designed to harden our Nation's ports and stimulate the economy.

The vast bulk of U.S. critical infrastructure is owned and/or operated by State, local and private sector partners. ARRA PSGP funds support increased port-wide risk management; enhanced domain awareness; and further capabilities to prevent, detect, respond to and recover from attacks involving improvised explosive devices (IEDs) and other non-conventional weapons.

The purpose of this package is to provide: (1) an outline of the ARRA PSGP; and (2) the formal grant guidance and the application materials needed to apply for funding under the program. The package also outlines the DHS management requirements for implementing a successful application.

Applying for significant Federal funds under programs such as this may be quite complex. DHS understands its responsibility to provide clear guidance and efficient application tools to assist applicants. Users are entitled to effective assistance during the application process, and transparent, disciplined management controls to support grant awards. DHS administrators intend to be good stewards of precious Federal resources, and commonsense partners with our State and local colleagues.

DHS understands that each port area has specific individual needs and tested experience about how to best reduce risk within its region. DHS subject matter experts will come to the task with a sense of urgency to reduce risk, but also with an ability to listen carefully to local needs and approaches. In short, DHS commits to respect flexibility and local innovation as it funds national homeland security priorities.

### ***Federal Investment Strategy***

The ARRA PSGP is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness, including the security of the country's critical infrastructure. The ARRA PSGP implements objectives addressed in a series of post-9/11 laws, strategy documents, plans, Executive Orders and Homeland Security Presidential Directives (HSPDs). Of particular significance are the National Preparedness Guidelines and its associated work products, including the National Infrastructure Protection Plan (NIPP) and its forthcoming sector-specific plans. The National Preparedness Guidelines provide an all-hazards vision regarding the Nation's four core preparedness objectives: prevent, protect, respond to and recover from terrorist attacks and catastrophic natural disasters.

The Guidelines first define a vision of what to accomplish and then provide a set of tools to forge a unified national consensus about what to do and how to work together at the Federal, State, local, and Tribal levels. Private sector participation is integral to the Guidelines' success.<sup>1</sup> The Guidelines outline 15 scenarios of terrorist attacks or natural disasters that form the basis of much of the Federal exercise and training regime. In addition, it identifies 37 critical capabilities that will be DHS's focus for key investments with State, local and Tribal partners.

DHS expects its critical infrastructure partners – including recipients of ARRA PSGP grants – to be familiar with this national preparedness architecture and to incorporate elements of this architecture into their planning, operations, and investment to the degree practicable. DHS funding priorities outlined in this document reflect the National Preparedness Guidelines priority investments as appropriate. Programmatic requirements or priority investment categories reflecting the national preparedness architecture are expressly identified below.

---

<sup>1</sup> The National Preparedness Guideline and its supporting documents were published in final form and released on September 13, 2007. The Guidelines are available at: <http://www.dhs.gov/xprepresp/publications>

### ***Overarching Funding Priorities***

The funding priorities for the FY 2009 ARRA PSGP reflect DHS's overall investment strategy, in which two priorities have been paramount: risk-based funding and regional security cooperation.

First, DHS will focus the bulk of its available port security grant dollars on the highest-risk port systems. This determination is based on ongoing intelligence analysis, extensive security reviews, and consultations with port industry partners and Congressional direction.

At the recommendation of the United States Coast Guard (USCG), some ports are being considered as a single cluster due to geographic proximity, shared risk and a common waterway. As with other DHS grant programs, applications from these port clusters must be locally coordinated and include integrated security proposals to use ARRA PSGP grant dollars.

Eligible port areas, as well as ferry systems, were identified using a comprehensive, empirically-grounded risk analysis model. Risk methodology for ARRA PSGP programs is consistent across the modes and is linked to the risk methodology used to determine eligibility for the core DHS State and local grant programs.

Within the ARRA PSGP, eligibility for all grant awards is first predicated on a systematic risk analysis that reviews and rates eligible ports in a given area for comparative risk. All port areas will be comparably rated. The FY 2009 risk assessment formula was further strengthened and refined from last year's risk assessment formula.

The ARRA PSGP risk formula is based on a 100 point scale comprising "threat" (20 points) and "vulnerability/consequences" (80 points). Risk data for eligible port areas is gathered individually and then aggregated by region. The DHS risk formula incorporates multiple normalized variables, meaning that for a given variable, all eligible port areas are empirically ranked on a relative scale from lowest to highest.

DHS's risk assessment methodology for ARRA PSGP considers critical infrastructure system assets, and characteristics from four areas that might contribute to their risk: intelligence community assessments of threat; economic consequences of attack; port assets; and area risk (to people and physical infrastructure immediately surrounding the port). The relative weighting of variables reflects DHS's overall risk assessment, as well as the FY 2009 program priorities. Specific variables include multiple data sets regarding military mission variables; adjacent critical asset inventories; Coast Guard Maritime Security Risk Analysis Model (MSRAM) data; and international cargo value and measures of cargo throughput (container, break bulk, international and domestic).

Second, DHS places a very high priority on ensuring that all ARRA PSGP applications reflect robust regional coordination and an investment strategy that institutionalizes regional security strategy integration. This priority is a core component in the Department's statewide grant programs and the Urban Areas Security Initiative (UASI) grants.

The program will build on the successes of previous years by continuing to encourage port-wide partnerships, regional management of risk, and business continuity. Group I and Group II port areas are in the process of developing Port-Wide Risk Management/Mitigation and Business Continuity/Resumption of Trade plans that address the gaps in authorities, capabilities, capacities, competencies, and partnerships in these ports and identify their prioritized projects for the next five years. FY 2009 ARRA PSGP will continue to fund those projects identified in the plan. Adoption of a deliberate risk management planning process, consistent with that employed in the UASI and State programs, is also a key focus of the SAFE Port Act (Public Law 109-347).

During 2009, DHS will continue its effort to encourage and help coordinate port security planning efforts, such as the Area Maritime Security Plans (AMSP), with complementary initiatives underway at the State and Urban Area levels. This is part of an important evolution in the focus of the ARRA PSGP – **from a program that is primarily focused on the security of individual facilities within ports, to a port-wide risk management/mitigation and continuity-of-operations/resumption-of-trade program that is fully integrated into the broader regional planning construct that forms the core of the UASI, as well as applicable statewide initiatives.**

### **ARRA PSGP Priorities**

In addition to these two overarching priorities, the Department has identified the following four priorities as its selection criteria for FY 2009 ARRA PSGP. Due to the current state of the economy, Congress intends stimulus funding to be spent quickly with a principal objective of job creation. Additionally, in meeting its mission responsibilities, DHS must ensure that priority is given to cost-effective projects that can be executed expeditiously and have a significant and near-term impact on risk mitigation. Please consider this when identifying projects within one or more of the following priorities:

**1. Enhancing Maritime Domain Awareness (MDA)**

MDA is the critical enabler that allows leaders at all levels to make effective decisions and act early against threats to the security of the Nation's seaports. In support of the National Strategy for Maritime Security, port areas should seek to enhance their MDA through projects, such as access control/standardized credentialing, command and control, communications, and enhanced intelligence sharing and analysis.

**2. Enhancing Improvised Explosive Device (IED) and Weapons of Mass Destruction (WMD) prevention, protection, response and recovery capabilities**

Port areas should seek to enhance their capabilities to prevent, detect, respond to and recover from terrorist attacks employing IEDs, WMDs and other non-conventional weapons. Of particular concern in the port environment are attacks that employ IEDs delivered via small craft (similar to the attack on the USS Cole), by underwater swimmers (such as underwater mines) or on ferries (both passenger and vehicle).

**3. Efforts supporting implementation of the Transportation Worker Identification Credential (TWIC)**

The TWIC is a Congressionally mandated security program through which DHS will conduct appropriate background investigations and issue biometrically enabled and secure identification cards for individuals requiring unescorted access to U.S. port facilities. Regulations outlining the initial phase of this program (card issuance) were issued by the Transportation Security Administration (TSA) in cooperation with the Coast Guard in 72 Federal Register 3492 (January 25, 2007).

**4. Construction or infrastructure improvement projects that are identified in the Port Wide Risk Management Plan (PWRMP) and/or Facility Security Plans (FSPs), and/or Vessel Security Plans (VSPs)**

### ***ARRA PSGP Program Management: Roles and Responsibilities at DHS***

By law, the USCG is responsible for managing DHS's security oversight and security programs for the port industry. The Federal Emergency Management Agency (FEMA) in conjunction with subject matter experts from the USCG, TSA and the Department of Transportation's Maritime Administration (MARAD) and Federal Transit Administration (FTA), determines the primary security architecture for the ARRA PSGP. FEMA has the lead in crafting all selection criteria associated with the application review process. The USCG's Intelligence Coordination Center will coordinate daily with DHS's Chief Intelligence Officer to review and craft intelligence assessments for the maritime portion of the transportation sector. TSA also coordinates regularly with USCG and with other DHS components regarding intelligence assessments relevant to maritime security.

FEMA has the lead for designing and operating the administrative mechanisms needed to manage DHS's core grant programs, including this grant program. Furthermore, FEMA will take the lead in providing outreach and support to applicants in order to answer questions about ARRA PSGP requirements. FEMA is responsible for ensuring compliance with all relevant Federal grant management requirements and delivering the appropriate grant management tools, financial controls, audits and program management discipline needed to support the ARRA PSGP.

While both the USCG and FEMA interface directly with port stakeholders, the USCG will have the lead on matters related to prioritizing specific security investments and setting security priorities associated with the ARRA PSGP. DHS will make final award approval.

Effective program management involves a partnership within DHS, the boundaries of which have been defined by the Secretary of Homeland Security. To make this partnership seamless to external partners, upon award of a FY 2009 ARRA PSGP grant, each grantee will be provided with a primary program analyst from FEMA. This individual will be assigned as the turnkey facilitator for grant recipients. They will meet directly with grantees as needed, and will routinely coordinate with other agencies to facilitate support for grantees in a given region. This individual will be the one-stop ARRA PSGP account manager for port industry participants.

## PART II. AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the FY 2009 ARRA PSGP.

### ***Award Period of Performance***

The period of performance of this grant is 36 months. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required.

### ***Available Funding***

In FY 2009, the total amount of funds distributed under the ARRA PSGP will be \$150,000,000. The allocation of funds is summarized in the table below.

**Table 1  
ARRA PSGP FY 2009 Available Funding**

Group	FY 2009 ARRA PSGP Funding
Group I	\$81,400,000
Group II	\$54,020,000
Group III	\$6,660,000
All Other Port Areas	\$5,920,000
Ferry Systems	\$2,000,000
<b>TOTAL</b>	<b>\$150,000,000</b>

## PART III.

# ELIGIBILITY INFORMATION

### A. Eligible Applicants

46 U.S.C. §70107 states that all entities covered by an AMSP may submit an application for consideration of funding. A facility that is not expressly identified in an AMSP will be considered covered under an AMSP if the facility in question has had a risk analysis completed by the USCG utilizing the MSRAM tool. Congress has specifically directed DHS to apply these funds to the highest risk ports. In support of this, the ARRA PSGP includes a total of 147 specifically identified critical ports, representing approximately 95 percent of the foreign waterborne commerce of the United States. Based upon USCG recommendations, these ports are aggregated into 91 discreet port funding areas. As described below, “All Other Port Areas” covered by an AMSP are eligible to apply for grant funds from an ARRA PSGP funding pool created for that purpose.

Within the ARRA PSGP, the following entities are specifically encouraged to apply:

- Owners or operators of federally regulated terminals, facilities, U.S. inspected passenger vessels or ferries as defined in the Maritime Transportation Security Act (MTSA) and Title 33 of the Code of Federal Regulations (CFR) Parts 101, 104, 105, and 106
- Port authorities or other State and local agencies that are required to provide security services to eligible Ferry System applicants (MTSA regulated facilities) pursuant to an AMSP or a Facility or Vessel Security Plan
- Consortia composed of local river organizations, ports and terminal associations, and other local stakeholder groups representing federally regulated ports, terminals, U.S. inspected passenger vessels or ferries that are required to provide security services to federally regulated facilities in accordance with an AMSP or a Facility or Vessel Security Plan
- Ferry Systems identified in Table 3

**As a condition of eligibility, all ARRA PSGP applicants are required to be fully compliant with relevant Maritime Security Regulations (33 CFR Parts 101-106). Any open or outstanding Notice of Violation (NOV), as of the grant application submission deadline date, which has been issued to an applicant, and the applicant has (1) failed to pay within 45 days of receipt; (2) failed to decline the NOV within 45 days of receipt (in which case a finding of default will be entered by the Coast Guard in accordance with 33 CFR § 1.07-11(f)(2)); or (3) the applicant has appealed the NOV as provided for in 33 CFR § 1.07-70 and is in receipt of a final appeal decision from Commandant, U.S. Coast Guard, as described in 33 CFR § 1.07-75, and has failed to come into compliance with the final adjudication within the timelines noted therein, will not be allowed to make application for a Port Security Grant.**

Tables 2 and 3 list the specific port areas and ferry systems, by Group, that are eligible for funding through the FY 2009 ARRA PSGP.

**The Fiduciary Agent process will not be utilized in the ARRA PSGP. Eligible applicants will apply directly to FEMA for funding under this program.**

***Group I, Group II and Group III***

Seven port areas have been selected as Group I (highest risk), forty-seven port areas have been selected as Group II and thirty-six port areas have been selected as Group III. Each Group I, Group II and Group III port area will compete for funding identified in their corresponding Group. These amounts are based upon the FY 2009 DHS risk analysis model. This will allow applicants to submit Investment Justifications (IJs) for projects without being confined to a set dollar amount, providing DHS the opportunity to conduct field and national reviews of each project and make awards based on the two overarching priorities of the ARRA PSGP, risk-based funding and regional security cooperation, as well as evaluating the extent to which each IJ buys-down risk for their port area.

