# The Department of Homeland Security (DHS) Notice of Funding Opportunity (NOFO) Fiscal Year 2023 Homeland Security National Training Program Continuing Training Grants (CTG) National Cybersecurity Preparedness Consortium (NCPC)

All entities wishing to do business with the Federal government must have a unique entity identifier (UEI). The UEI number is issued by the SAM system. Requesting a UEI using SAM.gov can be found at: <a href="https://sam.gov/content/entity-registration.">https://sam.gov/content/entity-registration.</a>

#### Grants.gov registration information can be found at:

https://www.grants.gov/web/grants/register.html.

#### **Planned UEI Updates in Grant Application Forms:**

On April 4, 2022, the Data Universal Numbering System (DUNS) Number was replaced by a new, non-proprietary identifier requested in, and assigned by, the System for Award Management (SAM.gov). This new identifier is the Unique Entity Identifier (UEI).

Additional Information can be found on Grants.gov:

https://www.grants.gov/web/grants/forms/planned-uei-updates.html

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#### A. Program Description

#### 1. Issued By

U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/ Resilience/National Preparedness Directorate (NPD), National Training and Education Division (NTED)

#### 2. Assistance Listings Number

97.005

#### 3. Assistance Listings Title

State and Local Homeland Security National Training Program

#### 4. Funding Opportunity Title

Homeland Security National Training Program (HSNTP) – Continuing Training Grants (CTG) - National Cybersecurity Preparedness Consortium (NCPC)

#### 5. Funding Opportunity Number

DHS-23-NPD-005-00-97

#### 6. Authorizing Authority for Program

National Cybersecurity Preparedness Consortium Act of 2021, (Pub. L. No. 117-122)

#### 7. Appropriation Authority for Program

Division F, Title III, Consolidated Appropriations Act, 2023, (Pub. L. No. 117-328)

#### 8. Announcement Type

Initial

#### 9. Program Category

Preparedness: Training

#### 10. Program Overview, Objectives, and Priorities

#### a. Overview

Over the last several years our nation has witnessed an exponential rise in threat vectors and cyber-attacks with disruptive and destructive physical consequences. Industrial control systems and other supporting information technology which power energy, water, communications, and other critical infrastructure sectors are becoming increasingly interdependent and attractive as targets. Training to address these threats is needed; FEMA learning solutions, developed and delivered through the NCPC, are appropriate to address gaps and reduce risks.

The Department of Homeland Security Fiscal Year (FY) 2023 Homeland Security National Training Program (HSNTP), Continuing Training Grants (CTG), National Cybersecurity Preparedness Consortium (NCPC) provides funding to the eligible applicant to develop and deliver cybersecurity training solutions to address national preparedness gaps, map training

to the core capabilities, and ensure training is available and accessible to a nationwide audience.

The NCPC plays an important role in the National Training and Education System (NTES), which is part of the larger National Preparedness System (the System). The System is designed to build, sustain, and deliver the core capabilities and achieve the desired outcomes identified in the <a href="National Preparedness Goal">National Preparedness Goal</a> (the Goal). The Goal is "a secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk." The System provides a consistent and reliable approach to support decision making, resource allocation, and measure progress toward these outcomes.

The CTG/NCPC supports the 2022-2026 FEMA Strategic Plan, particularly Goal 3: Promote and sustain a ready FEMA and prepared nation and Objective 3.1 to Strengthen the emergency management workforce. Through developing and delivering cybersecurity training courses for state, local, tribal and territorial responder the NCPC award also supports The DHS Strategic Plan Fiscal Years 2020-2024, Goal 3: Secure Cyberspace and Critical Infrastructure, Objective 3.3: Assess and Counter Evolving Cybersecurity Risk.

