



U.S. DEPARTMENT OF HOMELAND SECURITY

**FISCAL YEAR 2009**

**AMERICAN RECOVERY AND REINVESTMENT ACT OF  
2009**

**TRANSIT SECURITY GRANT PROGRAM**

**GUIDANCE AND APPLICATION KIT**

**MAY 2009**



U.S. DEPARTMENT OF HOMELAND SECURITY

**Title of Opportunity:** FY 2009 ARRA Transit Security Grant Program (TSGP)

**Funding Opportunity Number:** DHS-09-GPD-113-2199 (Capital Projects)  
DHS-09-GPD-113-2231 (Law Enforcement)

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

**Announcement Type:** Initial

**Dates:** Completed applications for Operational Packages must be submitted **no later than 11:59 PM ET, June 15, 2009**. Completed applications for Capital Projects must be submitted **no later than 11:59 PM ET, June 29, 2009**. **Agencies applying for both programs MUST submit separate applications by the respective deadlines.**

**Additional overview information:**

The American Recovery and Reinvestment Act of 2009 (ARRA) has provided funding to the Transit Security Grant Program (TSGP). Changes from previous years announcements for non-ARRA awards are summarized below

**Eligible Uses of Funds**

Public Law (P.L.) 111-5, also known as The American Recovery and Reinvestment Act of 2009, allocates \$150,000,000 for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L.110-53; 6 U.S.C. 1135 and 1163). These funds are intended to preserve and create jobs across the nation through projects that can be implemented quickly. Based on those considerations, the following project types are eligible:

- **Priority 1a Operational Packages:** Hiring of transit law enforcement officers to enhance visible, unpredictable deterrence efforts in transit (e.g., K-9 teams, mobile screening teams, and Anti-Terrorism teams)
- **Priority 1b Support and Equipment for Operational Packages:** Related support and equipment costs for new officers/capability
- **Priority 2 Shovel Ready Capital Projects for Asset Hardening:** Capital Projects including Multi-User High-Density Key Infrastructure Protection, Single-User High-Density Key Infrastructure Protection, Key Operating Asset Protection, and Other Mitigation Activities that can certifiably begin within 90 days of release of funds and will be completed within 24 months from the release of funds date. Failure to meet the 90 day requirement may result in a loss of ARRA TSGP funding for the specific project.
- **Priority 3 Other Security Projects:** Capital Projects including Multi-User High-Density Key Infrastructure Protection, Single-User High-Density Key Infrastructure Protection, Key Operating Asset Protection, and Other Mitigation Activities

The application process for the above project types will be streamlined, as described further in this application kit.

**Eligibility Requirements for Operational Packages (Priority 1)**

Eligibility is determined based on the number of authorized sworn positions for transit agency police departments and law enforcement agencies with dedicated transit

bureaus. Eligible transit agencies and request thresholds were determined by the following transit police force or law enforcement provider characteristics:

- Transit police forces or law enforcement provider must have at least 100 authorized sworn positions dedicated to transit security.
- Funding requests are limited to no more than five percent (5%) of the force's current authorized sworn positions and the associated support equipment requests are based on number of officers requested.

Law enforcement agencies with dedicated transit bureaus are eligible through the transit agency they provide security for; the transit agency itself is the grantee, and as such must apply on behalf of the law enforcement agency. **Security service providers with unsworn law enforcement officers or guards are not eligible.**

Consistent with the FY 2009 TSGP, awards for ARRA funding will be made directly to transit agencies. As such, transit agencies will be responsible for submitting their own applications through the *grants.gov* website by the application submission deadlines discussed in this grant guidance. Additionally, recipients will be responsible for submission of all financial and programmatic reports, awarding funds to and monitoring activities of subrecipients, to include law enforcement agencies that provide security for the transit system.

#### ***Pre-Approved Operational Packages Costs***

To request funds to hire new law enforcement officers into transit police departments and police departments with dedicated transit bureaus and acquire the anti-terrorism specific equipment to support those positions, eligible applicants must submit a detailed budget form. Cost elements for the Operational Packages have been pre-approved to facilitate the application process, and these costs are outlined in Part VIII of this guidance. Pre-approved costs include a regionally-adjusted fixed price per officer (average of \$85,000 per officer per year for a three-year period of performance) and fixed prices for the training and equipment to support those officers for the operational package requested (canine teams, visible intermodal prevention and response teams, and mobile screening teams). Costs assume one officer per canine team, four officers per Anti-Terrorism team, and 4 officers per mobile screening team. This approach is intended to simplify the application process so funds can be requested, reviewed, and awarded quickly. Further, there will be a ceiling on the amount each transit system can request in operational funds. This amount can not exceed a 5% increase of the number of authorized sworn positions in the transit bureau as of January 1, 2009.

#### ***Eligibility Requirements for Shovel Ready Capital Projects for Asset Hardening***

To qualify for a Priority 2 Project, Shovel Ready Capital Projects for Asset Hardening, applicants must certify that the project can begin within 90 days of the release of funds. Applicants must also certify that the project will be completed within 24 months of the release of funds date. This is intended to fund construction projects that can quickly create job opportunities. Failure to meet the 90 day requirement may result in a loss of ARRA TSGP funding for the specific project. As part of this fast-tracked process, applicants must submit all required Environmental and Historic Preservation (EHP) documentation, a construction schedule, a full construction budget as outline in the Standard Form 424-C, and budget detail worksheet at the time of application. Failure to provide the documentation listed above will result in the project being considered under Priority 3.

***Grant Period of Performance***

The period of performance for ARRA TSGP will be 36 months.

***Cost Sharing Requirements***

Consistent with the 2009 TSGP, there is no cost share requirement for the ARRA TSGP.

# CONTENTS

Contents.....	4
Part I. FUNDING OPPORTUNITY DESCRIPTION.....	5
Part II. AWARD INFORMATION .....	8
Part III. ELIGIBILITY INFORMATION .....	9
A. Eligible Applicants.....	9
B. Cost Sharing .....	12
C. Restrictions .....	12
D. Other .....	12
Part IV. APPLICATION AND SUBMISSION INFORMATION.....	13
A. Address to Request Application Package.....	13
B. Content and Form of Application .....	13
C. Submission Dates and Times .....	23
D. Funding Restrictions .....	24
Part V. APPLICATION REVIEW INFORMATION .....	32
A. Review Criteria.....	32
B. Review and Selection Process .....	32
C. Anticipated Announcement and Award Dates .....	35
Part VI. AWARD ADMINISTRATION INFORMATION .....	36
A. Notice of Award .....	36
B. Administrative and National Policy Requirements .....	36
C. Reporting Requirements .....	54
D. Additional ARRA Reporting and Compliance Requirements.....	56
Part VII. FEMA CONTACTS.....	61
Part VIII. OTHER INFORMATION .....	64

## PART I.

# FUNDING OPPORTUNITY DESCRIPTION

The American Recovery and Reinvestment Act (ARRA) Transit Security Grant Program (TSGP) is authorized by the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) and the *Implementing Recommendations of the 9/11 Commission Act of 2007* (P.L. 110-53) (the 9/11 Act).

ARRA TSGP will focus on the use of visible, unpredictable deterrence through the funding of Operational Packages for canine teams, mobile explosives detection screening teams, and Anti-Terrorism teams both due to their effectiveness in reducing risk to transit systems and their potential for job creation. In addition, funding will be provided for capital projects including Multi-User High-Density Key Infrastructure Protection, Single-User High-Density Key Infrastructure Protection, Key Operating Asset Protection, and Other Mitigation Activities as outlined in Table 1.

### **Fast Track Operational Packages (OPacks)**

The allowance of operational expenses continues the initiative introduced with the FY 2007 TSGP Supplemental, and applies exclusively to counterterrorism activities. OPack funds may not be used to supplant existing agency programs already supported by the agency. OPack funds may only be used for **new capabilities/programs**. OPack capabilities must be funded on a full-time basis, only for their intended purposes in line with the capabilities and functions detailed within this guidance.

Operational costs were introduced as an allowable expense element with the FY 2007 TSGP Supplemental and since then have been a priority of the TSGP. The use of visible and unpredictable law enforcement operations, including Anti-Terrorism teams, canine explosive detection teams and mobile screening, has proven successful as an anti-terrorism security measure. The transit police force increased funding through ARRA TSGP funding would be principally for mobile screening, canine teams, train/bus sweeps, transit system surges and counter-surveillance teams.