***All Other Port Areas***

Ports not identified in Group I, II or III are eligible to apply as an “All Other Port Areas” applicant. “All Other Port Areas” will compete for the funding identified in this Group. “All Other Port Areas” included within Group I, II or III’s Area Maritime Security Plans (AMSP) are allowed to receive grant funds from their geographically proximate higher Group if the project has regional impact across the entire port area, but not from both funding groups for the same project.

***Ferry Systems***

Under a fifth group, eligible ferry systems may also apply for funding. Not all eligible ferry systems are guaranteed to receive an award.

**Table 2  
FY 2009 ARRA PSGP Port Area Groupings**

<b>Group</b>	<b>State</b>	<b>Port Area</b>	<b>FY 2009 Allocation</b>
I	CA	<b>Los Angeles-Long Beach</b> Long Beach Los Angeles	\$81,400,000
		<b>Bay Area</b> Carquinez Strait Martinez Oakland Richmond San Francisco Stockton	
	DE/NJ/PA	<b>Delaware Bay</b> Camden-Gloucester, NJ Chester, PA Marcus Hook, PA New Castle, DE Paulsboro, NJ Philadelphia, PA Trenton, NJ Wilmington, DE	
	LA	<b>New Orleans</b> Baton Rouge Gramercy New Orleans Port of Plaquemines Port of South Louisiana St. Rose	
	NY/NJ	<b>New York-New Jersey</b>	
	TX	<b>Houston-Galveston</b> Galveston Houston Texas City	
	WA	<b>Puget Sound</b> Anacortes Bellingham Everett Olympia Port Angeles Seattle Tacoma	

***Presence on this list does not guarantee grant funding***

Group	State	Port Area	FY 2009 Allocation
II	AK	<b>Anchorage</b>	\$54,020,000
	AL	<b>Mobile</b>	
	CA	<b>Port Hueneme</b>	
		<b>San Diego</b>	
	CT	<b>Long Island Sound</b>	
		Bridgeport	
		New Haven	
		New London	
	FL	<b>Jacksonville</b>	
		<b>Miami</b>	
		<b>Panama City</b>	
		<b>Pensacola</b>	
		<b>Port Canaveral</b>	
		<b>Port Everglades</b>	
		<b>Tampa Bay</b>	
		Port Manatee	
		Tampa	
	GA	<b>Savannah</b>	
	HI	<b>Honolulu</b>	
		Barbers Point, Oahu	
		Honolulu	
	IL/IN	<b>Southern Tip of Lake Michigan</b>	
		Burns Waterway Harbor, IN	
		Chicago, IL	
		Gary, IN	
		Indiana Harbor, IN	
	KY	<b>Louisville</b>	
		<b>Lake Charles</b>	
	LA	<b>Morgan City</b>	
		<b>Port Fourchon/LOOP</b>	
	MA	<b>Boston</b>	
	MD	<b>Baltimore</b>	
ME	<b>Portland</b>		
MI	<b>Detroit</b>		
MN	<b>Minneapolis-St. Paul</b>		
	Minneapolis		
	St. Paul		
MN/WI	<b>Duluth-Superior</b>		
MO	<b>Kansas City</b>		
	<b>St. Louis</b>		
MS	<b>Pascagoula</b>		
NC	<b>Morehead City</b>		
	<b>Wilmington</b>		
NY	<b>Albany</b>		
	<b>Buffalo</b>		
OH	<b>Cincinnati</b>		
	<b>Cleveland</b>		
	<b>Toledo</b>		
OR/WA	<b>Columbia-Snake River System</b>		
	Portland		
	Vancouver		
PA	<b>Pittsburgh</b>		
PR	<b>Ponce</b>		
	<b>San Juan</b>		
SC	<b>Charleston</b>		
TN	<b>Memphis</b>		
	<b>Nashville</b>		

***Presence on this list does not guarantee grant funding***

Group	State	Port Area	FY 2009 Allocation
II	TX	Corpus Christi	
		Freeport	
		Sabine Neches Beaumont Port Arthur	
	VA	Hampton Roads Newport News Norfolk Harbor	
	WV	Huntington	
III	AK	Valdez	\$6,660,000
	AL	Guntersville	
	AR	Helena	
	CA	El Segundo	
		Sacramento	
	FL	Fort Pierce	
		West Palm Beach	
	GA	Brunswick	
	GU	Apra Harbor	
	IN	Mount Vernon	
	MA	Fall River	
	MI	Marine City	
		Muskegon	
		Monroe	
		Port Huron	
	MN	Sault Ste Marie	
		Two Harbors	
	MS	Greenville	
		Gulfport	
		Vicksburg	
	NH	Portsmouth	
	NJ	Perth Amboy	
	OH	Lorain	
	OK	Tulsa, Port of Catoosa	
	OR	Coos Bay	
	PA	Erie	
	PR	Guayanilla	
		Humancao	
		Jobs	
	RI	Newport	
		Providence	
	TN	Chattanooga	
TX	Brownsville		
	Port of Port Lavaca – Port Comfort		
	Victoria		
	Port O'Connor		
VA	Richmond		
WI	Green Bay		
	Milwaukee		
All Other Port Areas	Eligible entities not located within one of the port areas identified above, but operating under an AMSP, are eligible to compete for funding within "All Other Port Areas" Group	\$5,920,000	

***Presence on this list does not guarantee grant funding***

**Table 3  
FY 2009 ARRA PSGP Eligible Ferry Systems**

<b>State</b>	<b>Port Area</b>	<b>Eligible System</b>	<b>FY 2009 Allocation</b>
AK	Valdez	<b>Alaska Marine Highway System</b>	\$2,000,000
CA	San Francisco Bay Area	<b>Golden Gate Bridge, Highway and Transportation District</b>	
		<b>City of Alameda Ferry Services (Blue and Gold Lines Fleet)</b>	
		<b>City of Vallejo Transportation Program</b>	
	Los Angeles/Long Beach	<b>Catalina Express</b>	
CT/NY	Long Island Sound	<b>The Bridgeport &amp; Port Jefferson Steamboat Company</b>	
		<b>Cross Sound Ferry</b>	
DE/NJ	Delaware Bay	<b>Cape May Ferry System</b>	
LA	New Orleans	<b>Crescent City Connection Division – Louisiana Department of Transportation</b>	
MA/RI	Boston	<b>Massachusetts Bay Transportation Authority (MBTA)</b>	
	Providence, RI	<b>Woods Hole, Martha's Vineyard and Nantucket Steamship Authority</b>	
NY/NJ	New York /New Jersey	<b>New York City Department of Transportation</b>	
		<b>New York Waterways</b>	
		<b>Port Authority of New York and New Jersey (PANYNJ)</b>	
		<b>SeaStreak</b>	
NC	Morehead City	<b>North Carolina Ferry System</b>	
TX	Houston-Galveston	<b>Texas DOT (Bolivar Roads Ferry)</b>	
VA	Hampton Roads	<b>Jamestown Ferry</b>	
WA	Puget Sound	<b>Washington State Ferries</b>	

***Presence on this list does not guarantee grant funding***

## **B. Cost Sharing**

There is no Federal cost share requirement for the FY 2009 ARRA PSGP.

## **C. Restrictions**

Please see Section IV., E. for Management & Administration limits and allowable/unallowable costs guidance.

## **D. Other**

Credentials/Documentation: American Recovery and Reinvestment Act of 2009 (P.L. 111-5), Section 1511, Certifications: With respect to covered funds made available to State or local governments for infrastructure investments, the Governor, mayor, or other chief executive, as appropriate, shall certify that the infrastructure investment has received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Such certification shall include a description of the investment, the estimated total cost, and the amount of covered funds to be used, and shall be posted on a website and linked to the website established by section 1526 of the American Recovery and Reinvestment Act of 2009. A State or local agency may not receive infrastructure investment funding from funds made available in this Act unless this certification is made and posted. Specific procedures for compliance with this certification requirement have not yet been established. This information will be provided to grantees via Information Bulletin when it is available.

## PART IV.

# APPLICATION AND SUBMISSION INFORMATION

### A. Address to Request Application Package

DHS participates in the Administration's e-government initiative. As part of that initiative, all applications must be filed using the Administration's common electronic "storefront" -- [grants.gov](http://www.grants.gov). Eligible entities must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>. To access application forms and instructions, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located in this announcement. Select "Download Application Package," and then follow the prompts to download the application package. To download the instructions, go to "Download Application Package" and select "Instructions." If you experience difficulties or have any questions, please call the [grants.gov](http://www.grants.gov) customer support hotline at (800) 518-4726.

### B. Content and Form of Application

1. **On-line application.** The on-line application must be completed and submitted using [grants.gov](http://www.grants.gov) after Central Contractor Registry (CCR) registration is confirmed. The on-line application includes the following required forms and submissions:
  - Investment Justification
  - Detailed Budget
  - Any additional Required Attachments
  - Standard Form 424, Application for Federal Assistance
  - Standard Form 424A, Budget Information
  - Standard Form 424B, Assurances
  - Standard Form 424C, Budget Information – Construction Form (if applicable)
  - Standard Form 424D, Assurances – Construction Programs (if applicable)
  - Standard Form LLL, Disclosure of Lobbying Activities

The program title listed in the Catalog of Federal Domestic Assistance (CFDA) is "ARRA PSGP." The CFDA number is **97.116**. When completing the on-line application, applicants should identify their submissions as new, non-construction applications.

2. **Application via [grants.gov](http://www.grants.gov).** FEMA participates in the Administration's e-government initiative. As part of that initiative, all applicants must file their applications using the Administration's common electronic "storefront" -- [grants.gov](http://www.grants.gov). Eligible entities must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>.

3. **DUNS number.** The applicant must provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number with their application. This number is a required field within [grants.gov](http://grants.gov) and for CCR Registration. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at (866) 705-5711.
4. **Valid Central Contractor Registry (CCR) Registration.** The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at <http://www.ccr.gov>, as well as apply for funding through [grants.gov](http://grants.gov).
5. **Investment Justification.** As part of the FY 2009 ARRA PSGP application process, applicants must develop a formal Investment Justification that addresses each initiative being proposed for funding. These Investment Justifications must demonstrate how proposed projects address gaps and deficiencies in current programs and capabilities. The Investment Justification must demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by FEMA. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit.

The Investment Justification must address or answer the following questions:

- Is your organization a member of the Area Maritime Security Committee?
- Is your facility a MTSA regulated facility?
- If you are a MTSA regulated facility, what part of 33 CFR do you come under?
- If you are not a regulated facility under MTSA, do you have a facility security plan, and if you have a plan what authority approved your security plan?
- Have you applied for any other security related grants, if you have what grant program and when?
- If you are a recognized Law Enforcement Agency, how many MTSA regulated facilities or vessels are in your immediate area of responsibility?
- How many members of your company or agency have taken Incident Command System course: ICS 100, ICS 200, ICS 300, ICS 700, and ICS 800?
- If you are a Fire Department how many MTSA regulated facilities and MTSA regulated vessels are in your immediate area of responsibility?
- Is your organization listed in a risk mitigation plan?
- Is there an MOU/MOA in place for this investment, to share this investment with other agencies?

All applicants must submit an Investment Justification with the grant application as a file attachment within [grants.gov](http://grants.gov). Applicants may propose up to three investments within their Investment Justification. The individual investments comprising a single application must take place within the same port area. Private companies that operate in more than one eligible port area must submit separate applications for investments in each port area. Applicants must provide information in the following categories for each proposed Investment:

1. Background
2. Strategic and program priorities
3. Impact
4. Funding and Implementation Plan

Applicants must use the following file naming convention when submitting required documents as part of the FY 2009 ARRA PSGP:

COTP Zone Abbreviation\_Port Area\_Name of Applicant\_ IJ Number  
(Example: Hous\_Galveston\_XYZ Oil\_IJ#1)

## ARRA PSGP Investment Justification Template

Investment Heading	
Port Area	
State	
Applicant Organization	
Investment Name	
Investment Amount	\$

### I. Background

*Note: This section only needs to be completed once per application, regardless of the number of Investments proposed. The information in this section provides background and context for the Investment(s) requested, but does not represent the evaluation criteria used by DHS for rating individual Investment proposals.*

I. Provide an overview of the port system in which this Investment will take place	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>• Area of Operations:               <ul style="list-style-type: none"> <li>○ Identify COTP Zone</li> <li>○ Identify eligible port area</li> <li>○ Identify who the infrastructure (project site) is owned or operated by, if not by your own organization</li> </ul> </li> <li>• Point(s) of contact for organization (include contact information):               <ul style="list-style-type: none"> <li>○ Identify the organization's Authorizing Official for entering into grant agreement, including contact information</li> <li>○ Identify the organization's primary point of contact for management of the project(s)</li> </ul> </li> <li>• Ownership or Operation:               <ul style="list-style-type: none"> <li>○ Identify whether the applicant is: (1) a private entity; (2) a state or local agency; or (3) a consortium composed of local stakeholder groups (i.e., river groups, ports, or terminal associations) representing federally regulated ports, terminals, US inspected passenger vessels or ferries.</li> </ul> </li> <li>• Role in providing layered protection of regulated entities (applicable to State or local agencies, consortia and associations only):               <ul style="list-style-type: none"> <li>○ Describe your organization's specific roles, responsibilities and activities in delivering layered protection</li> </ul> </li> <li>• Important features:               <ul style="list-style-type: none"> <li>○ Describe any operational issues you deem important to the consideration of your application (e.g., interrelationship of your operations with other eligible high-risk ports, etc.)</li> <li>○ Ferry System overview (if applicable):                   <ul style="list-style-type: none"> <li>- Infrastructure</li> <li>- Ridership data</li> <li>- Number of passenger miles</li> <li>- Number of vehicles per vessel, if any</li> <li>- Types of service and other important features</li> <li>- System map</li> <li>- Geographical borders of the system and the cities and counties served</li> </ul> </li> </ul> </li> </ul>
Response	