#### b. Objectives

The NCPC identifies, develops, tests, and delivers training to state, local, tribal, and territorial (SLTT) emergency response providers, provides on-site mobile and web-based training at the awareness, performance, planning and management levels. Through collaboration, FEMA and the NCPC members address long-term cybersecurity trends that influence national preparedness—including emerging cybersecurity threats, new technologies and continuous individual, organizational, and community cybersecurity risk. Specifically, the NCPC program supports cybersecurity training that closes core capability area gaps identified in recent National Preparedness Reports.

FEMA is committed to reducing complexity, increasing efficiency, and improving outcomes. In simple terms, the training return on investment (ROI) is expressed as the benefit to cost ratio for individuals, teams, departments, jurisdictions, and regions across the nation to reach and maintain fully qualified/mission capable status. In practice, training ROI is difficult to measure. The cost of training varies significantly depending upon several variables including delivery format (e.g., online, indirect/train-the-trainer, mobile, resident/on-campus) and competency level (e.g., awareness, performance/operations, management). FEMA uses a systematic approach to optimize the national preparedness training portfolio, align resources to address capability gaps through the most effective and efficient means available, and ensure a sound ROI from the local to the national level. Collaboration with FEMA's training partners is integral to that effort.

#### c. Priorities

This NOFO supports several strategic priorities that recipients are expected to support with funded products and activities to the greatest extent possible.

<u>FEMA Strategic Plan</u>: The <u>2022-2026 FEMA Strategic Plan</u> positions the agency to respond to a changing landscape in which the emergency management community must embrace its expanding role. To meet this challenge, the Strategic Plan outlines three bold and ambitious goals. The objectives under each goal outline how FEMA will support its workforce, better position communities, and leverage its programs and processes to advance the emergency management field.

- Goal 1 Instill Equity as a Foundation of Emergency Management
- Goal 2 Lead Whole of Community in Climate Resilience
- Goal 3 Promote and Sustain a Ready FEMA and Prepared Nation

NCPC partners should address strategic goals and objectives in the 2022-2026 FEMA Strategic Plan within their submitted statement of work. NCPC partners should explain how activities performed under this award will support the Strategic Plan and ensure the goals and objectives outlined in the 2022-2026 FEMA Strategic Plan are incorporated where appropriate into new and existing training curriculum.

- Equity in emergency management requires proactively prioritizing actions that reinforce cultural competency, accessibility, and inclusion, as well as reflecting the historical context of specific groups of people. NCPC partners are strongly encouraged to explore how funded activities can address the needs of underserved, at-risk communities to help ensure consistent and systematic, fair, just, and impartial treatment of all individuals before, during, and after a disaster.
- Special emphasis should be placed on the diverse needs and values of individual communities through training and education that aims at reversing the worsening social inequities and risk to our underserved communities. Substantial and ongoing prioritization of, and investment in, underserved communities is essential for the whole of community system of emergency management to be effective and efficient. For more information, refer to H. 13 Whole Community Preparedness.
- Where appropriate, NCPC partners should also incorporate: 1) the inseparable nature of
  climate and equity within the context of emergency management activities with learning
  objectives that address the significant compounding effects of climate change in
  underserved and marginalized communities; and 2) consequence management activities
  (e.g., planning, response, recovery) related to the threat of multiple, cascading critical
  infrastructure failures.

THIRA/SPR: States and territories provide annual data on their proficiency across 32 core capabilities through the Threat and Hazard Identification and Risk Assessment (THIRA), Stakeholder Preparedness Reviews (SPR), exercise and real-world after-action reports, and other preparedness data. This data feeds into the National Preparedness Report (NPR), which summarizes progress made, and challenges that remain, in building and sustaining the capabilities needed to prevent, protect against, mitigate, respond to, and recover from the threats, hazards, and incidents that pose the greatest risk to the nation. This annual report offers all levels of government, tribes, the private and nonprofit sectors, and the public practical insights into preparedness that support decisions about program priorities, resource allocation, and actions that can create more resilient communities. The NCPC should address current and emerging capability gaps and risks identified in the 2022 National Preparedness Report, including, but not

limited to, THIRA/SPR results, and the 2022-2026 FEMA Strategic goals and objectives. Please visit fema.gov to access the 2022 National Preparedness Report and the Homeland Security Digital Library to access previous National Preparedness Reports.