In order to ease the administrative burden associated with submitting an application, a fast track OPacks option is available to eligible agencies based on pre-priced costs. Eligible applicants must submit a request for fast track OPacks by using the pre-priced costs outlined in Part VIII. Eligible applicants should use these approved costs to determine the amount of funding that they are eligible to apply for through the grant process for personnel and equipment costs, depending on the transit police force size and the type of operational package requested (canine teams, Anti-Terrorism teams, and explosive detection teams). Applicants should ask for the exact amount of funds specified to ensure compliance with preapproved costs, and to expedite the award process. Additional requests above the preapproved amount will not be funded.

More information on the pre-priced OPacks can be found in Part VIII.

In addition to the pre-priced Fast-Track Operational Packages, funding will be provided for capital projects as noted in the project effectiveness groups listed below.

**Project Effectiveness Groups**

DHS has identified several different project types, and grouped them into prioritized groups based on their effectiveness to reduce risk and alignment with Departmental priorities. There are three project priorities for ARRA TSGP

**Table 1: Priority 1 – Operational Packages**

Project Description	Project Types
Operational Packages	<ul style="list-style-type: none"> <li>• Operational Packages               <ul style="list-style-type: none"> <li>○ Canine Teams</li> <li>○ Mobile Explosives Screening Teams</li> <li>○ Anti-Terrorism Teams</li> </ul> </li> </ul>

**Table 2: Priority 2 – Shovel Ready Capital Projects for Asset Hardening**

Project Description	Project Types
Shovel Ready Asset Hardening	Anti-terrorism security enhancement measures, such as intrusion detection, visual surveillance with live monitoring, alarms tied to visual surveillance system, recognition software, tunnel ventilation and drainage system protection, flood gates and plugs, portal lighting, and similar hardening actions for: <ul style="list-style-type: none"> <li>• Tunnel Hardening</li> <li>• High-Density Elevated Operations</li> <li>• Multi-User High-Density Stations</li> <li>• Hardening of Supervisory Control And Data Acquisition (SCADA) systems</li> </ul>
	<ul style="list-style-type: none"> <li>• Anti-terrorism security enhancement measures for:               <ul style="list-style-type: none"> <li>○ High-Density Stations</li> <li>○ High-Density Bridges</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>• Physical Hardening/Security of Control Centers</li> <li>• Secure stored/parked trains, engines, and buses               <ul style="list-style-type: none"> <li>○ Bus/Rail Yards</li> </ul> </li> <li>• Maintenance Facilities</li> </ul>

***Eligibility Requirements for Shovel Ready Capital Projects for Asset Hardening***

To qualify for a Priority 2 Project, Shovel Ready Capital Projects for Asset Hardening, applicants must certify that the project can begin within 90 days of the release of funds. Applicants must also certify that the project will be completed within 24 months of the release of funds date. Failure to meet the 90 day requirement may result in a loss of ARRA TSGP funding for the specific project. This is intended to fund construction projects that can quickly create job opportunities. As part of this fast-tracked process, applicants must submit all required Environmental and Historic Preservation (EHP) documentation, a construction timeline, Standard Form 424-C, and a budget detail worksheet at the time of application. Failure to provide the documentation listed above will result in the project being considered under Priority 3.

**Table 3: Priority 3 – Other Security Projects**

Project Effectiveness Group Score	Project Effectiveness Group Description	Project Types
4	Multi-User High-Density Key Infrastructure Protection	<p>Anti-terrorism security enhancement measures, such as intrusion detection, visual surveillance with live monitoring, alarms tied to visual surveillance system, recognition software, tunnel ventilation and drainage system protection, flood gates and plugs, portal lighting, and similar hardening actions for:</p> <ul style="list-style-type: none"> <li>● Tunnel Hardening</li> <li>● High-Density Elevated Operations</li> <li>● Multi-User High-Density Stations</li> <li>● Hardening of SCADA systems</li> </ul>
3	Single-User High-Density Key Infrastructure Protection	<ul style="list-style-type: none"> <li>● Anti-terrorism security enhancement measures for: <ul style="list-style-type: none"> <li>○ High-Density Stations</li> <li>○ High-Density Bridges</li> </ul> </li> </ul>
2	Key Operating Asset Protection	<ul style="list-style-type: none"> <li>● Physical Hardening/Security of Control Centers</li> <li>● Secure stored/parked trains, engines, and buses <ul style="list-style-type: none"> <li>○ Bus/Rail Yards</li> </ul> </li> <li>● Maintenance Facilities</li> </ul>
1	Other Mitigation Activities	<ul style="list-style-type: none"> <li>● Interoperable Communications<sup>1</sup></li> <li>● Anti-terrorism security enhancement measures for low-density stations</li> </ul>

The sample project types are not comprehensive and projects not listed may be eligible for funding if they fall into one of the project effectiveness group descriptions. Project types that are not in Project Effectiveness Priority Groups 1-4 will not be considered for funding under the FY 2009 ARRA TSGP.

**ARRA TSGP Program Management: Roles and Responsibilities at DHS**

Within the Department of Homeland Security (DHS), the Transit Security Administration (TSA) manages the Department’s transportation security programs and provides oversight for security of the transit industry. TSA provides transit system subject matter expertise within DHS and determines the primary security architecture for the TSGP program. TSA’s subject matter experts have the lead in crafting the selection criteria associated with the application review process. TSA coordinates daily with the DHS Chief Intelligence Officer to review intelligence reporting and craft intelligence risk assessments related to the transportation sector.

The Federal Emergency Management Agency (FEMA) manages the Department’s core funding programs, including this grant program. 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 TSGP.

A list of eligible applicants for all allowable uses of funds can be found in Table 4.

<sup>1</sup> Additional information on interoperable communications is included in the FY 2009 SAFECOM Recommended Guidance for Federal Grant Programs, which can be found on: <http://www.safecomprogram.gov/SAFECOM/grant/default.htm>

## PART II.

# AWARD INFORMATION

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

### ***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***

The total amount of funds distributed under the ARRA TSGP will be \$150,000,000. Up to \$100,000,000 will be available for Operational Packages as outlined in Table 1, and at least \$50,000,000 will be available for capital projects as outlined in Tables 2 and 3. All eligible applicants are summarized in Table 4.

## PART III.

# ELIGIBILITY INFORMATION

### A. Eligible Applicants

Potential agencies eligible for the ARRA TSGP funding were first identified using a comprehensive, empirically-grounded risk analysis model. The risk methodology for the TSGP is consistent across modes and is linked to the risk methodology used to determine eligibility for the core DHS State and local grant programs.

The 9/11 Act sets a requirement for eligibility that agencies have either undergone a security assessment by DHS or developed a security plan. In order to be eligible for the ARRA TSGP, transit agencies must have either undergone a security assessment conducted by DHS, such as the Baseline Assessment for Security Enhancement (BASE) program security assessment performed by TSA Transportation Security Inspectors-Surface, or developed and/or updated their security plan, within the last **three years**.

Public transit agencies eligible under the ARRA TSGP are listed in Table 4. Entities providing transit security (e.g., city/county police department, transit agency's own police department) for a transit agency must approve the security plan. The signature of a responsible official from the agency's transit security provider serves as this approval. If there is more than one provider in the core service area, all transit security providers must review and concur with the plan. Security plans and associated documentation of this approval must be provided to DHS upon request.

Transit agencies eligible for Operational Packages must meet the following transit police force or law enforcement provider characteristics:

- Transit police forces or law enforcement providers must employ at least 100 authorized positions dedicated to transit security as of January 1, 2009.
- Funding requests are limited to no more than 5% of the force's current authorized sworn positions and the associated support equipment requests are based on number of officers requested.

Law enforcement agencies with dedicated transit bureaus are eligible through the transit agency they provide security for; the transit agency itself is the grantee, and as such must apply on behalf of the law enforcement agency.