## II. Strategic and Program Priorities

<b>II.A. Provide a brief abstract of the Investment</b>	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	Provide a succinct statement summarizing this Investment <ul style="list-style-type: none"> <li>○ Identify exact location of project site (i.e. physical address of facility being enhanced)</li> </ul>
Response	

<b>II.B. Describe how the Investment will address one or more of the ARRA PSGP priorities and Area Maritime Security Plan, COTP Priorities, and/or the PWRMP</b>	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>• Describe how, and the extent to which, the investment addresses:           <ul style="list-style-type: none"> <li>○ Enhancement of Maritime Domain Awareness</li> <li>○ Enhancement of IED and WMD prevention, protection, response and recovery capabilities</li> <li>○ Efforts supporting the implementation of TWIC</li> <li>○ Construction or infrastructure improvement projects that are identified in the PWRMP and/or Facility Security Plans</li> <li>○ Once notice to proceed is provided by FEMA, identify how many days it will take for the project to be started and how many days it will take for it to be completed.</li> <li>○ Identify the number of jobs that will be created by this project and how this number was determined.</li> </ul> </li> <li>• Area Maritime Security Plan, Captain of the Port Priorities and/or PWRMP</li> </ul>
Response	

## III. Impact

<b>III.A. Describe how the project offers the highest risk reduction potential at the least cost.</b>	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> <li>• Discuss how the project will reduce risk in a cost effective manner           <ul style="list-style-type: none"> <li>○ Discuss how this investment will reduce risk (e.g., reduce vulnerabilities or mitigate the consequences of an event) by addressing the needs and priorities identified in earlier analysis and review. For facility specific investments, the anticipated risk reduction in MSRAM should be included</li> </ul> </li> </ul>
Response	

<b>III.B. Describe current capabilities similar to this Investment</b>	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> <li>• Describe how many agencies within the port have existing equipment that are the same or have similar capacity as the proposed project</li> <li>• Include the number of existing capabilities within the port that are identical or equivalent to the proposed project</li> </ul>
Response	

**IV. Funding and Implementation Plan**

- Complete the IV.A. to identify the amount of funding you are requesting for this investment only
- Funds should be requested by allowable cost categories as identified below
- Applicants must make funding requests that are reasonable and justified by direct linkages to activities outlined in this particular Investment

*Note: Investments will be evaluated on the expected impact on security relative to the amount of the investment (i.e., cost effectiveness). An itemized Budget Detail Worksheet and Budget Narrative must also be completed for this investment. See following section for a sample format.*

The following template illustrates how the applicants should indicate the amount of FY 2009 ARRA PSGP funding required for the investment, and how these funds will be allocated across the cost elements.

IV.A. Investment Funding Plan	FY 2009 ARRA PSGP Request Total	Grand Total
<i>Maritime Domain Awareness</i>		
<i>IED and WMD Prevention, Protection, Response and Recovery Capabilities</i>		
<i>TWIC Implementation</i>		
<i>Construction/Infrastructure Improvement</i>		
<i>M&amp;A</i>		
<b>Total</b>		

IV.B. Provide a high-level timeline, milestones and dates, for the implementation of this Investment such as stakeholder engagement, major acquisitions or purchases and process/policy updates. <u>Up to 10 milestones may be provided.</u>	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>Only include major milestones that are critical to the success of the Investment</li> <li>Milestones are for this discrete Investment – those that are covered by the requested FY 2009 ARRA PSGP funds and will be completed over the 36-month grant period starting from the award date, giving consideration for review and approval process up to 12 months (estimate 24 month project period)</li> <li>Milestones should be kept to high-level, major tasks that will need to occur (i.e. Design and development, begin procurement process, site preparations, installation, project completion, etc.)</li> <li>List any relevant information that will be critical to the successful completion of the milestone. This includes the number of jobs created and how the applicant arrived at that estimate, and those examples listed in the question text above</li> </ul>
Response	

**Detailed Budget.** Applicants must also provide detailed budgets for the funds requested. The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs (including M&A) and any appropriate narrative.

All applicants must submit their Detailed Budget with the grant application as a file name attachment within [grants.gov](http://grants.gov). Applicants must use the following file naming convention when submitting required documents as part of the FY 2009 ARRA PSGP:  
COTP Zone Abbreviation\_Port Area\_Name of Applicant\_IJ Number\_Budget  
(Example: Hous\_Galveston\_XYZ Oil\_IJ#1\_Budget)

# Sample Budget Detail Worksheet (OPTIONAL FORMAT)

**A. Budget Detail Worksheet Purpose.**

The Budget Detail Worksheet will be used to assist applicants in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). **However**, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

**A. Personnel.** List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
----------------------	--------------------	-------------

**Note:** Personnel costs are only allowable for direct management and administration of the grant award, i.e., preparation of mandatory post-award reports.

TOTAL \_\_\_\_\_

**B. Fringe Benefits.** Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman’s Compensation and Unemployment Compensation.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
----------------------	--------------------	-------------

TOTAL \_\_\_\_\_

**Total Personnel & Fringe Benefits** \_\_\_\_\_

**C. Travel.** Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
--------------------------	-----------------	-------------	--------------------	-------------

TOTAL \_\_\_\_\_

**D. Equipment.** List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than one year. (Note: Organization’s own capitalization policy and threshold amount for classification of equipment may be used). Expendable items should be included either in the “Supplies” category or in the “Other” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
-------------	--------------------	-------------

**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**TOTAL** \_\_\_\_\_

**E. Supplies.** List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. (Note: Organization’s own capitalization policy and threshold amount for classification of supplies may be used). Generally, supplies include any materials that are expendable or consumed during the course of the project. These costs will contribute to the 3 percent M&A cap.

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
---------------------	--------------------	-------------

**TOTAL** \_\_\_\_\_

**F. Consultants/Contracts.** Indicate whether applicant’s formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

**Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
---------------------------	-------------------------	--------------------	-------------

**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Subtotal** \_\_\_\_\_

**Consultant Expenses:** List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.)

<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
-------------	-----------------	--------------------	-------------

**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Subtotal** \_\_\_\_\_

**Contracts:** Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

**Item** **Cost**

**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Subtotal** \_\_\_\_\_

**TOTAL** \_\_\_\_\_

**G. Other Costs.** List items (e.g., rent, reproduction, telephone, security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

**Description** **Computation** **Cost**

**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Important Note:** If applicable to the project, construction costs should be included in this section of the Budget Detail Worksheet.

**TOTAL** \_\_\_\_\_

**H. Indirect Costs.** Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

**Description** **Computation** **Cost**

**TOTAL** \_\_\_\_\_

**Budget Summary** - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project. *Under Section G list any cost not captured or categorized in Sections A-H.*

<u>Budget Category</u>	<u>Federal Amount</u>	<u>Non-Federal Amount</u>
A. Personnel	_____	_____
B. Fringe Benefits	_____	_____
C. Travel	_____	_____
D. Equipment	_____	_____
E. Supplies	_____	_____
F. Consultants/Contracts	_____	_____
G. Other	_____	_____
<b>Total Direct Costs</b>	_____	_____
H. Indirect Costs	_____	_____
<b>* TOTAL PROJECT COSTS</b>	_____	_____
<b>Federal Request</b>	_____	
<b>Non-Federal Amount</b>		_____

## 6. Memorandum of Understanding/Memorandum of Agreement (MOU/MOA)

**Requirement.** State and local agencies, as well as consortia or associations that are required to provide security services to MTSA regulated facilities pursuant to an AMSP, are eligible applicants. However, the security services provided must be addressed in the regulated entities' security plans. A copy of an MOU/MOA with the identified regulated entities will be required prior to funding, and must include an acknowledgement of the security services and roles and responsibilities of all entities involved. This information may be provided using one of the attachment fields within [grants.gov](http://grants.gov).

The security services provided must be addressed in the regulated entities' security plan. A copy of a Memorandum of Understanding (MOU) or a Memorandum of Agreement (MOA) between those identified entities will be required prior to funding, and must include an acknowledgement of the security services and roles and responsibilities of all entities involved. The MOU/MOA must address the following points:

- The nature of the security that the applicant agrees to supply to the regulated facility (waterside surveillance, increased screening, etc)
- The roles and responsibilities of the facility and the applicant during different MARSEC levels.
- An acknowledgement by the facility that the applicant is part of their facility security plan.

If the applicant is mentioned as a provider of security services under the port's Area Maritime Security Plan, in lieu of an MOA/MOU, written acknowledgement from the Area Maritime Security Committee (AMSC) members, or a letter from the Federal Maritime Security Coordinator validating this status, will be acceptable. *In addition, MOA/MOUs submitted in previous ARRA PSGP award rounds will be acceptable, provided the activity covered also addresses the capability being requested through the FY 2009 ARRA PSGP.*

If applicable, the MOU/MOA for state or local law enforcement agencies and/or consortia providing layered protection to regulated entities must be submitted with the grant application as a file attachment within [grants.gov](http://grants.gov).

COTP Zone Abbreviation\_Port Area\_Name of Applicant\_MOU  
(Example: Hous\_Galveston\_Harris County\_MOU)

## Sample MOU/MOA Template

**Memorandum of Understanding / Agreement  
Between [provider of layered security] and [recipient of layered security]  
Regarding [provider of layered security's] use of port security grant program funds**

- 1. PARTIES.** The parties to this Agreement are the [Provider of Layered Security] and the [Recipient of security service].
- 2. AUTHORITY.** This Agreement is authorized under the provisions of [applicable Area Maritime Security Committee authorities and/or other authorities].
- 3. PURPOSE.** The purpose of this Agreement is to set forth terms by which [Provider of security service] shall expend Port Security Grant Program project funding in providing security service to [Recipient of security service]. Under requested FY 2009 ARRA PSGP grant, the [Provider of security service] must provide layered security to [Recipient of security service] consistent with the approach described in an approved grant application.
- 4. RESPONSIBILITIES:** The security roles and responsibilities of each party are understood as follows:
- (1). [Recipient of security service]
- Roles and responsibilities in providing its own security at each MARSEC level
- (2) [Provider of security service]
- An acknowledgement by the facility that the applicant is part of their facility security plan.
  - The nature of the security that the applicant agrees to supply to the regulated facility (waterside surveillance, increased screening, etc).
  - Roles and responsibilities in providing security to [Recipient of security service] at each MARSEC level.
- 5. POINTS OF CONTACT.** [Identify the POCs for all applicable organizations under the Agreement; including addresses and phone numbers (fax number, e-mail, or internet addresses can also be included).]
- 6. OTHER PROVISIONS.** Nothing in this Agreement is intended to conflict with current laws or regulations of [applicable state] or [applicable local Government]. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.
- 7. EFFECTIVE DATE.** The terms of this agreement will become effective on (EFFECTIVE DATE).
- 8. MODIFICATION.** This agreement may be modified upon the mutual written consent of the parties.
- 9. TERMINATION.** The terms of this agreement, as modified with the consent of both parties, will remain in effect until the grant end dates for an approved grant. Either party upon [NUMBER] days written notice to the other party may terminate this agreement.

**APPROVED BY:**

\_\_\_\_\_  
Organization and Title

(Date)

\_\_\_\_\_  
Signature

(Date)

### **C. Submission Dates and Times**

Completed applications must be submitted electronically through [www.grants.gov](http://www.grants.gov) no later than **11:59 PM ET, June 29, 2009**. Late applications will neither be considered nor reviewed. Upon successful submission, a confirmation e-mail message will be sent with a [grants.gov](http://www.grants.gov) tracking number, which is needed to track the status of the application. In order to avoid rejection of late submissions, due to whatever reason, submission of your IJs and Detailed Budget should be made as soon as possible. If you experience difficulties with the web site, call the HELP desk immediately and send them an e-mail describing the problem.

### **D. Intergovernmental Review**

Executive Order 12372 requires applicants from State and local units of government or other organizations providing services within a State to submit a copy of the application to the State Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the State. Applicants must contact their State SPOC to determine if the program has been selected for State review. Executive Order 12372 can be referenced at <http://www.archives.gov/federal-register/codification/executive-order/12372.html>. The names and addresses of the SPOCs are listed on OMB's home page available at: <http://www.whitehouse.gov/omb/grants/spoc.html>

### **E. Funding Restrictions**

#### **1. Management and Administration Limits**

A maximum of three percent (3%) may be retained by the applicant. Any funds retained are to be used solely for management and administrative purposes associated with the ARRA PSGP award.

#### **2. Allowable Costs**

This section provides guidance on allowable costs for FY 2009 ARRA PSPG, including ferry systems.

#### ***Maritime Domain Awareness (MDA)***

Funds may be used for the following types of MDA projects:

- Deployment of access control/standardized credentialing systems
- Deployment of detection and security surveillance equipment
- Development/enhancement of information sharing systems for risk mitigation purposes, including equipment (and software) required to receive, transmit, handle, and store classified information
- Enhancements of command and control facilities
- Enhancement of interoperable communications/asset tracking for sharing terrorism threat information (including ensuring that mechanisms are interoperable with Federal, State, and local agencies)

Applicants interested in addressing MDA are encouraged to familiarize themselves with the National Strategy for Maritime Security: National Plan to Achieve Maritime Domain Awareness that can be found at: <http://www.uscg.mil/mda/Docs.htm>.