#### 11. Performance Measures

The <u>New World Kirkpatrick Model</u> is applied for analyzing and evaluating the results of training and educational programs. This model considers any style of training, both informal and formal, to assess learning.

FEMA applies the New World Kirkpatrick Model for the FY 2023 NCPC program as follows: Level 1: a student's assessment of the training setting, material, and instruction; this is evaluated through surveys administered during or directly following curriculum delivery and uses numerical (e.g., Likert Scale) and narrative responses. Results are reported to the FEMA NTED Training Partners Program Branch and assessed to measure experiences compared with standards and expectations.

Level 2: a comparison of pre-course knowledge and skills with post-course knowledge and skills; this is evaluated through testing administered during or directly following curriculum delivery. Results are reported to the FEMA NTED Training Partners Program Branch and assessed to measure knowledge transfer compared with an established standard of a twenty-six-point increase.

Level 3: an assessment of learning applicability at the home organization or jurisdiction; this is evaluated through surveys administered following curriculum delivery, typically between 90 and 180 days after training, and uses a numerical (e.g., Likert Scale) and narrative responses. Results are reported to the FEMA NTED Training Partners Program Branch and assessed to measure training impact on a student's organization or jurisdiction.

FEMA's First Responder Training System (FRTS) includes the Registration and Evaluation System (RES). The RES is used to collect New World Kirkpatrick Model evaluation data.

Sustainment: FEMA has the option to sustain any training course created under the HSNTP/CTG at the end of the award period of performance. Once FEMA determines to sustain a course, after consulting with the award recipient, FEMA may transfer any or all course material to another organization or entity to ensure program sustainability and to continue training delivery. FEMA will coordinate the orderly transition of courses between organizations.

#### **B.** Federal Award Information

**1.** Available Funding for the NOFO: \$8 million

2. Projected Number of Awards 1

3. Maximum Award Amount: \$8 million

**4.** Period of Performance: 36 months

Extensions to the period of performance are allowed. For additional information on period of performance extensions, please refer to Section H of this NOFO.

FEMA awards under most programs, including this program, only include one budget period, so it will be same as the period of performance. See 2 C.F.R. § 200.1 for definitions of "budget period" and "period of performance."

**5.** Projected Period of Performance Start Date(s): **09/01/2023** 

**6.** Projected Period of Performance End Date(s): **08/31/2026** 

7. Funding Instrument Type: Cooperative Agreement

The CTG NCPC program, prescribed by this NOFO, is awarded through a separate cooperative agreement, as defined by, and consistent with the Federal Grant and Cooperative Agreement Act of 1977 (Pub. L. No. 95-244, 31 U.S.C. §§ 6301-6308). FEMA maintains substantial involvement with the recipient as it carries out activities under the award to include financial monitoring and all training development and delivery activities, including the creation and approval of course content, arrangement of learning objectives, establishment of training delivery modes and methods, and use of the Kirkpatrick evaluation model. NTED Training Partners Program (TPP) managers serve as the authority to provide approval and disapproval for all activities over the life cycle of the award. As FEMA will work directly with the award recipient, training will be compliant with agency standards for curriculum design and development and students taking the training will benefit from standardized, high quality learning.

#### C. Eligibility Information

#### 1. Eligible Applicants

University of Arkansas, Criminal Justice Institute (Executive Agent for the NCPC)

#### 2. Applicant Eligibility Criteria

To receive funding under this program, recipients must be members of the NCPC.

#### a. National Incident Management System (NIMS) Implementation

Prior to allocation of any Federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS. The list of objectives used for progress and achievement reporting is on FEMA's website at <a href="https://www.fema.gov/emergency-managers/nims/implementation-training">https://www.fema.gov/emergency-managers/nims/implementation-training</a>.