**Table 4: Eligible Transit Agencies and Law Enforcement Agencies**

State	Urban Area	Eligible System	Transit Security Provider*
N/A	N/A	AMTRAK	AMTRAK Police Department
CA	Bay Area	Alameda-Contra Costa Transit District (AC Transit)	Alameda County Sheriff's Office Contra Costa County (CA) Office of the Sheriff
		Altamont Commuter Express (ACE)	
		Bay Area Rapid Transit (BART)	BART Police Department
		Central Contra Costa Transit Authority	
		Golden Gate Bridge, Highway and Transportation District	
		Transbay Joint Powers Authority	
		Peninsula Corridor Joint Powers Board (Caltrain)	
		San Francisco Municipal Railway (MUNI)	San Francisco Police Department
		San Mateo County Transit Authority (SamTrans)	
	Santa Clara Valley Transportation Authority (VTA)		
	Greater Los Angeles Area (Los Angeles/Long Beach and Anaheim/Santa Ana UASI Areas)	City of Los Angeles Department of Transportation	
		Foothill Transit	
		Long Beach Transit	
		Los Angeles County Metropolitan Transportation Authority	Los Angeles Sheriff's Department
		Montebello Bus Lines	
		Omnitrans (San Bernardino)	
		Orange County Transportation Authority (OCTA)	Orange County Sheriff's Department
Santa Monica's Big Blue Bus			
DC/MD/VA	Greater National Capital Region (National Capital Region and Baltimore UASI Areas)	Southern California Regional Rail Authority (Metrolink)	
		City of Alexandria (Alexandria Transit Company)	
		Fairfax County Department of Transportation	
		Maryland Transit Administration (MTA)	Maryland MTA Police Department
		Montgomery County Department of Transportation	
		Potomac and Rappahannock Transportation Commission	
		Prince George's County Department of Public Works and Transportation	
		Virginia Railway Express (VRE)	
		Washington Metropolitan Area Transit Authority	Metro Transit Police Department
		GA	Atlanta Area
Metropolitan Atlanta Rapid Transit Authority (MARTA)	MARTA Police Department		
IL/IN	Chicago Area	Chicago Transit Authority (CTA)	Chicago Police Department
		Northeast Illinois Commuter Railroad Corporation (METRA)	METRA Police Department
		Northern Indiana Commuter Transportation District (NICTD)	
		PACE Suburban Bus	
MA	Boston Area	Massachusetts Bay Transportation Authority (MBTA)	MBTA Transit Police Department
		Connecticut Department of Transportation	
NY/NJ/CT	New York City/Northern New Jersey Area (New York City and Jersey City/Newark UASI Areas)	Connecticut Transit (Hartford)	
		Connecticut Transit New Haven Division	
		Metropolitan Transportation Authority (MTA) New York City Transit (Subway)	New York City Police Department (NYPD)
		MTA Long Island Bus	
		MTA New York City Transit (Bus)	New York City Police Department (NYPD)
		MTA Bus	MTA Police Department
		MTA Suburban Bus Authority	MTA Police Department
		MTA Metro-North Commuter Railroad Company	MTA Police Department
		MTA Long Island Railroad	MTA Police Department
		New Jersey Transit Corp. (NJT)	NJT Police Department
		Port Authority of New York and New Jersey (PANYNJ)	Port Authority Police Department
		Westchester County Department of Transportation	
PA/NJ	Philadelphia Area	Delaware River Port Authority (DRPA)	
		Delaware Transit Corporation	
		Southeast Pennsylvania Transportation Authority	SEPTA Police Department
		Pennsylvania Department of Transportation	
		New Jersey Transit	NJT Police Department

State	Urban Area	Eligible System
AZ	Phoenix Area	City of Phoenix Public Transit Department
		Valley Metro Regional Public Transportation Authority (Valley Metro)
	Tucson Area	City of Tucson Transit
CA	Fresno Area	Fresno Area Express
	Sacramento Area	Sacramento Regional Transit District
	San Diego Area	North San Diego County Transit District (NCTD)
San Diego Metropolitan Transit System (MTS)		
CO	Denver Area	Regional Transportation District
FL	Jacksonville Area	Jacksonville Transportation Authority
	Miami/Fort Lauderdale Area (Miami and Fort Lauderdale UASI)	Broward County Division of Mass Transit
		Miami-Dade Transit
		South Florida Regional Transportation Authority (Tri-Rail)
	Orlando Area	Central Florida Regional Transportation Authority
Tampa Area	Hillsborough Area Regional Transit Authority (HART)	
	Pinellas Sun Coast Transit Authority	
HI	Honolulu Area	City and County of Honolulu Department of Transportation Services
IL	Urbana-Champaign Area	Champaign-Urbana Mass Transit District
IN	Indianapolis Area	Indianapolis Public Transportation Corporation
KY	Louisville Area	Transit Authority of River City
LA	New Orleans Area	Jefferson Parish Department of Transportation
		New Orleans Regional Transit Authority (NORTA)
MA	Springfield Area	Pioneer Valley Transit Authority
MI	Detroit Area	City of Detroit Department of Transportation
		Detroit Transportation Corporation
		Suburban Mobility Authority for Regional Transportation
Lansing Area	Capital Area Transportation Authority	
MN	Twin Cities Area	Metro Transit
MO	Kansas City Area	Kansas City Area Transportation Authority
	St. Louis Area	Bi-State Development Agency (Metro)
Madison County Transit District		
NM	Albuquerque Area	Sun Tran of Albuquerque
NV	Las Vegas Area	Regional Transportation Commission of Southern Nevada
	Reno	Regional Transportation Commission of Washoe County
NY	Albany Area	Capital District Transportation Authority
	Buffalo Area	Niagara Frontier Transportation Authority
	Rochester Area	Rochester Genesee Regional Transportation Authority
NC	Charlotte Area	Charlotte Area Transit System (CATS)
OH	Cincinnati Area	Southwest Ohio Regional Transit Authority
		Transit Authority of Northern Kentucky
	Cleveland Area	The Greater Cleveland Regional Transit Authority
	Columbus Area	Central Ohio Transit Authority
Dayton Area	Greater Dayton Regional Transit Authority	
OR	Portland Area	Clark County Public Transportation Benefit Area (C-TRAN)
		Tri-County Metropolitan Transportation District (Tri-Met)
	Eugene Area	Lane Transit District
PA	Pittsburgh Area	Port Authority of Allegheny County
PR	San Juan Area	Metropolitan Bus Authority
		Puerto Rico Highway and Transportation Authority (heavy rail)
RI	Providence Area	Rhode Island Public Transit Authority
TN	Memphis Area	Memphis Area Transit Authority
	Nashville Area	Nashville Metropolitan Transit Authority
TX	Austin Area	Capital Metropolitan Transportation Authority
	Dallas/Fort Worth/Arlington Area	Dallas Area Rapid Transit (DART)
		Fort Worth Transportation Authority (The T)
		Trinity Railway Express (TRE)
	Houston Area	Metropolitan Transit Authority of Harris County
El Paso Area	Mass Transit Department City of El Paso	
San Antonio Area	VIA Metropolitan Transit	
UT	Salt Lake City Area	Utah Transit Authority
VA	Norfolk Area	Hampton Roads Transit
	Richmond Area	Greater Richmond Transit Company

State	Urban Area	Eligible System
WA	Seattle Area	Central Puget Sound Regional Transit Authority (Sound Transit)
		King County Department of Transportation
		Pierce County Public Transportation Benefit Area Corporation (Pierce Transit)
		Snohomish County Transportation Benefit Area Corporation (Community Transit)
	Spokane Area	Spokane Transit Authority
WI	Madison Area	Madison Metro Transit
	Milwaukee Area	Milwaukee County Transit System

## B. Cost Sharing

In alignment with the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009* (P.L.110-329), applicants for the ARRA TSGP will not be required to provide a cost share.

## C. Restrictions

Please see Part IV., Section D 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 a FEMA Information Bulletin when it is available.

## General Requirements

The applicable eligible transit systems will be responsible for administration of the ARRA TSGP. In administering the program, the eligible transit system(s) must comply with the following general requirements:

- 1. Management and Administration limits.** A maximum of three percent (3%) of funds awarded may be retained by the eligible transit agency. Any funds retained are to be used solely for management and administrative purposes associated with the ARRA TSGP award.
- 2. Operating Cost Restrictions.** The 9/11 Act limits how funds can be used for certain operating projects, especially those projects which include operational costs associated with security and counter-terrorism duties. Not more than thirty percent (30%) of the funds available for this grant program appropriated for the entire fiscal year may be used for "Operating uses" as outlined in the 9/11 Act, Section 1406(b)(2)<sup>2</sup>. More information regarding this limitation is provided in Part IV Section D.

<sup>2</sup> 9/11 Act (Public Law 110-53), Section 1406(m)(1)(C)

## 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 on the cover of 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:

- Detailed Budget Worksheet
- Investment Justification, if applicable
- 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 Rail and Transit Security Grant Program." The CFDA number is **97.113**.