### ***IED and WMD Prevention, Protection, Response, Recovery Capabilities***

Funds may be used for the following types of IED and WMD prevention, protection, response and recovery capabilities for port areas:

#### **Port Facilities, Including Public Cruise Line and Terminals**

- Chemical, biological, radiological, nuclear and explosive agent detection sensors
- Canines
- Intrusion detection
- Small boats for State and local law enforcement marine patrol or port security incident response
- Video surveillance systems that specifically address and enhance security  
Access control/standardized credentialing
- Improved lighting
- Hardened Security gates and vehicle barriers
- Floating protective barriers
- Underwater intrusion detection systems
- Communications equipment for risk mitigation (including interoperable communications)
- Reconfiguring of docks to prevent small boat access

#### **Vessels**

- Chemical, biological, radiological, nuclear and explosive agent detection sensors
- Restricted area protection (cipher locks, hardened doors, CCTV for bridges and engineering spaces)
- Communications equipment for risk mitigation (including interoperable communications)
- Canines for explosives detection
- Access control and standardized credentialing
- Floating protective barriers

### ***Transportation Worker Identification Credential (TWIC)***

The TWIC is designed to be an open architecture, standards-based system. Port projects that involve new installations or upgrades to access control and credentialing systems, should exhibit compliance with TWIC standards and program specifications. Recipients of grant funding for the implementation of TWIC systems may be requested by the Federal government to apply these systems in a field test of TWIC readers in accordance with the SAFE Port Act. Systems implemented with grant funding may be used by recipients to comply with the TWIC rulemaking requirements. However, *the fees associated with the application for and issuance of the TWIC cards themselves are ineligible for award consideration.*

Allowable cost under this section include those projects that will ensure the safe and secure transit of foreign seafarers and shore staff/support [who are not eligible for Transportation Worker Identification Credentials] to and from the vessel while at MTSA regulated facilities.

PSGP TWIC funding recipients may be required to provide data and lessons learned from the application of card readers and associated systems. A TWIC rulemaking that will address card reader requirements applied to MTSA-regulated facilities and vessels is expected to be published later this fiscal year. Systems implemented with grant funding may be used by recipients to comply with all TWIC rulemaking requirements.

### ***Equipment Acquisition***

FY 2009 ferry system funds may be used for the following types of equipment:

- Personal protection equipment
- Explosive device mitigation and remediation equipment
- CBRNE, operational search and rescue equipment, logistical support equipment for risk mitigation, reference materials or incident response vehicles, including response watercraft
- Information technology
- Cyber security enhancement equipment
- Interoperable communications equipment
- Detection equipment
- Decontamination equipment
- Power equipment
- Terrorism incident prevention equipment
- Physical security enhancement equipment

Unless otherwise noted, equipment requested by any applicant must be certified that it meets required regulatory and/or DHS-adopted standards to be eligible for purchase using these funds; e.g., equipment must comply with the OSHA requirement for certification of electrical equipment by a nationally recognized testing laboratory (NRTL), and demonstrate compliance with relevant DHS-adopted standards through a supplier's declaration of conformity (SDOC) with appropriate supporting data and documentation per ISO/IEC 17050, parts 1 and 2. In addition, agencies must have all necessary certifications and licenses for the requested equipment, as appropriate, prior to the request and so certify within the IJ. A comprehensive listing of allowable equipment categories and types is on the web-based Authorized Equipment List on the Responder Knowledge Base at <https://www.rkb.us/lists.cfm>.

### ***Management and Administration (M&A) Costs***

FY 2009 ARRA PSGP funds may be approved for the following M&A costs:

- Hiring of full-time or part-time staff, contractors or consultants and M&A expenses related to meeting compliance with grant reporting or data collection requirements, including data calls
- Development of operating plans for information collection and processing necessary to respond to DHS data calls
- Travel expenses

### ***Personnel Costs***

Due to the current state of the economy, Congress intends stimulus funding to be spent quickly with a principal objective of job creation. However, FY 2009 ARRA PSGP Personnel spending must meet the following requirements:

- Create entirely new positions; no supplanting for current jobs
- Must include a sustainment plan for the positions
- No planning positions allowable

### ***Specific Guidance on Lighting***

All lighting must meet applicable Occupational Safety and Health Administration requirements.

### ***Specific Guidance on Sonar Devices***

DHS has determined certain sonar devices that will not damage the environment or require special permitting under the National Environmental Policy Act are eligible for funding under the ARRA PSGP. The four types of allowable sonar devices are: imaging sonar, scanning sonar, side scan sonar, and 3-dimensional sonar. These types of sonar devices are intended to support the detection of underwater improvised explosive devices and enhance Maritime Domain Awareness. The eligible types of sonar, and short descriptions of their capabilities, are provided below:

- *Imaging sonar*: A high-frequency sonar that produces “video-like” imagery using a narrow field of view. The sonar system can be pole-mounted over the side of a craft or hand carried by a diver.
- *Scanning sonar*: Consists of smaller sonar systems that can be mounted on tripods and lowered to the bottom of the waterway. Scanning sonar produces a panoramic view of the surrounding area and can cover up to 360 degrees.
- *Side scan sonar*: Placed inside of a shell and towed behind a vessel. Side scan sonar produces strip-like images from both sides of the device.
- *3-dimensional sonar*: Produces 3-dimensional imagery of objects using an array receiver.

### ***Specific Guidance on Repair and Replacement Costs***

Consistent with FEMA Information Bulletin 293, repair and replacement allowable costs include repair and/or replacement of parts or equipment that will be used to support ARRA PSGP priorities. Projects including repair and replacement of parts or equipment must comply with all applicable ARRA PSGP requirements, including environmental regulations and budgetary reviews. All associated repair and replacement costs must be approved individually by the assigned Grant Programs Directorate ARRA PSGP Program Analyst and GMD Grants Management Specialist. Any approval for this activity must be requested in writing by the grantee and written approval obtained from GPD prior to the work commencing or the purchase of the parts or equipment.

### ***Specific Guidance on Security Operational and Maintenance Costs***

Operational and allowable costs include cost of acquisition, operation, and maintenance of security equipment or facilities to be used for security monitoring and recording, security gates and fencing, marine barriers for designated security zones, security-related lighting systems remote surveillance, concealed video systems, security vessels, and other security-related infrastructure or equipment that contributes to the overall security of passengers, cargo, or crewmembers. In addition, routine maintenance costs for security monitoring, such as the cost of tapes for recording, are allowable. **However, business operations and maintenance costs, such as personnel costs and items generally characterized as indirect or “overhead” costs, are unallowable.** Additionally, consistent with Informational Bulletin 293 allowable costs associated with maintenance agreements and warranties shall not precede the award date, nor extend beyond the period of performance for the grant award. Any prorated costs of maintenance agreements and warranties that extend beyond the life of the award will continue to be the responsibility of the grantee. On-going maintenance costs (i.e. routine oil changes, monthly inspections, cleaning equipment, etc.) other than warranties and maintenance agreements established during initial purchase of parts and equipment are the responsibility of the grantee and will not be funded by ARRA PSGP awards.

### ***Specific Guidance on Construction and Renovation***

The following types of construction and renovation projects are allowable under the FY 2009 ARRA PSGP:

- Maritime Domain Awareness Fusion Centers
- Maritime Security Operations Centers
- Port Security Operations Centers
- Port Security Emergency Communications Centers
- Buildings to house generators that support risk mitigation
- Hardened Security fences at access points
- Any other building or physical facility that enhances access control to the port/facility area

The above facilities would allow access only to public safety personnel and others on an as needed/need to know basis in accordance with the National Response Framework.

Eligible costs for construction and renovation may not exceed the greater of \$1,000,000 per project or such greater amount as may be approved by the Secretary, which may not exceed 10 percent of the total amount of the grant, as stated in 46 U.S.C. § 70107(b)(2).

Grant recipients are not permitted to use FY 2009 ARRA PSGP funds for construction projects that are eligible for funding under other Federal grant programs. ARRA PSGP funds may only be used for construction activities directly related to port security enhancements.

All proposed construction and renovation activities must undergo an Environmental and Historic Preservation (EHP) review, including approval of the review from FEMA, prior to undertaking any action related to the project. These types of projects have the potential to affect environmental resources and historic properties through ground disturbance, impact to wetlands, floodplains, coastal zones, and other water resources, alteration of historically-significant properties, and impact to threatened and endangered species, and migratory birds. While all projects receiving Federal funding require an EHP review, any applicant that is proposing a construction project under the FY 2009 ARRA PSGP should pay special attention to the EHP requirements contained in Part VI (B, 4.7) of the Guidance. Failure of a grant recipient to meet these requirements may jeopardize Federal funding.

Furthermore, FY 2009 ARRA PSGP recipients using funds for construction projects must comply with the Davis-Bacon Act. Grant recipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor wage determinations, is available from the following website:

<http://www.dol.gov/esa/programs/dbra/>.

#### ***Specific Guidance on Canines Not Part of an Operational Package***

The USCG has identified canine explosive detection as the most effective solution for the detection of vehicle borne IEDs. Eligibility for funding of canine explosive detection programs is restricted to U.S. ferry systems regulated under 33 CFR Parts 101, 104 & 105, specifically U.S. ferry vessels carrying more than 500 passengers with vehicles, U.S. ferry vessels carrying more than 2,000 passengers, and the passenger terminals these specific ferries service. Additionally, only owners and operators of these specific ferries and terminals and port authorities or State, local authorities that provide layered protection for these operations and are defined in the vessel's/terminal's security plans as doing so are eligible.

- **Eligible costs.** Eligible costs include: purchase, training and certification of canines; all medical costs associated with initial procurement of canines; kennel cages used for transportation of the canines and other incidentals associated with outfitting and set-up of canines (such as leashes, collars, initial health costs and shots, etc.). Eligible costs also include initial training and certification of handlers.
- **Ineligible costs.** Ineligible costs include but are not limited to: hiring, costs associated with handler annual salary (unless otherwise specifically applicable per the OPack requirements outlined on the following pages), travel and lodging associated with training and certification; meals and incidentals associated with travel for initial certification; vehicles used solely to transport canines; and maintenance or recurring expenses (such as annual medical exams, canine food costs, etc).
- **Certification.** Canines used to detect explosives must be certified by an appropriate, qualified organization. Such canines should receive an initial

basic training course and weekly maintenance training sessions thereafter to maintain the certification. The basic training averages 10 weeks for the canine team (handler and canine together) with weekly training and daily exercising. Comparable training and certification standards, such as those promulgated by the TSA Explosive detection canine program, the National Police Canine Association (NPCA), the U.S. Police Canine Association (USPCA) or the International Explosive Detection Dog Association (IEDDA) may be used to meet this requirement.<sup>2</sup>

- **Submission requirements.** Successful applicants will be required to submit an amendment to their approved Vessel Security Plan as per 33 CFR Part §104.415 detailing the inclusion of a canine explosive detection program into their security measures. Applicants are encouraged to thoroughly review the fiscal obligations of maintaining a long-term canine explosive detection program. If applicable, successful applicants will be required to submit an amendment to their approved Vessel Security Plan per 33 CFR Part §104.415 detailing the inclusion of a canine explosive detection program into their security measures.
- **Additional resources available for canine costs.** DHS is aware that the financial obligations of a canine explosive detection Program can be burdensome. The ARRA PSGP, while providing the ability to defray some start up costs, does not cover any recurring costs associated with such programs. However, the Transit Security Grant Program and Homeland Security Grant Program are two additional DHS grant programs that can provide funding for certain operational costs associated with heightened states of alert within the port area and nationally. DHS strongly encourages applicants to investigate their eligibility, and potential exclusions, for these resources when developing their canine programs.

---

<sup>2</sup> Training and certification information can be found at: <http://www.tsa.gov/public/display?theme=32>, <http://www.npca.net>, <http://www.uspcak9.com/html/home.shtml>, and <http://www.bombdog.org/>.

### 3. Unallowable Costs

The following projects and costs are considered ineligible for award consideration:

- The development of risk/vulnerability assessment models and methodologies
- Projects in which Federal agencies are the primary beneficiary or that enhance Federal property
- Projects that study technology development for security of national or international cargo supply chains (e.g., e-seals, smart containers, container tracking or container intrusion detection devices)
- Proof-of-concept projects
- Projects that do not provide a compelling security benefit (e.g., primarily economic or safety vs. security)
- Projects that duplicate capabilities being provided by the Federal government (e.g., vessel traffic systems)
- Proposals in which there are real or apparent conflicts of interest
- Personnel costs (except for those specifically identified in this guidance)
- Business operating expenses (certain security-related operational and maintenance costs are allowable. -- see "Security Operational and Maintenance Costs" for further guidance)
- TWIC card fees
- Signage, projects for placarding and billboards, or hard fixed structure signage
- Reimbursement of pre-award security expenses
- Outfitting facilities, vessels or other structures with equipment or items providing a hospitality benefit rather than a direct security benefit. Examples of such equipment or items include, but are not limited to: office furniture, CD players, DVD players, AM/FM radios and the like
- Weapons and associated equipment (i.e. holsters, optical sights and scopes), including, but not limited to: non-lethal or less than lethal weaponry including firearms, ammunition, and weapons affixed to facilities, vessels or other structures
- Expenditures for items such as general-use software (word processing, spreadsheet, graphics, etc), general-use computers and related equipment (other than for allowable M&A activities, or otherwise associated preparedness or response functions), general-use vehicles and licensing fees
- Other items not in accordance with the AEL or previously listed as allowable costs
- Land acquisitions and right of way purchases

## PART V.

# APPLICATION REVIEW INFORMATION

### A. Review Criteria

The five core ARRA PSGP application review criteria are as follows:

- **Criteria #1.** Projects that support ARRA PSGP funding priorities identified in this *Program Guidance and Application Kit* package:
  - Enhancement of the port area's MDA (e.g., access control/standardized credentialing, command and control, communications, and enhanced intelligence sharing and analysis)
  - Enhancement of the port area's prevention, protection, response and recovery capabilities (e.g., capabilities that would help mitigate potential IED, WMD attacks via small craft, underwater swimmers, or onboard passenger and vehicle ferries)
  - TWIC implementation projects (minus application and card purchase costs)
  - Construction or infrastructure improvement projects that are indentified in the PWRMP and/or FSPs
- **Criteria #2.** Projects that address priorities outlined in the applicable AMSP, as mandated under the MTSA and/or the FEMA PWRMP
- **Criteria #3.** Projects that address additional security priorities based on the COTP's expertise and experience with the specific port area
- **Criteria #4.** Projects that offer the highest potential for risk reduction for the least cost
- **Criteria #5.** Projects that can be quickly started and completed.