Emergency management and incident response activities require carefully managed resources (personnel, teams, facilities, equipment, and/or supplies) to meet incident needs. Utilization of the standardized resource management concepts such as typing, credentialing, and inventorying, promote a strong national mutual aid capability needed to support delivery of core capabilities. Additional information on resource management, NIMS resource typing definitions, job titles, and position qualifications is on FEMA's website at <a href="https://www.fema.gov/emergency-managers/nims/components">https://www.fema.gov/emergency-managers/nims/components</a>.

FEMA developed the <u>National Incident Management System Guideline for the National Qualification System</u> to describe national credentialing standards and to provide written guidance regarding the use of those standards. This guideline describes credentialing and typing processes and identifies tools that Federal Emergency Response Officials and emergency managers at all levels of government may use both routinely and to facilitate multijurisdictional coordinated responses.

Although state (including territorial), local, tribal, and private sector partners (including nongovernmental organizations) are not required to credential their personnel in accordance with these guidelines, FEMA strongly encourages them to do so to leverage the Federal investment in the Federal Information Processing Standards 201 infrastructure and to facilitate interoperability for personnel deployed outside their home jurisdiction. Additional information about NIMS in general is available on FEMA's website at <a href="https://www.fema.gov/emergency-managers/nims">https://www.fema.gov/emergency-managers/nims</a>.

#### 3. Cost Share or Match

There is no cost share or match requirement for this program.

#### **D.** Application and Submission Information

1. Key Dates and Times

a. Application Start Date: 5/26/2023 9:00AM ET

b. Application Submission Deadline: 6/27/2023 5:00PM ET

All applications **must** be received by the established deadline.

FEMA's Grants Outcomes System (FEMA GO) automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization Representative role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled "Timely Receipt Requirements and Proof of Timely Submission" in Section D of this NOFO.

**FEMA will not review applications that are received after the deadline or consider these late applications for funding**. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant's control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the

award. "Timely notification" of FEMA means the following: prior to the application deadline and within 48 hours after the applicant became aware of the issue.

A list of FEMA contacts can be found in Section G of this NOFO, "DHS Awarding Agency Contact Information." For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at <a href="mago@fema.dhs.gov">femago@fema.dhs.gov</a> or (877) 611-4700, Monday through Friday, 9:00 AM – 6:00 PM Eastern Time (ET). For programmatic or grants management questions, please contact your Program Analyst or Grants Management Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact the Centralized Scheduling and Information Desk (CSID) by phone at (800) 368-6498 or by e-mail at <a href="mailto:askcsid@fema.dhs.gov">askcsid@fema.dhs.gov</a>, Monday through Friday, 9:00 AM – 5:00 PM ET.

c. Anticipated Funding Selection Date: No later than 9/1/2023

d. Anticipated Award Date: No later than 9/30/2023

#### e. Other Key Dates

Event	<b>Suggested Deadline for Completion</b>
Initial registration in SAM.gov includes UEI issuance	Four weeks before actual submission deadline
Obtaining a valid Employer Identification Number (EIN)	Four weeks before actual submission deadline
Creating an account with login.gov	Four weeks before actual submission deadline
Registering in SAM or Updating SAM registration	Four weeks before actual submission deadline
Registering in FEMAGO	Four weeks before actual submission deadline
Starting application in FEMAGO	One week before actual submission deadline
Submitting the final application in FEMA GO	By the submission deadline

#### 2. Agreeing to Terms and Conditions of the Award

By submitting an application, applicants agree to comply with the requirements of this NOFO and the terms and conditions of the award, should they receive an award.

#### 3. Address to Request Application Package

Applications are processed through the FEMA GO system. To access the system, go to <a href="https://go.fema.gov/">https://go.fema.gov/</a>.