**2. 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://www.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.

**3. 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).

**4. Vulnerability Assessment and Security Plan Certification** (if applicable).

A transit agency must have a current (updated within the last three years) vulnerability assessment and security plan in order to apply for other projects. Agencies must certify that they have a current vulnerability assessment and security plan using the certification statement below and provide with their application.

I, [insert name], as [insert title] of [insert name of transit agency], certify that a security evaluation preparedness plan has been developed or updated for my system within the last three years, and has the approval of the transit agency's primary security provider.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Transit Agency)

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Primary Security Provider)

**5. Level of Authorized Sworn Personnel Dedicated to Transit Certification** (if applicable).

Transit police forces or law enforcement providers must certify they employ at least 100 authorized positions dedicated to transit security as of January 1, 2009, and provide this certification with their application.

**6. Certification of shovel ready capability** (if applicable) Applicants for Priority 2 projects must certify that the Capital Asset Hardening Project(s) are shovel ready and can begin within 90 days of release of funds. The applicant must also certify that the projects will be finished within 24 months from the release of funds date. Failure to meet the 90 day requirement may result in a loss of ARRA TSGP funding for the specific project. As part of this fast-tracked process, applicants must submit all required Environmental and Historic Preservation (EHP) documentation, a construction timeline, Standard Form 424-C, and a budget detail worksheet at the time of application. Failure to provide the documentation listed above will result in the project being considered under Priority 3.

**7. Investment Justification.** As part of the FY 2009 ARRA TSGP 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 DHS. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit.

Applicants may propose up to ten investments within their Investment Justification for individual systems and up to five investments for regional projects (regional projects are those involving two or more eligible systems within the region).

Investment Justifications must be submitted with the grant application as a file attachment within *grants.gov*. Applicants must use the following file naming convention when submitting the Investment Justifications as part of the FY 2009 ARRA TSGP:

**Investment Justification (through *grants.gov* file attachment)**  
 State\_Region\_IJ Number (Example: CO\_Denver\_IJ\_1)

**Investment Justification Template**

ARRA TSGP applicants must submit a complete investment justification for each proposed investment. The investment justification categories are:

- I. Background
- II. Strategic and Program Priorities
- III. Impact
- IV. Funding/Implementation Plan

Investment Heading	
Date	
State	
Urban Area	
Agency Name	
Investment Name	
Investment Phase	
Is this a Multi-Agency investment? If yes, which agencies?	
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/context for the investment(s) requested, but does not represent the evaluation criteria used by DHS for rating individual investment proposals.***

I.A. Identify the transit agency and that agency's point(s) of contact for this investment.	
Response Type	Narrative
Response Instructions	<p>For the transit agency (or lead agency) undertaking the investment, identify the following:</p> <ul style="list-style-type: none"> <li>• Point of contact's (POC) name and title;</li> <li>• POC's full mailing address;</li> <li>• POC's telephone number;</li> <li>• POC's fax number;</li> <li>• POC's email address; and,</li> <li>• Also include the corresponding information for the single authorizing official for your organization—i.e., the individual authorized to sign a grant award.</li> </ul>

Response:	
-----------	--

I.B. Describe the operating system for the transit agency undertaking this investment.	
Response Type	Narrative
Response Instructions	<p>For the transit agency (or lead agency) undertaking this investment, describe the following:</p> <ul style="list-style-type: none"> <li>• Infrastructure;</li> <li>• Ridership data;</li> <li>• Number of passenger miles;</li> <li>• Number of vehicles;</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; and,</li> <li>• Other sources of funding being leveraged for security enhancements</li> </ul>
Response	

I.C. Discuss the capabilities the transit agency already has in place, and the capabilities the transit agencies needs in the future.	
Response Type	Narrative
Response Instructions	<p>For the transit agency undertaking this investment, describe the following:</p> <ul style="list-style-type: none"> <li>• Discuss the efforts/capabilities the transit agency has in place to protect any underwater tunnel infrastructure from attacks involving IEDs: <ul style="list-style-type: none"> <li>○ Specific attention should be paid to any enhancements achieved as a result of FY05/06/07/08 TSGP funding;</li> </ul> </li> <li>• Discuss the efforts/capabilities the transit agency has in place for prevention, detection and response capabilities relative to IEDs and CBRN devices generally: <ul style="list-style-type: none"> <li>○ Specific attention should be paid to any enhancements in these capabilities achieved as a result of FY05/06/07/08 TSGP funding;</li> </ul> </li> <li>• Discuss the efforts/capabilities the transit agency has in place for visible and unpredictable deterrence: <ul style="list-style-type: none"> <li>○ Specific attention should be paid to any enhancements in these efforts achieved as a result of FY05/06/07/08 TSGP funding;</li> </ul> </li> <li>• Discuss the efforts/capabilities the transit agency has in place for additional high consequence risk mitigation efforts, visible and unpredictable deterrent efforts. <ul style="list-style-type: none"> <li>○ Specific attention should be paid to any enhancements in these capabilities achieved as a result of FY05/06/07/08 TSGP funding;</li> <li>○ Please provide the following information: <ul style="list-style-type: none"> <li>▪ How many Anti-Terrorism teams do you currently operate? What is the composition of your Anti-Terrorism teams?</li> <li>▪ How many K-9 teams do you currently operate?</li> <li>▪ How many explosive detection teams do you currently operate?</li> </ul> </li> </ul> </li> <li>• Discuss what the transit agency needs in the future relative to protection of any underwater tunnel infrastructure from attacks involving IEDs;</li> <li>• Discuss what the transit agency needs in the future for prevention, detection and response capabilities relative to IEDs and CBRN</li> </ul>

	<p>devices (including sensors, canine units, etc.);</p> <ul style="list-style-type: none"> <li>• Discuss what the transit agency needs in the future for visible/unpredictable deterrence efforts; and,</li> </ul>
Response	

## II. Strategic and Program Priorities

II.A. Provide an abstract for this investment.	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> <li>• Describe what the project is, how it will be executed, and its purpose as it relates to the needs outlined in section I.C.</li> <li>• State which project effectiveness grouping the project falls under</li> <li>• Define the vision, goals, and objectives for the risk reduction, and summarize how the proposed investment will fit into the overall effort to meet the critical infrastructure security priorities (including integration into existing security protocols);</li> <li>• Describe the specific needs and/or resource limitations that need to be addressed;</li> <li>• Identify any potential partners and their roles and staffing requirements, and provide information on any existing agreements such as Memoranda of Understanding (MOU);</li> <li>• Identify specific equipment needs (e.g., number of facility cameras, number of security lights, amount of security fencing, etc.);</li> <li>• Describe progress made on the security project this investment will be completing, if applicable; and,</li> <li>• Reference use of prior year grant funds, if applicable</li> </ul> <p><i>Note: Ensure that details on purchases within this section match what is outlined in the detailed budget.</i></p>
Response	

II.B. Describe how this investment specifically addresses one or more of the project effectiveness groups identified in the current year's Grant Guidance, and how it addresses the agency's security plan and Regional Transit Security Strategy.	
Response Type	Narrative
Response Instructions	<p>Describe how the investment addresses one or more of the following:</p> <ul style="list-style-type: none"> <li>• Multi-user high-density key infrastructure protection</li> <li>• Single-user high-density key infrastructure protection</li> <li>• Key operating asset protection</li> <li>• Other Mitigation Activities</li> </ul> <p>Outline how the investment specifically addresses the transit agency's security plan and regional strategies.</p>
Response	

## III. Impact

III.A. Discuss how the implementation of this investment will decrease or mitigate risk. Describe how the project offers the highest risk reduction potential at the least cost. Include output and outcome metrics
---

Response Type	Narrative
Response Instructions	<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) in a cost effective manner by addressing the needs and priorities identified in earlier analysis and review;</li> <li>• Identify the nature of the risk and how the risk and need are related to show how addressing the need through this investment will also mitigate risk (e.g., reduce vulnerabilities or mitigate the consequences of an event); and,</li> <li>• Outline the expected, high-level impacts this investment is expected to attain or achieve if implemented, and potential negative impacts if the investment is not implemented.</li> </ul>
Response	