### B. Review and Selection Process

1. **Initial Screening.** FEMA will conduct an initial review of all FY 2009 ARRA PSGP applications. All applications passing this review will be grouped accordingly and provided to the applicable Captain of the Port (COTP) for further review.
2. **Field Review.** Field-level reviews will be managed by the applicable COTP in coordination with the Director of the U.S. Department of Transportation's Maritime Administration's Gateway Office and appropriate personnel from the AMSC and/or local law enforcement, as identified by the COTP. To support coordination of and regionalization of security grant application projects with State and Urban Area homeland security strategies, as well as other State and local security plans, the COTP will coordinate the results with the applicable State administrative agency or agencies and State homeland security advisor(s) for port security related matters.

The COTP will submit field review evaluations that include the following:

- Field reviews occur immediately following the FEMA initial screening. Each specific application is COTP field reviewed and scored for compliance with criteria #1, #2, #3, and #4 as enumerated in the previous section
- A total score is computed with all proposals received from each port being ranked from highest to lowest in terms of their contributions to regional risk reduction and cost effectiveness
- Specific notation if other entities within the port region have similar capabilities and the need for or lack thereof for redundancy

After completing field reviews, COTPs will submit the field review project scores and prioritized lists to FEMA to begin coordination of the national review process.

- 3. National Review.** Following the field review, a National Review Panel will be convened with subject matter experts drawn from DHS and the Department of Transportation. The purpose of the National Review is to identify a final, prioritized list of eligible projects for funding. The National Review Panel will conduct an initial review of the prioritized project listings for each port area submitted by the USCG's COTP to ensure that the proposed projects will accomplish intended risk mitigation goals. The National Review Panel will validate the Field Review COTP Project Priority List and provide a master list of prioritized projects by port area.<sup>3</sup>

A risk-based algorithm will then be applied to the National Review Panel's validated, prioritized list for each port area and ferry system. The algorithm considers the following factors to produce a comprehensive national priority ranking of port security proposals:

- Relationship of the project to one or more of the national port security priorities
- Relationship of the project to the local port security priorities
- COTP ranking (based on each COTP's prioritized list of projects)
- Risk level of the port area in which the project would be located (based on a comprehensive risk analysis performed by DHS)
- Once notice to proceed is provided by FEMA, the number of days it will take for the project to be started and number of days it will take for it to be completed.

The National Review Panel will be asked to evaluate and validate the consolidated and ranked project list resulting from application of the algorithm and submit their decisions to FEMA.

### **C. Anticipated Announcement and Award Dates**

FEMA will evaluate the results from the National Review Panel, and act on applications within 45 days following close of the application period.

---

<sup>3</sup> The National Review Panel will have the ability to recommend partial funding for individual projects and eliminate others that are determined to be duplicative or require a sustained Federal commitment to fully realize the intended risk mitigation. The National Review Panel will also validate proposed project costs. Decisions to reduce requested funding amounts or eliminate requested items deemed inappropriate under the scope of the FY 2009 ARRA PSGP will take into consideration the ability of the revised project to address the intended national port security priorities and achieve the intended risk mitigation goal. Historically, the ARRA PSGP has placed a high priority on providing full project funding rather than partial funding.

## PART VI.

# AWARD ADMINISTRATION INFORMATION

### A. Notice of Award

Upon approval of an application, the grant will be awarded to the grant recipient. The date that this is done is the “award date.” Notification of award approval is made through the Grants Management System (GMS). Once an award has been approved, a notice is sent to the authorized grantee official. Follow the directions in the notification and log into GMS to access the award documents. The authorized grantee official should carefully read the award and terms and conditions documents. If you do not receive a notification, please contact your Program Analyst for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option 3, to obtain the username and password associated with the new award.

The period of performance is 36 months. Any unobligated funds will be deobligated at the end of the 90 day close-out period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required.

### B. Administrative and National Policy Requirements

**1. Standard Financial Requirements.** The grantee and any subgrantee shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

#### 1.1– Administrative Requirements.

- 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)

#### 1.2– Cost Principles.

- 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
- 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
- 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)
- Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

### **1.3– Audit Requirements.**

- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

**1.4 – Duplication of Benefits.** There may not be a duplication of any federal assistance, per 2 CFR Part 225, Appendix A, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Circular may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons.

**1.5 – Buy American Act.** Grant recipients of the FY 2009 ARRA PSGP must follow the standards identified in the Buy American Act, 41 U.S.C. §§10a-10d. The Buy American Act requires that all supplies and construction materials purchased be produced in the United States, unless such materials are not reasonably available, or such a purchase would not be in the public interest. Grant recipients must follow the Federal Acquisition Regulations implementing the Buy American Act, 48 CFR Part 25.

- 2. Non-supplanting Requirement.** Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or grantees may be required to supply documentation certifying that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

### **3. Technology Requirements.**

**3.1– National Information Exchange Model (NIEM).** FEMA requires all grantees to use the latest NIEM specifications and guidelines regarding the use of Extensible Markup Language (XML) for all grant awards. Further information about the required use of NIEM specifications and guidelines is available at <http://www.niem.gov>.

**3.2– Geospatial Guidance.** Geospatial technologies capture, store, analyze, transmit, and/or display location-based information (i.e., information that can be linked to a latitude and longitude). FEMA encourages grantees to align any geospatial activities with the guidance available on the FEMA website at <http://www.fema.gov/grants>.

**3.3– 28 CFR Part 23 guidance.** FEMA requires that any information technology system funded or supported by these funds comply with 28 CFR Part 23, Criminal Intelligence Systems Operating Policies, if this regulation is determined to be applicable.

## 4. Administrative Requirements.

**4.1 – Freedom of Information Act (FOIA).** FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.

**4.2 – Protected Critical Infrastructure Information (PCII).** The PCII Program, established pursuant to the Critical Infrastructure Information Act of 2002 (Public Law 107-296) (CII Act), created a new framework, which enables State and local jurisdictions and members of the private sector to voluntarily submit sensitive information regarding critical infrastructure to DHS. The Act also provides statutory protection for voluntarily shared CII from public disclosure and civil litigation. If validated as PCII, these documents can only be shared with authorized users who agree to safeguard the information.

PCII accreditation is a formal recognition that the covered government entity has the capacity and capability to receive and store PCII. DHS encourages all entities to pursue PCII accreditation to cover their State government and attending local government agencies. Accreditation activities include signing a memorandum of agreement (MOA) with DHS, appointing a PCII Officer, and implementing a self-inspection program. For additional information about PCII or the accreditation process, please contact the DHS PCII Program Office at [pcii-info@dhs.gov](mailto:pcii-info@dhs.gov).

**4.3 – Compliance with Federal civil rights laws and regulations.** The grantee is required to comply with Federal civil rights laws and regulations. Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following:

- *Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et. seq.* – no person on the grounds of race, color, or national origin will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794* – no qualified individual with a disability in the United States, shall, by reason of his or her disability, be excluded from the participation in, be denied the

benefits of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance.

- *Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et. seq.* – discrimination on the basis of sex is eliminated in any education program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et. seq.* – no person in the United States shall be, on the basis of age, excluded from participation in, denied the benefits of or subjected to discrimination under any program or activity receiving Federal financial assistance.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

**4.4– Services to limited English proficient (LEP) persons.** Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, see <http://www.lep.gov>

**4.5– Integrating individuals with disabilities into emergency planning.** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial from FEMA. In addition, Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness* signed in July 2004, requires the Federal Government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism. Executive Order 13347 requires the Federal government to encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.

FEMA has several resources available to assist emergency managers in planning and response efforts related to people with disabilities and to ensure compliance with Federal civil rights laws:

- **Comprehensive Preparedness Guide 301 (CPG-301): Interim Emergency Management Planning Guide for Special Needs Populations:** CPG-301 is designed to aid tribal, State, territorial, and local governments in planning for individuals with special needs. CPG-301 outlines special needs considerations for: Developing Informed Plans; Assessments and Registries; Emergency Public Information/Communication; Sheltering and Mass Care; Evacuation; Transportation; Human Services/Medical Management; Congregate Settings; Recovery; and Training and Exercises. CPG-301 is available at <http://www.fema.gov/pdf/media/2008/301.pdf>.
- **Guidelines for Accommodating Individuals with Disabilities in Disaster:** The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field. The Guidelines are available at <http://www.fema.gov/oe/reference/>.
- **Disability and Emergency Preparedness Resource Center:** A web-based “Resource Center” that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities. The “Resource Center” is available at <http://www.disabilitypreparedness.gov>.
- **Lessons Learned Information Sharing (LLIS) resource page on Emergency Planning for Persons with Disabilities and Special Needs:** A true one-stop resource shop for planners at all levels of government, non-governmental organizations, and private sector entities, the resource page provides more than 250 documents, including lessons learned, plans, procedures, policies, and guidance, on how to include citizens with disabilities and other special needs in all phases of the emergency management cycle.

LLIS.gov is available to emergency response providers and homeland security officials from the Federal, State, and local levels. To access the resource page, log onto <http://www.LLIS.gov> and click on *Emergency Planning for Persons with Disabilities and Special Needs* under *Featured Topics*. If you meet the eligibility requirements for accessing Lessons Learned Information Sharing, you can request membership by registering online.

**4.6– Compliance with the National Energy Conservation Policy and Energy Policy Acts.** In accordance with the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329), grant funds must comply with the following two requirements:

- None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
- None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).

#### **4.7– Environmental and Historic Preservation Compliance.**

FEMA is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA funding. FEMA, through its Environmental and Historic Preservation (EHP) Program, engages in a review process to ensure that FEMA funded activities comply with various Federal laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). The goal of these compliance requirements is to protect our nation’s water, air, coastal, wildlife, agricultural, historical, and cultural resources, as well as to minimize potential adverse effects to children and low-income and minority populations.

The grantee shall provide detailed project information to GPD in order to ensure compliance with applicable Federal EHP requirements. Any project that uses federal funds cannot be initiated until GPD has completed its environmental review. Grantees are required to provide detailed information about their projects.

For certain types of projects, FEMA must consult with other Federal and State agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for protecting natural and cultural resources. For projects with the potential to have significant adverse effects on the environment and/or historic properties, FEMA’s EHP review and consultation may result in an agreement between the involved parties outlining how the grantee will avoid, minimize, or, if necessary, mitigate the effects.

Projects that are being completed in close proximity to areas that have recently received an Environmental Assessment (EA), Environmental Impact Statement (EIS), or have permits or letters of approval from federal, state and local environmental or historical agencies *MAY* speed the EHP review process. If documentation is available, the applicant is encouraged to submit the documentation with the application, however not all projects will be required to provide such documentation.

Costs incurred to ensure EHP compliance for approved projects may be eligible for funding under ARRA PSGP. Grantees wishing to utilize ARRA PSGP funds for an EIS, and EA, and other associated planning should indicate the amount within the submitted budget and IJ. Planning funds may be released prior to project implementation to ensure EHP compliance.

#### **Work in Waterways, Wetlands, and Floodplains**

##### **Section 404 and 10 Permits**

Section 404 of the Clean Water Act regulates the discharge of dredge or fill materials into waters of the United States including navigable waters and wetlands. Section 10 of the Rivers and Harbors Act applies to actions affecting waters of the United States. The U. S. Army Corps of Engineers (USACE) administers both laws. Examples of actions requiring permits include construction, demolition, and any

dredging or filling in any part of surface water tributaries, including small streams, lakes, ponds, stock tanks, construction and mining pits, and wetlands. Obtaining permits is the responsibility of the applicant. Obtaining permits must be done prior to executing any construction activity.

### **Bridge Permits**

Under Section 9 of the Rivers and Harbors Act, the General Bridge Act, and other statutes, the U.S. Coast Guard has jurisdiction over bridges that cross navigable waters of the U.S. Permits for construction and certain types of repair activities are administered through the Bridge Administration Program. Obtaining permits is the responsibility of the applicant.

### **Floodplain Management**

Any new construction or repairs to structures in a floodplain must comply with the community's floodplain management regulations as required by the National Flood Insurance Program. No construction activities, repair or new construction can begin without approval of the local floodplain administrator. Contact your local floodplain administrator for specific information regarding floodplain management.

### **Executive Order 11988, Floodplain Management and Executive Order 11990, Protection Of Wetlands**

Any action funded by FEMA that may affect a wetland or floodplain must be reviewed by FEMA for compliance with Executive Order (EO) 11990 and 11988 and must also follow the eight-step evaluation and planning process, including public notification, as identified in 44 CFR Part 9. Applicants proposing to initiate actions in potential wetland areas should coordinate with the USACE, FEMA, and U.S. Fish and Wildlife Service.

Due to the potential for significant adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use these funds toward the costs of preparing such documents and/or implementing treatment or mitigation measures. Failure of the grantee to meet Federal, State, and local EHP requirements, obtain applicable permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may result in withholding of funds.

## **Modifications, Constructions or Renovations**

Recipient shall not undertake any project without prior approval of GPD, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings, structures and objects that are 50 years old or older. The following projects have a higher potential to cause adverse effects to cultural and historic resources and the grantee must ensure that detailed documentation is submitted to FEMA:

### **1) Communication towers**

- This includes but is not limited to the construction of new towers, the replacement of existing towers, and the addition of antennas to existing towers/structures that increase the overall tower/structures height
- TOWER HEIGHT
  - Towers over 199 ft will require a more extensive environmental review ( 3- 12 months)

### **2) Any project that directly or indirectly involves ground-disturbing activities beyond areas previously disturbed, including:**

- Laying of utility lines/underground conduits;
- Fencing, poles, gates, foundations;
- Renovations ( upgrading CCTV, building conversions)
- New construction
  - New construction is of particular concern as these projects often require extensive environmental reviews. New construction projects include but are not limited to the construction/installation of Emergency operations centers, guard houses/shacks, equipment sheds, and docks/wharfs.