## 4. Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management (SAM)

Each applicant, unless they have a valid exception under 2 CFR 25.110, must:

- 1) Be registered in Sam.Gov before application submission.
- 2) Provide a valid Unique Entity Identifier (UEI) in its application.
- 3) Continue to always maintain an active System for Award Management (SAM) registration with current information during the Federal Award process.

## 5. Steps Required to Obtain a Unique Entity Identifier, Register in the System for Award Management (SAM), and Submit an Application

Applying for an award under this program is a multi-step process and requires time to complete. Applicants are encouraged to register early as the registration process can take four weeks or more to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required submission deadlines. Please review the table above for estimated deadlines to complete each of the steps listed. Failure of an applicant to comply with any of the required steps before the deadline for submitting an application may disqualify that application from funding.

To apply for an award under this program, all applicants must:

- a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and Employer Identification Number (EIN) from the Internal Revenue Service;
- b. In the application, provide an UEI number;
- c. Have an account with login.gov;
- d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
- e. Register in FEMA GO, add the organization to the system, and establish the Authorized Organizational Representative (AOR). The organization's electronic business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <a href="https://www.fema.gov/media-library/assets/documents/181607">https://www.fema.gov/media-library/assets/documents/181607</a>;
- f. Submit the complete application in FEMA GO; and
- g. Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded Federal contracts or Federal financial assistance within the last three years, if applicable.

Applicants are advised that FEMA may not make a Federal award until the applicant has complied with all applicable SAM requirements. Therefore, an applicant's SAM registration must be active not only at the time of application, but also during the application review period and when FEMA is ready to make a Federal award. Further, as noted above, an applicant's or recipient's SAM registration must remain active for the duration of an active Federal award. If an applicant's SAM registration is expired at the time of application, expires during application review, or expires any other time before award, FEMA may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Per 2 C.F.R. § 25.110(c)(2)(iii), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a Federal award, the applicant must notify FEMA as soon as possible by contacting

<u>askcsid@fema.dhs.gov</u> and providing the details of the circumstances that prevent completion of these requirements. If FEMA determines that there are exigent circumstances and FEMA has decided to make an award, the applicant will be required to obtain an UEI number, if applicable, and complete SAM registration within 30 days of the Federal award date.

#### 6. Electronic Delivery

DHS is participating in the <u>Grants.gov</u> initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS encourages or requires applicants to submit their applications online through Grants.gov, depending on the funding opportunity.

For this funding opportunity, FEMA requires applicants to submit applications through FEMA GO.

#### 7. How to Register to Apply

#### a. General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Read the instructions below about registering to apply for FEMA funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

The registration process can take up to four weeks to complete. To ensure an application meets the deadline, applicants are advised to start the required steps well in advance of their submission.

Organizations must have an UEI number, an EIN, an active System for Award Management (SAM) registration and <u>Grants.gov</u> account to apply for grants.

Organizations must also have a Grants.gov account to apply for an award under this program. Creating a Grants.gov account can be completed online in minutes, but UEI and SAM registrations may take several weeks. Therefore, an organization's registration should be done in sufficient time to ensure it does not impact the entity's ability to meet required application submission deadlines. Complete organization instructions can be found on Grants.gov here:

https://www.grants.gov/web/grants/applicants/organization-registration.html.

If individual applicants are eligible to apply for this grant funding opportunity, refer to https://www.grants.gov/web/grants/applicants/registration.html.

#### b. Obtain an UEI Number:

All entities applying for funding, including renewal funding, prior to April 4, 2022, must have a UEI number. Applicants must enter the UEI number in the applicable data entry field on the SF-424 form.

For more detailed instructions for obtaining a UEI number, refer to: <u>Sam.gov.</u>

#### c. Obtain Employer Identification Number

All entities applying for funding must provide an Employer Identification Number (EIN). The EIN can be obtained from the IRS by visiting: <a href="https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online">https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online</a>.