#### IV. Funding & Implementation Plan

IV.A. Investment Funding Plan.	
Response Type	Numeric and Narrative
Response Instructions	<ul style="list-style-type: none"> <li>• Complete the chart below to identify the amount of funding being requested for <u>this investment only</u>;</li> <li>• Funds should be requested by allowable cost categories (i.e., planning, organization, equipment, training, exercises, and management and administration.);</li> <li>• Applicants must make funding requests that are reasonable and justified by direct linkages to activities outlined in this particular investment; and,</li> <li>• Applicants must indicate whether additional funding (non-FY 2009 ARRA TSGP) will be leveraged for this investment.</li> </ul> <p><i>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 the next section of this document for a sample format.</i></p>
Response	

The following template illustrates how applicants should indicate the amount of ARRA TSGP funding required for the investment, how these funds will be allocated across the cost elements, and what non- ARRA TSGP funds will be utilized where appropriate:

	Federal Grant Request Total	Other Funding Sources Applied	Grand Total
<i>Operational Packages</i>			
<i>Equipment</i>			
<i>M&amp;A</i>			
<b>Total</b>			

IV.B. Discuss funding resources beyond this grant request that have been identified and will be leveraged to support the implementation and sustainment of this investment. Discuss your long-term sustainability plans for the investment after these grant funds have been expended, if applicable.	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> <li>• Give the expected total life-span for this investment if fully implemented and sustained through completion;</li> <li>• Discuss other funding sources (e.g., non-TSGP grant programs, public</li> </ul>

	<p>or private agreements, future fiscal year grants) that you plan on utilizing for the implementation and/or continued sustainment of this investment;</p> <ul style="list-style-type: none"> <li>• If no other funding resources have been identified, or if none are necessary, provide rationale as to why the requested FY 2009 ARRA TSGP funding is sufficient for the implementation and sustainment of this investment; and,</li> <li>• Investments will be evaluated on the extent to which they exhibit a likelihood of success, or continued success, without requiring additional Federal assistance. Investments will also be evaluated on if the transit agency provides a match.</li> </ul>
Response	

IV.C. Provide a high-level timeline, milestones and dates, for the implementation of this investment. <u>Up to 10 milestones</u> may be provided.	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> <li>• Only include major milestones that are critical to the success of the investment;</li> <li>• While up to 10 milestones may be provided, applicants should only list as many milestones as necessary;</li> <li>• Milestones are for this discrete investment – those that are covered by the requested FY 2009 ARRATSGP funds and will be completed over the 36-month grant period;</li> <li>• Milestones should be kept to high-level, major tasks that will need to occur;</li> <li>• Identify the planned start date associated with the identified milestone. The start date should reflect the date at which the earliest action will be taken to start achieving the milestone;</li> <li>• Identify the planned completion date when all actions related to the milestone will be completed and overall milestone outcome is met; and,</li> <li>• List any relevant information that will be critical to the successful completion of the milestone (such as those examples listed in the question text above).</li> </ul>
Response	

*Note: After completing each the template for each investment, applicants should review the information provided to ensure accuracy, particularly the Milestone Dates and the Investment Funding Plan.*

**Responsible Transit Security Provider  
Investment Justification Approval Form**

<b>Name of Investment Justification</b>	
Name	
Title	
Signature of Responsible Transit Agency Security Provider	
Name	
Title	

Signature of Transit Agency	
<b>Name of Investment Justification</b>	
Name	
Title	
Signature of Responsible Transit Agency Security Provider	
Name	
Title	
Signature of Transit Agency	
<b>Name of Investment Justification</b>	
Name	
Title	
Signature of Responsible Transit Agency Security Provider	
Name	
Title	
Signature of Transit Agency	
<b>Name of Investment Justification</b>	
Name	
Title	
Signature of Responsible Transit Agency Security Provider	
Name	
Title	
Signature of Transit Agency	
<b>Name of Investment Justification</b>	
Name	
Title	
Signature of Responsible Transit Agency Security Provider	
Name	
Title	
Signature of Transit Agency	

**8. Detailed Budget Worksheet.**

The Budget Detail Worksheet will be used to assist applicants in the preparation of the budget and budget narrative. Applicants may submit the budget and budget narrative using this form or in the format of choice (plain sheets, their 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.

**Sample Budget Detail Worksheet**

**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.

**Supply Items**

**Computation**

**Cost**

**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.

**Name of Consultant**

**Service Provided**

**Computation**

**Cost**

**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.)

**Item**

**Location**

**Computation**

**Cost**

**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.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
<b>TOTAL</b> _____		

**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>	_____	

**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 15, 2009** for Operational Packages and **no later than 11:59 PM ET, June 29, 2009** for Capital Projects. Late applications will neither be considered nor reviewed. Upon successful submission, a confirmation e-mail message

will be sent with a [grants.gov](https://www.grants.gov) tracking number, which is needed to track the status of the application.

**Agencies applying for both programs must submit separate applications.**

## **D. Funding Restrictions**

Specific investments made in support of the funding priorities discussed in this guidance generally fall into one of three allowable cost categories, with the following sub-categories:

1. Operating Uses of Funds:
  - a) Operational Activities and packages (OPacks) (e.g., salaries for K-9 teams, Anti-Terrorism teams, and mobile Screening Teams)
  - b) Training related to new capabilities for operational activities
2. Equipment Acquisition
  - a) Multi-User High-Density Key Infrastructure Protection
  - b) Single-User High-Density Key Infrastructure Protection
  - c) Key Operating Asset Protection
  - d) Other Mitigation Activities
3. Management and Administration

The 9/11 Act limits how funds can be used for certain operating projects, especially those projects which include operational costs associated with security and counter-terrorism duties. Not more than thirty percent (30%) of the funds appropriated for this grant program in FY 2009 may be used for “operating uses” as outlined in section 1406(b)(2) of the 9/11 Act which includes security training, exercises, public awareness campaigns, canine patrols, development of security plans, overtime reimbursement, and operational costs associated with security or counter-terrorism duties. Further, within the “operational costs” subcategory of “operating uses,” which includes reimbursement of State, local, and tribal governments for costs for personnel assigned to full-time or part-time security or counterterrorism duties related to public transportation, there is a limitation that grant funding used for this expense cannot total more than ten percent (10%) of the total grant funds received by a public transportation agency in any one year<sup>3</sup>. Projects funded under the ARRA TSGP must be consistent with the limitations imposed by the 9/11 Act.

### **The following provides additional guidance on allowable costs:**

**1. Operational Packages.** Three OPacks have been developed to support operational activities. These OPacks are available for funding to eligible transit systems listed in Table 2. Certain law enforcement agencies are also eligible as subrecipients of eligible transit systems. Transit systems that meet the eligibility requirements can apply for funding to support one or more of the three available OPacks through the hiring of new

---

<sup>3</sup> 9/11 Act (Public Law 110-53), Section 1406(b)(2)(G)

officers. DHS considers OPacks to be effective tactics for supporting the FY 2009 funding priorities for the ARRA TSGP.

DHS encourages transit systems and subgrantees to develop innovative layered approaches to enhance both the human and facility security on transit systems. Helping mass transit systems increase randomness, unpredictability, and ultimate effectiveness of monitoring and patrol in their security and terrorism prevention programs is critical to National transit security. Implementation of one of the three OPack modules supports these efforts. It is expected that OPack modules will be applied to address the Transit Security priorities. The following OPacks complement existing security systems and provide appropriate, practical, and cost-effective means of protecting assets.

#### **Explosives Detection Canine Teams (One officer per Canine Team)**

When combined with the existing capability of a transit security/police force, the added value provided through the addition of a canine team is significant. Explosives Detection Canine Teams are a proven, reliable resource to detect explosives and are a key component in a balanced counter-sabotage program. Canine teams also provide the added psychological deterrent achieved solely through their presence. Such operational efficiency can not be obtained through borrowed use of local police force-operated canine teams, as the needs of the local jurisdiction will always be their first priority. Therefore, the TSGP will provide funds to establish dedicated transit security/police force canine teams. Each canine team will be composed of one dog and one handler. Funds for these canine teams may **not** be used to fund drug detection and apprehension technique training. Only explosives detection training for the canine teams will be funded.