### **3) Modification to or renovation/alteration (including the installation of security equipment such as cameras, security card readers, warning sirens, etc.) of existing facilities that are 50 years old or older, or otherwise eligible for the NRHP**

### **4) Demolition of buildings or structures**

### **5) Any outdoor construction or equipment installation in the vicinity of an historic property**

Projects listed above will require the following information:

- Physical Address (street address or map coordinates)
- Project Description:
  - Extent and depth of ground disturbance, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.;
- Age of structure (when built)
- Natural, biological, and/or cultural resources present in project vicinity
- Visual documentation
  - Site and facility photographs (MUST be in color), project plans, maps
- Possible Project Alternatives (other viable locations for with less environmental impact)

Recipient must comply with all conditions placed on the project as the result of an EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify GPD and the appropriate State, Territory and/or Tribal Historic Preservation Office. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for GPD funding.

**For more information on FEMA's EHP requirements, grantees should refer to:** FEMA's Information Bulletin #271, *Environmental Planning and Historic Preservation Requirements for Grants*, available at <http://ojp.usdoj.gov/odp/docs/info271.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

All proposed construction and renovation activities must undergo an Environmental and Historic Preservation (EHP) review, including approval of the review from GPD, prior to undertaking any action related to the project. These types of projects have the potential to affect environmental resources and historic properties through ground disturbance, impact to wetlands, floodplains, coastal zones, and other water resources, alteration of historically-significant properties, and impact to threatened and endangered species, and migratory birds. While all projects receiving Federal funding require an EHP review, any applicant that is proposing a construction project under the FY 2009 ARRA PSGP should pay special attention to the EHP requirements contained in Part VI (B, 4.7) of the Guidance. Failure of a grant recipient to meet these requirements may jeopardize Federal funding.

### ***Sustainability Guidance and Spreadsheet Instructions***

Below are instructions for completing the DHS ARRA Sustainability Excel Spreadsheet (included at the end of this section).

General Guidance: Infrastructure projects must incorporate the sustainable practices listed in the *Guiding Principles for Sustainable New Construction and Major Renovations* as required in Executive Order 13423. In addition, infrastructure projects should achieve United States Green Building Council Leadership in Energy and Environmental Design (LEED™) registration at certified, Silver, Gold or Platinum level. Achieving LEED™ Certification does not automatically mean achievement of the requirements *Guiding Principles for Sustainable New Construction and Major Renovations*. This is why the spread sheet tracks completion of requirements in the *Guiding Principles for Sustainable New Construction and Major Renovation*. It is important to describe plans to achieve both conditions.

1. Project Name: Provide a short title of the project for identification purposes.
2. ARRA Unique Number: If available, provide the number that identifies the project.

3. Project Objective: Briefly describe the overall objective of the project.
4. Project Description: Briefly describe the project.
5. SUSTAINABILITY REQUIREMENTS: The following describes the requirements to meet the sustainability requirements for ARRA projects. These requirements apply to all construction, renovation and new lease projects. For each item below, select "Requirement Met" or "Requirement Not Met" and then explain how this was determined. Answers such as "Not Applicable" or "Does Not Apply" are not appropriate. It is recognized that in some instances not meeting the requirement would be justified. The explanation for "Requirement Not Met" would be this justification.
  - a. Employ Integrated Design Principles: This requires using a collaborative, integrated planning and design process that achieves the following.
    - (1) Initiates and maintains an integrated project team in all stages of a project's planning and delivery.
    - (2) Establishes performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and lifecycle of the building.
    - (3) Considers all stages of the building's lifecycle, including deconstruction.
    - (4) Employs commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include a designated commissioning authority, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.
  - b. Optimize Energy Performance: Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the Energy Star® targets for new construction and major renovation where applicable. For new construction, reduce the energy cost budget by 30 percent compared to the baseline building performance rating per the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., (ASHRAE) and the Illuminating Engineering Society of North America (IESNA) Standard 90.1-2007, Energy Standard for Buildings Except Low-Rise Residential. For major renovations, reduce the energy cost budget by 20 percent below pre-renovations 2003 baseline. Laboratory spaces may use the Labs21 Laboratory Modeling Guidelines. In addition, the following must be addressed to meet this requirement.
    - (1) Per the Energy Independence and Security Act (EISA) Section 523, meet at least 30% of the hot water demand through the installation of solar hot water heaters, when life cycle cost effective.
    - (2) Per Executive Order 13423, implement renewable energy generation projects on agency property for agency use, when life cycle cost effective.

- (3) Per the Energy Policy Act of 2005 (EPAAct) Section 103, install building level utility meters in new major construction and renovation projects to track and continuously optimize performance. Per EISA Section 434, utility meters must also include natural gas and steam, where appropriate.
  - (4) Compare actual performance data from the first year of operation with the energy design target. After one year of occupancy, measure all new major installations using the Energy Star<sup>®</sup> Portfolio Manager for building and space types covered by Energy Star<sup>®</sup>. For other building and space types, use an equivalent benchmarking tool such as the Labs21 benchmarking tool for laboratory buildings. Compare actual performance of Laboratory buildings through the Labs21 benchmarking tool.
- c. Protect and Conserve Water:
- (1) Employ strategies that in aggregate use a minimum of 20 percent less potable water than the indoor water use baseline calculated for the building, after meeting the EPAAct 1992, Uniform Plumbing Codes 2006, and the International Plumbing Codes 2006 fixture performance requirements. The installation of water meters is encouraged to allow for the management of water use during the Energy Independence and Security Act (EISA) Section 523, meet at least 30% of the hot water demand through the installation of solar hot water heaters, when life cycle cost effective.
  - (2) Employ strategies that in aggregate use a minimum of 20 percent less potable water than the indoor water use baseline calculated for the building, after meeting the EPAAct 1992, Uniform Plumbing Codes 2006, and the International Plumbing Codes 2006 fixture performance requirements. The installation of water meters is encouraged to allow for the management of water use during occupancy.
  - (3) Use water efficient landscape and irrigation strategies, including water reuse and recycling, to reduce outdoor potable water consumption by a minimum of 50 percent over that consumed by conventional means (plant species and plant densities). The installation of water meters for locations with significant outdoor water use is encouraged.
  - (4) Employ design and construction strategies that reduce storm water runoff and polluted site water runoff. Per EISA Section 438, to the maximum extent feasible, maintain or restore the predevelopment hydrology of the site with regard to temperature, rate, volume, and duration of flow using site planning, design, construction, and maintenance strategies.
  - (5) Per the Energy Policy Act of 2005 Section 109, when potable water is used to improve a building's energy efficiency, deploy life-cycle cost effective water conservation measures.
- d. Enhance Indoor Environmental Quality:
- (1) Meet ASHRAE Standard 55-2004, Thermal Environmental Conditions for Human Occupancy, including continuous humidity control within established ranges per climate zone, and ASHRAE Standard 62.1-2007, Ventilation for Acceptable Indoor Air Quality.
  - (2) Meet ASHRAE Standard 55-2004, Thermal Environmental Conditions for Human Occupancy, including continuous humidity control within

established ranges per climate zone, and ASHRAE Standard 62.1-2007, Ventilation for Acceptable Indoor Air Quality.

- (3) Establish and implement a moisture control strategy for controlling moisture flows and condensation to prevent building damage and mold contamination.
  - (4) Achieve a minimum of daylight factor of 2 percent (excluding all direct sunlight penetration) in 75 percent of all space occupied for critical visual tasks. Provide automatic dimming controls or accessible manual lighting controls, and appropriate glare control.
  - (5) Specify materials and products with low pollutant emissions, including adhesives, sealants, paints, carpet systems, and furnishings.
  - (6) Follow the recommended approach of the Sheet Metal and Air Conditioning Contractor's National Association Indoor Air Quality Guidelines for Occupied Buildings under Construction, 1995. After construction and prior to occupancy, conduct a minimum 72-hour flush-out with maximum outdoor air consistent with achieving relative humidity no greater than 60 percent. After occupancy, continue flush-out as necessary to minimize exposure to contaminants from new building materials. Prohibit smoking within the building and within 25 feet of all building main entrances and building ventilation intakes during building occupancy.
- e. Reduce Environmental Impact of Materials: Maximize the use of the following.
- (1) Use products meeting or exceeding EPA's recycled content recommendations or use materials with recycled content such that the sum of post-consumer recycled content plus one-half of the pre-consumer content constitutes at least 10% (based on cost) of the total value of the materials in the project.
  - (2) Use products meeting or exceeding USDA's biobased content recommendations or products made from rapidly renewable resources and certified sustainable wood products.
  - (3) During a project's planning stage, identify local recycling and salvage operations that could process site-related construction and demolition materials.
  - (4) Include in the design the recycle or salvage of at least 50 percent of the non-hazardous construction, demolition and land clearing materials, excluding soil, where markets or onsite recycling opportunities exist.
  - (5) Provide salvage, reuse and recycling services for waste generated from major renovations, where markets or onsite recycling opportunities exist.
  - (6) Eliminate the use of ozone depleting compounds during and after construction where alternative environmentally preferable products are available, consistent with either the Montreal Protocol, Title VI of the Clean Air Act Amendments of 1990, or equivalent overall air quality benefits that take into account life cycle impacts.
6. ENERGY REQUIREMENTS: The following describes the requirements to meet the energy requirements for ARRA projects. These requirements apply to all construction and major renovation projects. For each item below, select "Requirement Met" or "Requirement Not Met" and then explain how this was determined. Answers such as "Not Applicable" or "Does Not Apply" are not appropriate. It is recognized that in some instances not meeting the requirement

would be justified. The explanation for “Requirement Not Met” would be this justification. For example, a renovation project where existing electrical infrastructure will not be modified and electricity meters are already in place would not necessarily need to incorporate advanced meters.

- a. Energy Efficient Buildings: In order to meet this requirement, the infrastructure must be at least 30% more efficient than ASHRAE 90.1-2004 for commercial buildings and the International Energy Conservation Code (IECC) for residential buildings.
- b. Energy Efficient Capital Equipment: This requirement is met when the project design incorporates the most energy efficient designs, systems, equipment and controls that are life-cycle cost effective for any large energy-consuming equipment investments.
- c. Metering: This requirement is met when meters for electricity, steam and gas are included in new construction projects or installed in facilities undergoing renovation, and when advanced meters are used where life-cycle cost effective.
- d. Solar Hot Water: This requirement is met when not less than 30% of the hot water demand for each new or renovated building is met by the use of solar water heating equipment.

7. LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED):

- a. Registration Goal: Select “Certified”, “Silver”, “Gold” or “Platinum” as the LEED registration goal that was selected for the project.
- b. Registration Attained: Select “Certified”, “Silver”, “Gold” or “Platinum” as the LEED registration that was awarded for the project by the US Green Building Council.
- c. LEED Points Goal: Insert the quantity of LEED points that is expected for the project.
- d. LEED Points Attained: Insert the quantity of LEED points actually awarded by the US Green Building Council.

8. LEED POINTS EARNED: This section is used to break out the quantity of LEED points earned by the US Green Building Council into distinct categories. Insert the amount of LEED points earned from the US Green Building Council for each of the following categories:

- a. Site Credits
- b. Indoor Air Quality
- c. Materials
- d. Water
- e. Energy
- f. Innovation

<b>SUSTAINABILITY</b>						
		<b>Project Data</b>				
		1	2	3	4	5
<b>PROJECT NAME</b>						
<b>ARRA Unique ID Number</b>						
<b>Project Objective</b>						
<b>Project Description</b>						
<b>SUSTAINABILITY REQUIREMENTS- apply to all construction, renovations, and leases</b>						
	Employ Integrated Design Principles	Requirement Not Met (explain why)				
	Optimize Energy Performance	Requirement Met (explain how)				
	Protect and Conserve Water	Requirement Met (explain how)				
	Enhance Indoor Environmental Quality	Requirement Met (explain how)				
	Reduce Environmental Impact of Materials	Requirement Met (explain how)				
<b>ENERGY REQUIREMENTS- apply to all construction and renovations</b>						
	Energy Efficient Buildings	Requirement Met (explain how)				
	Energy Efficient Capital Equipment					
	Metering					
	Solar Hot Water					
<b>LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED)</b>						
	Registration goal					
	Registration attained					
<b>LEED POINTS EARNED</b>						
	LEED points goal					
	LEED points attained					
	Site credits					
	Indoor Air Quality					
	Materials					
	Water					
	Energy					
	Innovation					

## ***Environmental Guidance and Spreadsheet Instructions***

Below are instructions for completing the DHS ARRA Environmental Excel Spreadsheets (included at the end of this section).

General Guidance: The ARRA requires projects incorporate energy conservation, environmental compliance and carbon emission practices. Requirements on the Environmental Excel spreadsheet are designed to track compliance with Executive Order 13423 and purchases of products that contribute to energy conservation and carbon emission. This spreadsheet applies to all projects.

1. Project Name: Provide a short title of the project for identification purposes.
2. ARRA Unique Number: If available, provide the number that identifies the project.
3. Project Objective: Briefly describe the overall objective of the project.
4. Project Description: Briefly describe the project.
5. ELECTRONIC PRODUCT ENVIRONMENTAL ASSESSMENT TOOL (EPEAT): Any computer, laptop or monitor purchased with ARRA funds be Electronic Product Environmental Assessment Tool (EPEAT) registered electronic products, unless there is no EPEAT standard for such products and strive to purchase EPEAT products rated silver or higher unless there is no standard for such products. Written justification is required for purchasing non-EPEAT products due to cost, availability or does not meet mission requirements. EPEAT products meet Energy Star and FEMP energy efficient requirements.
  - a. Bronze: List the quantity of EPEAT registered products purchased under this project.
  - b. Silver: List the quantity of EPEAT Silver-registered products purchased under this project.
  - c. Gold: List the quantity of EPEAT Gold-registered products purchased under this project.
  - d. Non EPEAT purchases where EPEAT products were available: List the quantity of non EPEAT product purchases where an EPEAT product was available.
6. ENERGY STAR PRODUCTS: Any electronic products purchased with ARRA funds should be ENERGY STAR® unless it is documented that no ENERGY STAR® is reasonably available that meets functional requirements or is not cost effective over the life of the product taking energy cost savings into account.
  - a. Quantity: List the total quantity of ENERGY STAR® products purchased under this project.
  - b. Cost: List the total cost of ENERGY STAR® purchased under this project.