#### d. Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account here: <a href="https://secure.login.gov/sign\_up/enter\_email?request\_id=34f19fa8-14a2-438c-8323-a62b99571fd3">https://secure.login.gov/sign\_up/enter\_email?request\_id=34f19fa8-14a2-438c-8323-a62b99571fd3</a>.

Applicants only have to create a login.gov account once. For applicants that are existing SAM users, use the same email address for the login.gov account as with SAM.gov so that the two accounts can be linked.

For more information on the login.gov requirements for SAM registration, refer to: <a href="https://www.sam.gov/SAM/pages/public/loginFAQ.jsf">https://www.sam.gov/SAM/pages/public/loginFAQ.jsf</a>.

#### e. Register with SAM:

All organizations applying online through Grants.gov must register with SAM. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. Organizations will be issued a UEI number with the completed SAM registration.

For more detailed instructions for registering with SAM, refer to: <a href="https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html">https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html</a>.

Note: As a new requirement per 2 C.F.R. § 25.200, applicants must also provide the applicant's immediate and highest-level owner, subsidiaries, and predecessors that have been awarded Federal contracts or Federal financial assistance within the last three years, if applicable.

#### I. ADDITIONAL SAM REMINDERS

Existing SAM.gov account holders should check their account to make sure it is "ACTIVE." SAM registration should be completed at the very beginning of the application period and should be renewed annually to avoid being "INACTIVE." Please allow plenty of time before the grant application submission deadline to obtain an UEI number and then to register in SAM. It may be four weeks or more after an applicant submits the SAM registration before the registration is active in SAM, and then it may be an additional 24 hours before FEMA's system recognizes the information.

It is imperative that the information applicants provide is correct and current. Please ensure that your organization's name, address, and EIN are up to date in SAM and that the UEI number used in SAM is the same one used to apply for all other FEMA awards. Payment under any FEMA award is contingent on the recipient's having a current SAM registration.

#### II. HELP WITH SAM

The SAM quick start guide for new recipient registration and SAM video tutorial for new applicants are tools created by the General Services Administration (GSA) to assist those registering with SAM. If applicants have questions or concerns about a SAM registration, please contact the Federal Support Desk at <a href="https://www.fsd.gov/fsd-gov/home.do">https://www.fsd.gov/fsd-gov/home.do</a> or call toll free (866) 606-8230.

#### f. Register in FEMA GO, Add the Organization to the System, and Establish the AOR:

Applicants must register in FEMA GO and add their organization to the system. The organization's electronic business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <a href="https://www.fema.gov/media-library/assets/documents/181607">https://www.fema.gov/media-library/assets/documents/181607</a>.

Note: FEMA GO will support only the most recent major release of the following browsers:

- Google Chrome
- Internet Explorer
- Mozilla Firefox
- Apple Safari
- Microsoft Edge

Users who attempt to use tablet type devices or other browsers may encounter issues with using FEMA GO.

#### g. Add a Profile to a Grants.gov Account:

A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account, if applicable, enter the UEI number for the organization in the UEI field while adding a profile.

For more detailed instructions about creating a profile on Grants.gov, refer to: <a href="https://www.grants.gov/web/grants/applicants/registration/add-profile.html">https://www.grants.gov/web/grants/applicants/registration/add-profile.html</a>.

#### h. EBiz POC Authorized Profile Roles:

After you register with Grants.gov and create an Organization Applicant Profile, the organization applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the Authorized Organization Representative (AOR) role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role.

For more detailed instructions about creating a profile on Grants.gov, refer to: <a href="https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html">https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html</a>.

#### i. Track Role Status:

To track your role request, refer to: <a href="https://www.grants.gov/web/grants/applicants/registration/track-role-status.html">https://www.grants.gov/web/grants/applicants/registration/track-role-status.html</a>.