#### **Anti-Terrorism Teams (Four officers per Anti-Terrorism Team)**

The Anti-Terrorism Team capability provided through the OPack program will offer ARRA TSGP funding for dedicated transit Anti-Terrorism Team capability on a regular basis, rather than using Anti-Terrorism teams for the surge capacity provided by DHS in the past. The Anti-Terrorism Team initiative aligns with DHS' risk-based strategy in confronting terrorist threats to potentially vulnerable public transit systems. Anti-Terrorism teams do not supersede other local transit security forces; rather, they augment current capabilities with the unique strengths and expertise leveraged through the specialized skill sets possessed by each individual within the Anti-Terrorism team. Each Anti-Terrorism team may consist of four individuals, including two overt elements (e.g., uniformed transit sector law enforcement officer, canine team, mobile explosive screeners), and two discreet observer elements. Funds for these canine teams may **not** be used to fund drug detection and apprehension technique training. Only explosives detection training for the canine teams will be funded.

#### **Mobile Explosive Screening Team (Four officers per Mobile Screening Team)**

The Mobile Explosive Screening Team OPack will allow transit systems the flexibility to deploy combinations of trained individuals and technologies that will assist in making screening decisions where there are large numbers of individuals with hand carried items. This screening technology will be coupled with mobile explosive

screening technologies to resolve the problem of screening a large number of items and individuals.

### OPack Requirements

ARRATSGP OPack funds may only be used for new positions and cannot be used to pay for existing capabilities/programs (e.g. canine teams) already supported by the transit system. Non-supplanting restrictions apply. Additional clarification regarding OPack requirements are listed in Table 5 below:

**Table 5: OPack Requirements**

OPacks	Requirements
<b>Explosives Detection Canine Team</b>	<ul style="list-style-type: none"> <li>• Please refer to Page 29 for detailed information regarding Explosives Detection Canine Teams under the ARRA TSGP.</li> </ul>
<b>Anti-Terrorism Team</b>	<ul style="list-style-type: none"> <li>• Specific for the Canine Team within the Anti-Terrorism Team:</li> <li>• Each canine team, composed of one dog and one handler, must be certified by an appropriate, qualified organization</li> <li>• Canines should receive an initial basic training course and also weekly maintenance training sessions thereafter to maintain the certification</li> <li>• The basic training averages 10 weeks for the team, 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 United States Police Canine Association (USPCA), or the International Explosive Detection Dog Association (IEDDA) may be used to meet this requirement.</li> <li>• The individuals hired for the covert and overt elements must be properly trained law enforcement officers</li> <li>• Certifications should be on file with the grantee and must be made available to DHS upon request.</li> </ul>
<b>Mobile Explosives Screening Team</b>	<ul style="list-style-type: none"> <li>• Certifications should be on file with the grantee and must be made available to DHS upon request.</li> </ul>

### Allowable Expenses for OPacks

Table 6 identifies allowable expenses for the various OPacks. Please see the inserted footnotes for clarification of certain allowable costs.

**Table 6: Allowable Expenses for OPacks**

OPacks	Salary and Fringe Benefits	Training and Certification <sup>4</sup>	Equipment Costs	Purchase and Train a Canine	Canine Costs <sup>5</sup>
1. Explosives Detection Canine Team	✓	✓	✓	✓ <sup>6</sup>	✓
2. Anti-Terrorism Team	✓	✓	✓	✓	✓
3. Mobile Explosives Screening Team	✓	✓	✓ <sup>7</sup>		

The following uses of funds are eligible as they pertain to a specific operational package as detailed in Table 6:

- **Equipment Costs:** A comprehensive listing of allowable equipment categories and types is found on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) at <https://www.rkb.us/lists.cfm>. These costs include:
  - Explosive device mitigation and remediation equipment
  - Terrorism incident prevention equipment
  - Detection equipment

Unless otherwise noted, equipment must be certified that it meets required regulatory and/or DHS-adopted standards to be eligible for purchase using these funds. Equipment must comply with the OSHA requirement for certification of electrical equipment by a nationally recognized testing laboratory, and demonstrate compliance with relevant DHS-adopted standards through a supplier’s declaration of conformity 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.

A list of applicable standards is found at the following website: <http://rkb.mipt.org>. DHS adopted standards are found at <http://www.dhs.gov/xfrstresp/standards>.

- **Training Costs.** FY 2009 ARRA TSGP funds may be used for the following training activities **only as related to enhanced capability for canine teams, mobile explosives detection screening teams, and Anti-Terrorism teams.** Further, Training courses requested to support OPacks must be DHS-approved courses. For areas where there are no identified courses,

<sup>4</sup> Travel costs associated with training for personnel, handlers, and canines are allowable.

<sup>5</sup> Canine costs include but are not limited to: veterinary, housing, and feeding costs.

<sup>6</sup> Training specific to the detection of common explosives odors is allowable.

<sup>7</sup> Equipment and other costs can include but are not limited to: explosives detection; stainless steel search tables; consumables such as gloves, swabs, and alcohol; and land mobile radios.

transit agencies are encouraged to develop their own training programs, or see which other emergency management courses already offered may be adaptable to cover this subject area, subject to DHS-approval.

- **Training workshops and conferences.** Grant funds may be used to plan and conduct training workshops or conferences to include costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel and training plan development.
- **Certain full or part-time staff and contractors or consultants.** Full or part-time staff may be hired to support training-related activities. The services of contractors or consultants may also be procured by the State in the design, development, conduct and evaluation of CBRNE training. The applicant's formal written procurement policy or the Federal Acquisition Regulations must be followed.
- **Public Sector Overtime and backfill costs.** Payment of overtime expenses will be for work performed by award or sub-award employees of public agencies in excess of the established work week (usually 40 hours). Further, overtime payments and backfill costs associated with sending personnel to training are allowable, provided that it is DHS approved training. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or unit(s) of local government and has the approval of the State or the awarding agency, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (e.g., 1:00 pm to 5:00 pm), even though such work may benefit both activities.
- **Travel.** Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the training project(s) or for attending DHS-approved courses or DHS-sponsored technical assistance programs.
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the training project(s) (e.g., copying paper, gloves, tape, and non-sterile masks).
- **Other items.** These costs may include the rental of space/locations for planning and conducting training, badges, and similar materials.  
**Food and refreshments are not allowable costs.**

### **Specific Guidance for Explosives Detection Canine Teams (EDCT)**

When combined with the existing capability of a transit security/police force, the added value provided through the addition of a canine team is significant. Explosives Detection Canine Teams (EDCT) are a proven, reliable resource to detect explosives and are a key component in a balanced counter-sabotage program. Canine teams also provide the added psychological deterrent achieved solely through their presence. Such operational efficiency cannot be obtained through borrowed use of local police force-operated canine teams, as the needs of the local jurisdiction will always be their first

priority. Therefore, the ARRA TSGP will provide funds to establish dedicated transit security/police EDCTs. Funds for these canine teams may **not** be used to fund drug detection and apprehension technique training. Only explosives detection training for the canine teams will be funded.

Each EDCT, composed of one dog and one handler, must be certified by an appropriate, qualified organization. TSA Certified Explosives Detection Canine Teams will meet or exceed certification standards set by the TSA National Explosives Detection Canine Team Program (NEDCTP). Grantee EDCTs that do not participate in the NEDCTP will be required to certify annually under their respective agency, local and state regulations. The grantee will maintain certification, utilization and training data to show compliance in meeting or exceeding those guidelines set forth by the Scientific Working Group on Dog and Orthogonal Detection Guidelines (SWGDOG), formulated as of September 14, 2007, in addition to requirements set forth in the grant guidance.

The grantee will ensure that certified EDCTs are available to respond to the mass transit system 24 hours a day, 7 days per week on an on-duty or off-duty on call basis. If TSGP funded EDCTs are not available, other EDCTs (non-TSGP funded) may be utilized for this response. The intent is to provide maximum coverage during peak mass transit system operating hours, and to maintain the ability to promptly respond to threats that affect public safety or mass transit operations.

The grantee will ensure that a written plan, or standard operating policy and procedure (SOPP), exists that describes EDCT deployment policy to include visible and unpredictable deterrent efforts and on-call EDCTs rapid response times as dictated by the agency's SOPP. The plan must be made available to TSA upon request.

EDCTs under this grant are single purpose and will be trained to detect "live" not "simulated" explosives only. EDCTs must not have received previous training to detect any other substances.

The grantee will ensure that each EDCT receives on-site proficiency training at a minimum of four (4) hours per week/duty cycle. This training shall include, but is not limited to: mass transit passenger cars, terminal/platform, luggage, freight/warehouse, and vehicles. Complete, detailed and accurate training records must be maintained for all proficiency training conducted by each EDCT. These records must be made available to TSA upon request.