- c. Non Energy Star purchases where Energy Star products were available (Quantity): List the total quantity of non ENERGY STAR® products where ENERGY STAR® products were available.
  - d. Non Energy Star purchases where Energy Star products were available (Costs): List the total quantity of non ENERGY STAR® products where ENERGY STAR® products were available.
7. FEMP LABELED/APPROVED PRODUCTS: Any electronic products purchased with ARRA funds must be FEMP labeled/approved products unless it is documented that no FEMP-designated product is reasonably available that meets functional requirements or is not cost effective over the life of the product taking energy cost savings into account.
- a. Quantity: List the total quantity of FEMP labeled/approved products purchased under this project.
  - b. Cost: List the total cost of FEMP labeled/approved products purchased under this project.
  - c. Non FEMP purchases where FEMP products were available (Quantity): List the total quantity of non FEMP labeled/approved products where FEMP labeled/approved products were available.
  - d. Non FEMP purchases where FEMP products were available (Costs): List the total quantity of non FEMP labeled/approved products where FEMP labeled/approved products were available.
8. GREEN PURCHASING: ARRA contracts for services shall include to the maximum extent practicable, green purchasing requirements and clauses. Green products include recycled content products; environmentally preferable products; alternative fuels; hybrid and alternative fuel vehicles; non-ozone depleting substances; renewable energy; USDA designated biobased products; and Environmental Protection Agency (EPA) designated items containing recovered materials.
- a. Recycled content products: List the total dollar value or quantity of recycled content products provided for each project.
  - b. USDA Biobased Products: List the total dollar value or quantity of USDA biobased recycled products provided for each project.
  - c. Alternative Fuels: List the total dollar value or quantity of alternative fuels provided for each project.
  - d. Environmentally Preferable Products: List the total dollar value or quantity of environmental preferable products provided for each project.
  - e. Hybrid and Alternative Fuel Vehicles: List the total quantity of hybrid or alternative fuel vehicles provided for each project.
  - f. Non-Ozone Depleting Substances: List the total dollar value or quantity of non-ozone depleting substances provided for each project.
  - g. Renewable Energy: List the total dollar value or quantity of renewable energy provided for each project.

<b>ENVIRONMENTAL COMPLIANCE</b>						
		<b>Project Data</b>				
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>PROJECT NAME</b>						
<b>ARRA Unique ID Number</b>						
<b>Project Objective</b>						
<b>Project Description</b>						
<b>ELECTRONIC PRODUCT ENVIRONMENTAL ASSESSMENT TOOL (EPEAT)</b>						
	Bronze					
	Silver					
	Gold					
	Non EPEAT purchases where EPEAT products were available					
<b>ENERGY STAR PRODUCTS</b>						
	Quantity					
	Costs					
	Non Energy Star purchases where Energy Star products were available (Quantity)					
	Non Energy Star purchases where Energy Star products were available (Costs)					
<b>FEMP LABELED/APPROVED PRODUCTS</b>						
	Quantity					
	Costs					
	Non FEMP purchases where FEMP products were available (Quantity)					
	Non FEMP purchases where FEMP products were available (Costs)					
<b>GREEN PURCHASING</b>						
	Recycled content products					
	USDA designated biobased products					
	Alternative fuels					
	Environmentally Preferable Products					
	Hybrid and alternative fuel vehicles					
	Non-ozone depleting substances					
	Renewable Energy					

**4.8– Royalty-free License.** Applicants are advised that FEMA reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (b) any rights of copyright to which an award recipient or sub-recipient purchases ownership with Federal support. Award recipients must agree to consult with FEMA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

**4.9– FEMA GPD Publications Statement.** Applicants are advised that all publications created with funding under any grant award shall prominently contain the following statement: "This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."

**4.10 – Equipment Marking.** Applicants are advised that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."

**4.11 – Disadvantaged Business Requirement.** Applicants are advised that, to the extent that recipients of a grant use contractors or subcontractors, such recipients shall use small, minority, women-owned or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

**4.12 – National Preparedness Reporting Compliance.** The Government Performance and Results Act (Public Law 103-62) (GPRA) requires that the Department collect and report performance information on all programs. For grant programs, the prioritized Investment Justifications and their associated milestones provide an important tool for assessing grant performance and complying with these national preparedness reporting requirements. FEMA will work with grantees to develop tools and processes to support this requirement. FEMA anticipates using this information to inform future-year grant program funding decisions. Award recipients must agree to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within their grant agreement. This includes any assessments, audits, or investigations conducted by the Department of Homeland Security, Office of the Inspector General, or the Government Accountability Office.

### **C. Reporting Requirements**

Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements). Please note that FEMA Payment and Reporting System (PARS) contains edits that will prevent access to funds if reporting requirements are not met on a timely basis.

- 1. Financial Status Report (FSR) – required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FSR, which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, FSR is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FSR is due 90 days after the end date of the performance period.

FSRs **must be filed online** through the PARS.

Reporting periods and due dates:

- October 1 – December 31; *Due January 30*
- January 1 – March 31; *Due April 30*
- April 1 – June 30; *Due July 30*
- July 1 – September 30; *Due October 30*

- 2. Categorical Assistance Progress Report (CAPR).** Following an award, the awardees will be responsible for submitting CAPRs on a semi-annual basis; CAPRs should address performance measures and activities as described in the Investment Justification(s). The applicable entities are responsible for completing and submitting the CAPR reports.

The CAPR is due within 30 days after the end of the reporting period (July 30 for the reporting period of January 1 through June 30; and January 30 for the reporting period of July 1 through December 31). Future awards and fund drawdowns may be withheld if these reports are delinquent.

CAPRs must be filed online at <https://grants.ojp.usdoj.gov>. Guidance and instructions can be found at <https://grants.ojp.usdoj.gov/gmsHelp/index.html>.

***Required submission: CAPR (due semi-annually).***

- 3. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the U.S. General Accountability Office, *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2009 ARRA PSGP assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance.

The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

The grantee shall require that sub-grantees comply with the audit requirements set forth in *OMB Circular A-133*. Recipients are responsible for ensuring that sub-recipient audit reports are received and for resolving any audit findings.

**4. Additional ARRA Reporting and Compliance Requirements.** Any additional requirements as dictated by the ARRA can be found in Part IV, Section D.

***Monitoring***

Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Programmatic monitoring may also include the Regional Federal Preparedness Coordinators, when appropriate, to ensure consistency of project investments with Regional and National goals and policies, as well as to help synchronize similar investments ongoing at the Federal, State, and local levels.

Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, performance and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

The recipient is responsible for monitoring award activities, to include sub-awards, to provide reasonable assurance that the Federal award is administered in compliance with requirements. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

***Grant Close-Out Process***

Within 90 days after the end of the period of performance, grantees must submit a final FSR and final CAPR detailing all accomplishments throughout the project. After these reports have been reviewed and approved by FEMA, a close-out notice will be completed to close out the grant. The notice will indicate the project as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FSR. The grantee is responsible for returning any funds that have been drawdown but remain as unliquidated on grantee financial records.

***Required submissions: (1) Final SF-269a, due 90 days from end of grant period  
(2) Final CAPR, due 90 days from end of grant period***

## **D. Additional ARRA Reporting and Compliance Requirements**

The FY 2009 ARRA PSGP must comply with additional reporting and compliance requirements as dictated in the ARRA language and additional OMB guidance.

- 1. Other Standard Terms and Conditions.** All other grant policy terms and conditions contained in applicable Department of Homeland Security (DHS) Grant Policy Statements apply unless they conflict or are superseded by the following terms and conditions implementing the American Recovery and Reinvestment Act of 2009 (ARRA) requirements below. Recipients are responsible for contacting their grant managers for any needed clarifications. Sub-awards include sub-grants and sub-contracts issued from this award.
  
- 2. Recipient Reporting.** Recipients of Federal awards from funds authorized under Division A of the ARRA must comply with all requirements specified in Division A, including reporting requirements outlined in Section 1512 of the Act. For purposes of reporting, recipients of ARRA funds from DHS must report on sub-recipient activities as specified below. Not later than 10 days after the end of each calendar quarter, starting with the quarter ending June 30, 2009 and reporting by July 10, 2009, the recipient must submit a report to DHS that will be posted to Recovery.gov, containing the following information:
  - a. The total amount of ARRA funds under this award;
  - b. The amount of ARRA funds received under this award that were obligated and expended to projects or activities;
  - c. The amount of unobligated award balances;
  - d. A detailed list of all projects or activities for which ARRA funds under this award were obligated and expended, including
    - a. The name of the project or activity;
    - b. A description of the project or activity;
    - c. An evaluation of the completion status of the project or activity;
    - d. An estimate of the number of jobs created and the number of jobs retained by the project or activity; and
    - e. For infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and the name of the person to contact at the agency if there are concerns with the infrastructure investment.
  - f. Detailed information on any subcontracts or sub-grants awarded by the grant recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282). For any sub-award equal to or larger than \$25,000, the following information:
    - The name of the entity receiving the sub-award;
    - The amount of the sub-award;
    - The transaction type;

- The North American Industry Classification System code or Catalog of
  - Federal Domestic Assistance (CFDA) number;
  - Program source;
  - An award title descriptive of the purpose of each funding action;
  - The location of the entity receiving the award;
  - The primary location of performance under the award, including the city, State, congressional district, and country; and
  - A unique identifier of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity.
- g. All sub-awards less than \$25,000 or to individuals may be reported in the aggregate, as prescribed by DHS.
- h. Recipients must account for each ARRA award and sub-award separately. Recipients will draw down funds on an ARRA award by ARRA award basis. Pooling or commingling of ARRA award funds with other funds for drawdown or other purposes is not permitted.
- i. Recipients must account for each ARRA award by referencing the assigned CFDA number for each award.

Specific procedures for compliance with these reporting requirements have not yet been established. This information will be provided to grantees via Information Bulletin when it is available.

### **3. Required Use of American Iron, Steel, and Manufactured Goods—Section 1605 of the American Recovery and Reinvestment Act of 2009**

- (a) Definitions. “Manufactured good,” “public building and public work,” and “steel,” as used in this notice, are defined in the 2 CFR 176.140.
- (b) Requests for determinations of inapplicability. A prospective applicant requesting a determination regarding the inapplicability of section 1605 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5)(Recovery Act) should submit the request to the award official in time to allow a determination before submission of applications or proposals. The prospective applicant shall include the information and applicable supporting data required by 147 paragraphs (c) and (d) of the award term and condition at 2 CFR 176.140 in the request. If an applicant has not requested a determination regarding the inapplicability of 1605 of the Recovery Act before submitting its application or proposal, or has not received a response to a previous request, the applicant shall include the information and supporting data in the application or proposal.
- (c) Evaluation of project proposals. If the Federal government determines that an exception based on unreasonable cost of domestic iron, steel, and/or manufactured goods applies, the Federal Government will evaluate a project requesting exception to the requirements of section 1605 of the Recovery Act by adding to the estimated total cost of the project 25 percent of the project cost, if foreign iron, steel, or manufactured goods are used in the project based on

unreasonable cost of comparable manufactured domestic iron, steel, and/or manufactured goods.

(d) Alternate project proposals.

- (1) When a project proposal includes foreign iron, steel, and/or manufactured goods not listed by the Federal Government at paragraph (b)(2) of the award term and condition at 2 CFR 176.140, the applicant also may submit an alternate proposal based on use of equivalent domestic iron, steel, and/or manufactured goods.
- (2) If an alternate proposal is submitted, the applicant shall submit a separate cost comparison table prepared in accordance with paragraphs (c) and (d) of the award term and condition at 2 CFR 176.140 for the proposal that is based on the use of any foreign iron, steel, and/or manufactured goods for which the Federal Government has not yet determined an exception applies.
- (3) If the Federal government determines that a particular exception requested in 148 accordance with paragraph (b) of the award term and condition at 2 CFR 176.140 does not apply, the Federal Government will evaluate only those proposals based on use of the equivalent domestic iron, steel, and/or manufactured goods, and the applicant shall be required to furnish such domestic items.

**NOTICE OF REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS  
(COVERED UNDER INTERNATIONAL AGREEMENTS)—SECTION 1605 OF THE AMERICAN  
RECOVERY AND REINVESTMENT ACT OF 2009**

(a) **Definitions.** “Designated country iron, steel, and/or manufactured goods,” “foreign iron, steel, and/or manufactured good,” “manufactured good,” “public building and public work,” and “steel,” as used in this provision, are defined in 2 CFR 176.160(a).

(b) **Requests for determinations of inapplicability.** A prospective applicant requesting a determination regarding the inapplicability of section 1605 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5)(Recovery Act) should submit the request to the award official in time to allow a determination before submission of applications or proposals. The prospective applicant shall include the information and applicable supporting data required by paragraphs (c) and (d) of the award term and condition at 2 CFR 176.160 in the request. If an applicant has not requested a determination regarding the inapplicability of 1605 of the Recovery Act before submitting its application or proposal, or has not received a response to a previous request, the applicant shall include the information and supporting data in the application or proposal.

(c) *Evaluation of project proposals.*

If the Federal government determines that an exception based on unreasonable cost of domestic iron, steel, and/or manufactured goods applies, the Federal Government will evaluate a project requesting exception to the requirements of section 1605 of the Recovery Act by adding to the estimated total cost of the project 25 percent of the project cost if foreign iron, steel, or manufactured goods are used based on unreasonable cost of comparable domestic iron, steel, or manufactured goods.