#### j. Electronic Signature:

When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize individuals who are able to make legally binding commitments on behalf of the organization as an AOR; **this step is often missed, and it is crucial for valid and timely submissions.** 

#### 8. Submitting the Final Application

Applicants will be prompted to submit the standard application information and any program-specific information required as described in Section D.10 of this NOFO, "Content and Form of Application Submission." The Standard Forms (SF) may be accessed in the Forms tab under the <u>SF-424 family on Grants.gov</u>. Applicants should review these forms before applying to ensure they have all the information required.

After submitting the final application, FEMA GO will provide either an error message or a successfully received transmission in the form of an email sent to the AOR that submitted the application. Applicants using slow internet connections, such as dial-up connections, should be aware that transmission can take some time before FEMA GO receives your application.

For additional application submission requirements, including program-specific requirements, please refer to the subsection titled "Content and Form of Application Submission" under Section D of this NOFO.

#### 9. Timely Receipt Requirements and Proof of Timely Submission

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization Representative (AOR) role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission on the date and time that FEMA GO received the application.

Applicants who experience system-related issues will be addressed until 3:00 PM ET on the date applications are due. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

#### 10. Content and Form of Application Submission

#### a. Standard Required Application Forms and Information

The following forms or information are required to be submitted via FEMA GO. The Standard Forms (SF) are also available at <a href="https://www.grants.gov/web/grants/forms/sf-424-family.html">https://www.grants.gov/web/grants/forms/sf-424-family.html</a>.

- SF-424, Application for Federal Assistance
- Grants.gov Lobbying Form, Certification Regarding Lobbying
- SF-424A, Budget Information (Non-Construction)
- SF-424B, Standard Assurances (Non-Construction)
- SF-LLL, Disclosure of Lobbying Activities
- Indirect Cost Agreement or Proposal if the budget includes indirect costs and the applicant is required to have an indirect cost rate agreement or proposal. If the applicant does not have or is not required to have an indirect cost rate agreement or proposal, please see Section D.13 of this NOFO, "Funding Restrictions and Allowable Costs," for further information regarding allowability of indirect costs and whether alternatives to an indirect cost rate agreement or proposal might be available or contact the relevant FEMA staff identified in Section G of this NOFO, "DHS Awarding Agency Contact Information" for further instructions.

#### 11. Intergovernmental Review

An intergovernmental review may be required. Applicants must contact their state's Single Point of Contact (SPOC) to comply with the state's process under Executive Order 12372. See Executive Orders | National Archives; Intergovernmental Review (SPOC List) (whitehouse.gov).

#### 12. Funding Restrictions and Allowable Costs

All costs charged to awards covered by this NOFO must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200, unless otherwise indicated in the NOFO, or the terms and conditions of the award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered, within the period of performance of the award. *See* 2 C.F.R. § 200.403(h) (referring to budget periods, which for FEMA awards is the same as the period of performance).

In general, the Cost Principles establish standards for the allowability of costs, provide detailed guidance on the cost accounting treatment of costs as direct or administrative costs, and set forth allowability principles for selected items of cost. More specifically, except as otherwise stated in this NOFO, the terms and condition of an award, or other program materials, costs charged to awards covered by this NOFO must be consistent with the Cost Principles for Federal Awards located at 2 C.F.R. Part 200, Subpart E. In order to be allowable, all costs charged to a FEMA award or applied to the cost share must be reasonable in nature and amount and allocable to the particular FEMA award.

Additionally, all costs charged to awards must comply with the grant program's applicable statutes, policies, requirements in this NOFO as well as with the terms and conditions of the

award. If FEMA staff identify costs that are inconsistent with any of these requirements, these costs may be disallowed, and FEMA may recover funds as appropriate, consistent with applicable laws, regulations, and policies.

As part of those requirements, grant recipients and subrecipients may only use Federal funds or funds applied to a cost share for the purposes set forth in this NOFO and the terms and conditions of the award, and those costs must be consistent with the statutory authority for the award.