The grantee will conduct appropriate training or other canine activities, within view of the public, to increase public awareness of EDCTs and provide a noticeable deterrent to acts, which affect public safety or mass transit operations. The grantee will also ensure that such activities include, over a period of time, a presence in operational areas of the mass transit system during peak and off-peak hours. The grantee agrees that EDCTs will be utilized at least eighty percent (80%) of their duty time, annually, in the mass transit system.

The grantee will comply with requirements for the proper storage, handling and transportation of all explosive training aids in accordance with BATF Federal Explosive Law and Regulations as outlined in publication ATF P 5400.7 (09/00).

The grantee will ensure that a written security procedure plan exists for the safekeeping of all explosive training aids, to include safe transportation. The grantee will document the removal, use and return of explosive training aids used during training exercises or for any other reason. The plan and all documentation must be made available to the TSA upon request.

The grantee will provide safe and sanitary kennel facilities for program canines. This applies to kenneling canines at the mass transit system, handlers' residences or commercial boarding facilities. Canines must not be left in makeshift accommodations or without proper supervision, protection and care. The grantee will ensure that canines are transported on-duty and off-duty in vehicles configured with adequate temperature control, padding and screening to ensure proper health, safety and security.

The grantee will ensure that adequate routine and emergency veterinary care for all canines is provided.

**Equipment Acquisition Costs.** FY 2009 ARRA TSGP funds may be used for the following categories of equipment. A comprehensive listing of allowable equipment categories and types is found on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) at <https://www.rkb.us/lists.cfm>. These costs include:

- Explosive device mitigation and remediation equipment
- Terrorism incident prevention equipment
- Physical security enhancement equipment
- Cyber security enhancement equipment
- Detection equipment

Unless otherwise noted, equipment must be certified that it meets required regulatory and/or DHS-adopted standards to be eligible for purchase using these funds.

Equipment must comply with the OSHA requirement for certification of electrical equipment by a nationally recognized testing laboratory, and demonstrate compliance with relevant DHS-adopted standards through a supplier's declaration of conformity 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.

A list of applicable standards is found at the following website: <http://rkb.mipt.org>. DHS adopted standards are found at <http://www.dhs.gov/xfrstresp/standards>.

**Management and Administration (M&A) costs.** FY 2009 ARRA TSGP may be used for the following M&A costs:

- A. Hiring of full-time or part-time staff or contractors/consultants to assist with the management and administration of the FY 2009 ARRA TSGP or the design, requirements, and implementation of the TSGP
- B. Hiring of full-time or part-time staff, contractors or consultants and M&A expenses related to pre-application submission management activities and post-award requirements or meeting compliance with reporting/data collection requirements, including data calls
- C. Development of operating plans for information collection and processing necessary to respond to DHS data calls

- D. Travel expenses
- E. Meeting-related expenses
- F. Acquisition of authorized office equipment, including personal computers or laptops

**Construction Projects Guidance.** FY 2009 ARRA TSGP 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/>. See also, Part VI.4.7, Environmental and Historic Preservation Compliance.

**Specific unallowable costs include:**

- 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, licensing fees, weapons systems and ammunition;
- Personnel costs (except as detailed above)
- Activities unrelated to the completion and implementation of the ARRA TSGP
- Food and refreshments
- Other items not in accordance with the AEL or previously listed as allowable costs

## PART V.

# APPLICATION REVIEW INFORMATION

### A. Review Criteria

All applicants must comply with all administrative requirements -- including application process requirements -- described in this guidance.

Each project submitted for funding must include applicable application information, including the following:

:

#### Operational Packages:

- **Detailed Budget Form** – The detailed budget form must be successfully completed with correct and appropriate costs.
- **Certification of Sworn Law Enforcement** – Levels of sworn law enforcement personnel must be accurately certified.
- **Certification of Vulnerability Assessment and Security Plan** – Agencies must have a current vulnerability assessment and security plan in order to be eligible for grant funding per the 9/11 Act.
- **Standard Forms** as listed in this guidance.

#### Capital Projects:

- **Investment Justification** - The Investment Justification must be fully completed in accordance with the instructions provided in this guidance.
- **Detailed Budget Form** – The detailed budget form must be fully completed in accordance with the instructions provided in this guidance.
- **Certification of Shovel Ready (for Priority 2 projects only)** – Applicants must certify that they can meet the time periods required for Priority 2 projects as well as submitting all required EHP documentation at the time of application.
- **Certification of Vulnerability Assessment and Security Plan** – Agencies must have a current vulnerability assessment and security plan in order to be eligible for grant funding per the 9/11 Act.
- **Standard Forms** as listed in this guidance.

The criteria used to evaluate applications are detailed below.

### B. Review and Selection Process

Applications requesting funds for Operational Packages will be reviewed first and selections made for award up to \$100,000,000. Applications requesting funds for Shovel Ready Capital Projects for Asset Hardening will be reviewed next. Applications requesting funds for Other Security Projects will be reviewed after selections have been

made for Operational Packages and Shovel Ready Capital Projects for Asset Hardening.

**Selection Process for Operational Packages (Priority 1)**

The following process will be used to select applications for Operational Packages:

- DHS will verify compliance with each of the administrative and eligibility criteria identified in the application kit.
- Eligible applications will be reviewed to determine the appropriateness and successful completion of the detailed budget form. Applicants that successfully and appropriately complete the budget form, and certify their level of authorized sworn personnel, will be considered for funding.
- If the operational requests exceed the amount of funding available, requests will be prioritized based on the agency's risk score.
- TSA will make recommendations for funding to the Secretary of Homeland Security based on the level of successful applicants and risk.

**Selection Process for Shovel Ready Capital Projects for Asset Hardening (Priority 2)**

The following process will be used to select applications for Shovel Ready Capital Projects for Asset Hardening:

- DHS will verify compliance with each of the administrative and eligibility criteria identified in the application kit.
- Eligible applications will be reviewed to determine the appropriateness and successful completion of the detailed budget form. Applicants that certify their Shovel Ready Status will be considered for funding.
- If the requests for Shovel Ready Capital Projects exceed the amount of funding available, requests will be prioritized based on the agency's risk score.
- TSA will make recommendations for funding to the Secretary of Homeland Security based on the level of successful applicants and risk.

**Selection Process for Other Security Projects (Priority 3)**

The following process will be used to select applications for Other Security Projects:

- DHS will verify compliance with each of the administrative and eligibility criteria identified in the application kit.
- Eligible applications will be reviewed to determine the appropriateness and successful completion of the detailed budget form.
- The projects will be reviewed by a National Review Panel and Scored as outlined in the section below.

- TSA will make recommendations for funding to the Secretary of Homeland Security based on the project score.

### **Scoring Methodology for Other Security Projects**

In the effort to promote transparency and focus on effective risk-mitigating projects, a scoring methodology has been adopted that promotes the consistent and accurate evaluation of projects.

The scoring methodology consists of four parts:

1. The agency's risk group score
2. The project effectiveness group score (see Table 3),
3. The potential risk mitigation of the project (as determined by the information provided in the Investment Justification and described below),
4. A regional collaboration component (where appropriate), and

Final project scores will be calculated as follows:

(Risk Group Score X Project Effectiveness Group Score) + Risk Mitigation Score +  
Regional Collaboration

The criteria used by the National Review Panel to evaluate the Risk Mitigation for Priority 3 Capital Projects are defined below.

**Cost effectiveness** with regard to the impact on security relative to the investment. The investment justification should provide evidence of the security impact, as well as justification for the strategic use of the proposed budget. The project cost levels should be commensurate with the security impact, and the proposed solution should be reasonable and advantageous over other possible solutions. Highly-scored projects will exhibit economical returns in which the benefits, expected impacts on security, will be great relative to the financial investment.

**Feasibility** with regard to the likelihood of increasing security effectively. The investment justification should show a high likelihood of improved security when implemented as designed. Projects will be scored based on their likelihood of being successful.

**Timelines** with regard to the ability to complete the proposed project within submitted timeframes specified in the grant guidance. The investment justification should provide a timeline and schedule, and demonstrate evidence of ability to complete it within submitted timeline based on proposed strategy, potential implementation challenges, resource plan, and reasonableness of anticipated schedule.

**Sustainability without additional Federal funds and leveraging of other funding, including** exhibiting a likelihood of success, or continued success, without requiring additional Federal assistance. The investment justification should show potential or confirmed additional funding if/as appropriate. It should also show a high likelihood of success or continued success without additional Federal assistance, as well as offer a long-term sustainability plan.