(d) *Alternate project proposals.*

(1) When a project proposal includes foreign iron, steel, and/or manufactured goods, other than designated country iron, steel, and/or manufactured goods, that are not listed by the Federal Government in this Buy American notice in the request for applications or proposals, the applicant

may submit an alternate proposal based on use of equivalent domestic or designated country iron, steel, and/or manufactured goods.

(2) If an alternate proposal is submitted, the applicant shall submit a separate cost comparison table prepared in accordance with paragraphs (c) and (d) of the award term and condition at 2 CFR 176.160 for the proposal that is based on the use of any foreign iron, steel, and/or manufactured goods for which the Federal Government has not yet determined an exception applies.

(3) If the Federal government determines that a particular exception requested in accordance with paragraph (b) of the award term and condition at 2 CFR 176.160 does not apply, the Federal Government will evaluate only those proposals based on use of the equivalent domestic or designated country iron, steel, and/or manufactured goods, and the applicant shall be required to furnish such domestic or designated country items.

#### **4. Wage Rate Requirements under Section 1606 of the American Recovery and Reinvestment Act of 2009**

(a) Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. Pursuant to Reorganization Plan No. 14 and the Copeland Act, 40 U.S.C. 3145, the Department of Labor has issued regulations at 29 CFR Parts 1, 3, and 5 to implement the Davis-Bacon and related Acts. Regulations in 29 CFR 5.5 instruct agencies concerning application of the standard 169 Davis-Bacon contract clauses set forth in that section. Federal agencies providing grants, cooperative agreements, and loans under the Recovery Act shall ensure that the standard Davis-Bacon contract clauses found in 29 CFR 5.5(a) are incorporated in any resultant covered contracts that are in excess of \$2,000 for construction, alteration or repair (including painting and decorating).

(b) For additional guidance on the wage rate requirements of section 1606, contact your awarding agency. Recipients of grants, cooperative agreements and loans should direct their initial inquiries concerning the application of Davis-Bacon requirements to a particular federally assisted project to the Federal agency funding the project. The Secretary of Labor retains final coverage authority under Reorganization Plan Number 14.

**5. Whistleblower Protection** - Each recipient or sub-recipient awarded funds made available under the ARRA shall promptly refer to the DHS Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-recipient, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving those funds. (ARRA Sec. 1553) The DHS Office of Inspector General can be reached at <http://www.oig.Department.gov/fraud/hotline/>

- 6. DUNS/CCR** – Recipients must require that first tier sub-recipients begin planning activities, including obtaining a DUNS number (or updating the existing DUNS record), and registering with the Central Contractor Registration (CCR) no later than the first time ARRA data requirements are due.
- 7. Schedule of Expenditures of Federal Awards** Recipients agree to separately identify the expenditures for each grant award funded under ARRA on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by Office of Management and Budget Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations.” This identification on the SEFA and SF-SAC shall include the Federal award number, the Catalog of Federal Domestic Assistance (CFDA) number, and amount such that separate accountability and disclosure is provided for ARRA funds by Federal award number consistent with the recipient reports required by ARRA Section 1512(c).
- 8. Responsibilities for Informing Sub-recipients** Recipients agree to separately identify to each sub-recipient, and document at the time of sub-award and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of ARRA funds.

## PART VII.

# FEMA CONTACTS

This section describes several resources that may help applicants in completing a FEMA grant application. During the application period DHS will identify multiple opportunities for a cooperative dialogue between the Department and applicants. This commitment is intended to ensure a common understanding of the funding priorities and administrative requirements associated with the FY 2009 ARRA PSGP and to help in submission of projects that will have the highest impact on reducing risks.

- 1. Centralized Scheduling & Information Desk (CSID) Help Line.** CSID is a non-emergency resource for use by emergency responders across the nation. CSID is a comprehensive coordination, management, information, and scheduling tool developed by DHS through FEMA for homeland security terrorism preparedness activities. CSID provides general information on all FEMA grant programs and information on the characteristics of CBRNE, agro-terrorism, defensive equipment, mitigation techniques, and available Federal assets and resources.

CSID maintains a comprehensive database containing key personnel contact information for homeland security terrorism preparedness programs and events. These contacts include personnel at the Federal, State and local levels. CSID can be contacted at (800) 368-6498 or [askcsid@dhs.gov](mailto:askcsid@dhs.gov). CSID hours of operation are from 8:00 am–6:00 pm (EST), Monday-Friday.

- 2. Grant Programs Directorate (GPD).** FEMA GPD will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov).
- 3. GSA's State and Local Purchasing Programs.** The U.S. General Services Administration (GSA) offers two efficient and effective procurement programs for State and local governments to purchase products and services to fulfill homeland security and other technology needs. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term, indefinite delivery, indefinite quantity, government-wide contracts with commercial firms of all sizes.
  - Cooperative Purchasing Program  
Cooperative Purchasing, authorized by statute, allows State and local governments to purchase a variety of supplies (products) and services under specific GSA Schedule contracts to save time, money, and meet their everyday needs and missions.

The Cooperative Purchasing program allows State and local governments to purchase alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services off of Schedule 84 and Information Technology products and professional services off of Schedule 70 and the Consolidated Schedule (containing IT Special Item Numbers) **only**. Cooperative Purchasing for these categories is authorized under Federal law by the *Local Preparedness Acquisition Act* (Public Law 110-248) and Section 211 of the *E-Government Act of 2002* (Public Law 107-347).

Under this program, State and local governments have access to GSA Schedule contractors who have voluntarily modified their contracts to participate in the Cooperative Purchasing program. The U.S. General Services Administration provides a definition of State and local governments as well as other vital information under the frequently asked questions section on its website at <http://www.gsa.gov/cooperativepurchasing>.

- **Disaster Recovery Purchasing Program**

GSA plays a critical role in providing disaster recovery products and services to Federal agencies. Now State and Local Governments can also benefit from the speed and savings of the GSA Federal Supply Schedules. Section 833 of the *John Warner National Defense Authorization Act for Fiscal Year 2007* (Public Law 109-364) amends 40 U.S.C. §502 to authorize GSA to provide State and Local governments the use of ALL GSA Federal Supply Schedules for purchase of products and services to be used to *facilitate recovery from a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or to facilitate **recovery** from terrorism or nuclear, biological, chemical, or radiological attack.*

GSA provides additional information on the Disaster Recovery Purchasing Program website at <http://www.gsa.gov/disasterrecovery>.

State and local governments can find a list of contractors on GSA's website, <http://www.gsaelibrary.gsa.gov>, denoted with a  or  symbol.

Assistance is available from GSA on the Cooperative Purchasing and Disaster Purchasing Program at the local and national levels. For assistance at the local level, visit <http://www.gsa.gov/csd> to find a local customer service director in your area. For assistance at the national level, contact Tricia Reed at [tricia.reed@gsa.gov](mailto:tricia.reed@gsa.gov), (571) 259-9921. More information is available on all GSA State and local programs at: [www.gsa.gov/stateandlocal](http://www.gsa.gov/stateandlocal).

- 4. Homeland Security Preparedness Technical Assistance Program.** The Homeland Security Preparedness Technical Assistance Program (HSPTAP) provides direct support assistance on a first-come, first-served basis (and subject to the availability of funding) to eligible organizations to enhance their capacity and preparedness to prevent, protect against, respond to, and recover from terrorist and

all hazard threats. In addition to the risk assessment assistance already being provided, FEMA also offers a variety of other direct support assistance programs.

More information can be found at [http://www.fema.gov/about/divisions/pppa\\_ta.shtm](http://www.fema.gov/about/divisions/pppa_ta.shtm).

- 5. Lessons Learned Information Sharing (LLIS) System.** LLIS is a national, online, secure website that houses a collection of peer-validated lessons learned, best practices, AARs from exercises and actual incidents, and other relevant homeland security documents. LLIS facilitates improved preparedness nationwide by providing response professionals with access to a wealth of validated front-line expertise on effective planning, training, equipping, and operational practices for homeland security.

The LLIS website also includes a national directory of homeland security officials, as well as an updated list of homeland security exercises, events, and conferences. Additionally, LLIS includes online collaboration tools, including secure email and message boards, where users can exchange information. LLIS uses strong encryption and active site monitoring to protect all information housed on the system. The LLIS website is <https://www.llis.gov>.

- 6. Information Sharing Systems.** FEMA encourages all State, regional, local, and Tribal entities using FY 2009 funding in support of information sharing and intelligence fusion and analysis centers to leverage available Federal information sharing systems, including Law Enforcement Online (LEO) and the Homeland Security Information Network (HSIN). For additional information on LEO, contact the LEO Program Office at [leoprogramoffice@leo.gov](mailto:leoprogramoffice@leo.gov) or (202) 324-8833. For additional information on HSIN and available technical assistance, contact the HSIN Help Desk at (703) 674-3003.

## PART VIII.

# OTHER INFORMATION

### ***The Domestic Nuclear Detection Office (DNDO)***

The DNDO is the primary agency within the U.S. Government responsible for developing the global nuclear detection architecture, acquiring and supporting the deployment of the domestic detection system to detect and reporting attempts to import or transport a nuclear device or fissile or radiological material, intended for illicit use. The DNDO is conducting both evolutionary (near-term) and transformational (long-term) research, development, test, and evaluation (RDT&E) programs to improve the Nation's capabilities for detection, identification, and reporting of rad/nuc materials. By integrating RDT&E programs with operational support responsibilities, DNDO will ensure technologies are appropriately deployed, with training materials and well-developed operational response protocols. Working with Federal, State, local, and tribal partners, DNDO has piloted initial training programs and developed detection alarm protocols that can be customized for specific operational missions.

The DNDO believes that a layered defense incorporating a variety of detection capabilities ensures the greatest probability of detection for radioactive substances entering and transported within the country. This layered detection strategy should include detection equipment and facilities that are specifically chosen based on the local operating environment.

While these technologies are a critical tool to combat terrorism, the nuclear threat is not one that can be effectively countered by technology alone. Accordingly, DNDO supports the development of comprehensive preventative rad/nuc detection (PRND) capabilities across State, local and tribal entities by developing the necessary training, exercise support, equipment test reports, information sharing capabilities, and program tools to create a fully integrated operating environment. These resources include: providing technical reachback support to Federal, State, local and tribal operators; development of standardized training curricula and response protocols; conducting comprehensive assessments of existing technologies to inform application and acquisition; providing program development tools and guidance for immediate application by policy makers and operators; and the development of a robust national situational awareness and analysis capability through the Joint Analysis Center. Such resources can be used by State, local and tribal entities to build or enhance a comprehensive PRND program, or to develop specific PRND in areas such as commercial vehicle inspection, special events screening, small maritime craft monitoring, and fixed infrastructure protection.

More information is available on the DNDO website:

[http://www.dhs.gov/xabout/structure/qc\\_1192453550101.shtm](http://www.dhs.gov/xabout/structure/qc_1192453550101.shtm).

### ***Requirements Specific to For-Profit Entities***

For-profit organizations are eligible to apply for funding under the ARRA PSGP. The following requirements apply specifically to for-profit entities receiving Federal funding from FEMA.

1. Recipients of ARRA PSGP funds must comply with the contract cost principles as defined in the Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations
2. For purposes of financial and procedural administration of the ARRA PSGP, recipients must comply with 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110).
3. Recipient of ARRA PSGP funds agree that this award may be terminated in accordance with 2 CFR Part 215.61. If the Federal Government determines that a grant will be terminated, it will be carried out in accordance with the process specified in Part 49 of the FAR.
4. Recipients of ARRA PSGP funds may not make a profit as a result of this award or charge a management fee for the performance of this award.
5. Recipients of ARRA PSGP funds must have a financial audit and compliance audit performed by qualified individuals who are organizationally, personally, and externally independent from those who authorize the expenditure of federal funds. This audit must be performed in accordance with the United States General Accountability Office Government Auditing Standards. The audit threshold contained in OMB Circular A-133 applies. This audit must be performed on a program-wide basis to ascertain the effectiveness of financial management systems and internal procedures that have been established to meet the terms and conditions of the award. The management letter must be submitted with the audit report. Recipient audit reports must be submitted no later than nine (9) months after the close of each fiscal year during the term of the award. The distribution of audit reports shall be based on requirements in the current edition of 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110).  
Note: If your audit disclosed findings or recommendations, you must include with your audit report a corrective action plan containing the following: (1) The name and number of the contact person responsible for the corrective action plan; (2) specific steps taken to comply with the recommendations; (3) a timetable for performance or implementation dates for each recommendation; and (4) descriptions of monitoring to be conducted to ensure implementation.

## ***Helpful Hints for Applicants***

Read the guidance.

Are the following components included in the application package?

- SF424, SF424A, SF424B, SF424C (if applicable), SF424D (if applicable), SFLLL
- Investment Justifications for projects
- Detailed Budgets containing only allowable costs
- Memorandum of Understanding/Memorandum of Agreement (if applicable)

Are the following items addressed within the Investment Justification (IJ) narratives and detailed budgets?

- Do the IJ and the detailed budget include only allowable costs?
- Are all of the expenses in the detailed budget addressed in the IJ narrative? (for example, a camera equipment budget line item should be addressed in narrative form in the investment justification as it pertains to the overall security program)
- Does the information in the detailed budget align with the budget summary in the IJ narrative?
- Do the IJs clearly explain how the projects address one or more of the funding priorities?
- Do the IJs describe current capabilities similar to the proposed investments?
- Do the IJs detail the value that each investment has in reducing the risk?
- Is the cost effectiveness of each project clearly explained in the IJs? How do the projects provide a high security return on investment?
- Are timelines realistic and detailed?
- Does the M&A total no more than three percent (3%) of the total project cost?