A project's Risk Mitigation score will be based on all four factors above.

**C. Anticipated Announcement and Award Dates**

DHS will announce the award allocations within 45 days following the close of the application period.

## 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. Applicants should 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. Applicants who do not receive a notification should contact their Program Analyst for the award number. Once the award number is obtained, applicants should 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.

**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 44 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/oer/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 a substantive agreement between the involved parties outlining how the grantee will avoid, minimize, or, if necessary, mitigate the effects.

## **WORK IN WATERWAYS**

### **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.

Because of 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 TSGP 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 Spreadsheets.

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® Portfolio Manager for building and space types covered by Energy Star®. 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 EPA Act 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>						
		<i>Project Data</i>				
		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.

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>					
	<i>Project Data</i>				
	1	2	3	4	5
<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 subrecipient 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. Exercise Evaluation and Improvement** Exercises, implemented with grant funds, should be threat and performance-based and should evaluate performance of the targeted capabilities required to respond to the exercise scenario. Guidance related to the conduct exercise evaluations and the implementation of improvement is defined in the *Homeland Security Exercise and Evaluation Program (HSEEP) Manual* located at <http://www.fema.gov/government/grant/administration.shtm>.

Grant recipients must report on scheduled exercises and ensure that an After Action Report (AAR) and Improvement Plan (IP) are prepared for each exercise conducted with FEMA support (grant funds or direct support) and submitted to the FEMA secure Portal (<https://preparednessportal.dhs.gov/>) within 60 days following completion of the exercise.

The AAR documents the demonstrated performance of targeted capabilities and identifies recommendations for improvements. The IP outlines an exercising jurisdiction(s) plan to address the recommendations contained in the AAR. At a minimum, the IP must identify initial action items and be included in the final AAR. Guidance for the development of AARs and IPs is provided in the HSEEP manual.

***Required submissions: AARs and IPs (as applicable).***

- 4. 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 Transit Security Grant Program 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 subrecipient audit reports are received and for resolving any audit findings.

***Monitoring***

Grant recipients will be monitored periodically by DHS 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.

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 drawn down but remain as unliquidated on grantee financial records.

***Required submissions: (1) final SF-269a, due 90 days from end of grant period; and (2) final CAPR, due 90 days from the end of the grant period.***

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

The FY 2009 ARRA TSGP 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
    1. The name of the project or activity;
    2. A description of the project or activity;
    3. An evaluation of the completion status of the project or activity;
    4. An estimate of the number of jobs created and the number of jobs retained by the project or activity; and
    5. 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.

6. 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.
7. All sub-awards less than \$25,000 or to individuals may be reported in the aggregate, as prescribed by DHS.
8. 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.
9. 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 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 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 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 TSGP 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

### **Pre-Priced Costs for Operational Activities**

Costs associated with activities and salaries related to OPacks have been pre-priced based on pre-approved amounts to assist transit systems in developing their funding requests for ARRA TSGP funds for operational investments.

### ***Regionally-adjusted fixed price per officer***

The below table outlines a regionally-adjusted fixed-price per officer based on information from the Bureau of Labor Statistics. Applicants should use the numbers below when requesting officers:

<b>Region</b>	<b>Yearly Cost per Officer</b>	<b>3-Year Cost per Officer</b>
Los Angeles, CA	\$110,000	\$330,000
San Francisco, CA	\$110,000	\$330,000
Denver, CO	\$90,000	\$270,000
Washington, DC	\$85,000	\$255,000
Baltimore, MD	\$75,000	\$225,000
Miami, FL	\$85,000	\$255,000
Atlanta, GA	\$60,000	\$180,000
Chicago, IL	\$100,000	\$300,000
Boston, MA	\$80,000	\$240,000
St. Paul, MN	\$85,000	\$255,000
New York, NY	\$90,000	\$270,000
Buffalo, NY	\$80,000	\$240,000
Cleveland, OH	\$80,000	\$240,000
Philadelphia, PA	\$85,000	\$255,000
Dallas, TX	\$75,000	\$225,000
Houston, TX	\$70,000	\$210,000
Seattle, WA	\$95,000	\$285,000
All Others	\$85,000	\$255,000

### ***Training***

Training costs in the amount of \$1,000 per officer per year are pre-approved, for a total of \$3,000 per officer. Training can only be to enhance capability for canine teams, mobile explosives detection screening teams, and Anti-Terrorism teams. Training courses must be DHS-approved courses.

### ***Equipment and Support Costs for Teams***

Equipment and related support costs have been pre-priced for the entire period of performance based on the type of OPack as follows:

- Canine Team (one officer and one canine): \$150,000 per team
- Anti-Terrorism Team (four officers and one canine): \$411,000 per team
- Mobile Screening Team (four officers): \$358,500 per team

### ***Management and Administration (3%)***

Agencies are allowed to request up to 3% of the total cost of the above items for grant management and administration purposes.

## Completing the Detailed Budget Worksheet

Agencies should calculate their total request by using the pre-approved cost elements above. The amounts should be entered into the Detailed Budget Worksheet categories as follows:

Cost Element	Location in Detailed Budget Worksheet
Officer Salary	<b>Section A. Personnel:</b> Enter the number of officers and price per officer under
Training	<b>Section G. Other:</b> Enter in the total training cost based on \$1,000 per officer per year for 3 years (e.g., 1 officer's training would be a total of \$3,000)
Equipment and Support Costs	<b>Section G. Other:</b> Enter in the number of each type of team you are requesting, and the related pre-priced equipment and support costs (e.g., 2 canine teams for a total of \$300,000)
Management and Administration	<b>Section G. Other:</b> Enter in up to 3% of the sum of the above costs for M&A

### OPack Request Example

- Transit Agency ABC certifies they have 200 authorized sworn positions dedicated to transit security as of January 2009.
- Five percent (5%) of their authorized level is 10, and they decide to request funding for 10 officers.
- Transit Agency ABC is located in Chicago, IL. Therefore, Transit Agency ABC requests \$3,000,000 in personnel costs, calculated as follows: 10 officers X \$100,000 per officer X 3 years.
- Training for the 10 officers is \$30,000: 10 officers X \$1,000 per year for training X 3 years.
- Transit Agency ABC decides to divide up the 10 officers into two canine teams, one Anti-Terrorism team, and one mobile screening team, and requests a total of \$1,069,500 in equipment and support as follows:
  - Two Canine Teams: \$300,000 (\$150,000 per team X 2 teams)
  - One Anti-Terrorism Team: \$411,000
  - One Mobile Screening Team: \$358,500
- Transit Agency ABC's total request for personnel, training, and equipment is \$4,099,500. They decide to request up to the 3% maximum for M&A, which is \$122,985: \$4,099,500 X 0.03.
- Transit Agency ABC's total grant request would be \$4,222,485:
  - Personnel: \$3,000,000
  - Training: \$30,000
  - Equipment and Support: \$1,069,500
  - M&A: \$122,985

Transit Agency ABC's completed Budget Worksheet would look as follows:

**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>
10 Officers	\$100,000 per year for 3 years	\$3,000,000

**G. Other Costs.** List items (e.g., rent, reproduction, telephone, janitorial or 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.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
Training	\$1,000 per year for 3 years for 10 officers	\$30,000
Equipment and Support \$411,000	2 Canine Teams at \$150,000 per team 1 Anti-Terrorism Team at \$411,000 per team  1 Mobile Screening Team at \$358,500 per team	\$300,000  \$358,500
M&A	3% of Total Costs	\$122,985

<u>Budget Category</u>	<u>Federal Amount</u>	<u>Non-Federal Amount</u>
A. Personnel	\$3,000,000	_____
G. Other	\$1,222,485	_____
<b>* TOTAL PROJECT COSTS</b>	<b>\$4,222,485</b>	_____
<b>Federal Request</b>	<b>\$4,222,485</b>	

If you have any questions regarding the Operational Cost Matrix, or the FY 2009 ARRA TSGP, please contact the Centralized Scheduling and Information Desk (CSID) at [askcsid@dhs.gov](mailto:askcsid@dhs.gov) or 1-800-368-6498 between 8:00 a.m. and 6:00 p.m. EST.

***Helpful Hints for Applicants***

Are the following components included in the application package?

- Detailed Budget Worksheet
- Investment Justification, if applicable
- 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