Grant funds may not be used for matching funds for other Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity.

## a. Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services

Recipients and subrecipients of FEMA Federal financial assistance are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (FY 2019 NDAA), Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to FEMA recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending Federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons. Guidance is available at FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services

Additional guidance is available at <u>Contract Provisions Guide: Navigating Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards</u> (fema.gov).

Effective August 13, 2020, FEMA recipients and subrecipients may not use any FEMA funds under open or new awards to:

- Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system.
- Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system; or
- Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

#### I. **DEFINITIONS**

Per section 889(f)(2)-(3) of the FY 2019 NDAA and 2 C.F.R. § 200.216, covered telecommunications equipment or services means:

i. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);

- ii. For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- iii. Telecommunications or video surveillance services provided by such entities or using such equipment; or
- iv. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

Examples of the types of products covered by this prohibition include phones, internet, video surveillance, and cloud servers when produced, provided, or used by the entities listed in the definition of "covered telecommunications equipment or services." *See* 2 C.F.R. § 200.471.

#### b. Pre-Award Costs

Pre-award costs are allowable only with the prior written approval of DHS/FEMA and if they are included in the award agreement. To request pre-award costs a written request must be included with the application, signed by the Authorized Representative of the entity. The letter must outline what the pre-award costs are for, including a detailed budget breakout of pre-award costs from the post-award costs, and a justification for approval.

#### c. Management and Administration (M&A) Costs

Management and Administration costs are activities directly related to managing and administering the award, such as financial management and monitoring. M&A costs are not operational costs. They are the necessary costs incurred in direct support of the grant or as a consequence of the grant and should be allocated across the entire lifecycle of the grant. Recipients may use up to five percent (5%) of the amount of the award for their M&A.

#### d. Indirect Facilities & Administrative (F&A) Costs

Indirect costs are allowable under this program as described in 2 C.F.R. Part 200, including 2 C.F.R. § 200.414. Applicants with a current negotiated indirect cost rate agreement that desire to charge indirect costs to an award must provide a copy of their negotiated indirect cost rate agreement at the time of application. Not all applicants are required to have a current negotiated indirect cost rate agreement. Applicants that are not required by 2 C.F.R. Part 200 to have a negotiated indirect cost rate agreement but are required by 2 C.F.R. Part 200 to develop an indirect cost rate proposal must provide a copy of their proposal at the time of application. Applicants who do not have a current negotiated indirect cost rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to the FEMA Program Manager for further instructions. Applicants who wish to use a cost allocation plan in lieu of an indirect cost rate must also reach out to the FEMA Program Manager for further instructions.

#### **E.** Application Review Information

#### 1. Application Evaluation Criteria

#### a. Programmatic Criteria

Prior to making a Federal award, DHS/FEMA is required by 31 U.S.C. § 3321 note, 41 U.S.C. § 2313 and 2 C.F.R. § 200.205 to review information available through any Office of Management and Budget (OMB) designated repositories of government wide eligibility qualification or financial integrity information. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant: 1) Financial stability. 2) Quality of management systems and ability to meet management standards. 3) History of performance in managing Federal award. 4) Reports and findings from audits. 5) Ability to effectively implement statutory, regulatory, or other requirements.

#### b. Financial Integrity Criteria

Prior to making a Federal award, FEMA is required by 31 U.S.C. § 3354, as enacted by the Payment Integrity Information Act of 2019, Pub. L. No. 116-117 (2020); 41 U.S.C. § 2313; and 2 C.F.R. § 200.206 to review information available through any Office of Management and Budget (OMB)-designated repositories of governmentwide eligibility qualification or financial integrity information, including whether the applicant is suspended or debarred. FEMA may also pose additional questions to the applicant to aid in conducting the pre-award risk review. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant:

- i. Financial stability.
- ii. Quality of management systems and ability to meet management standards.
- iii. History of performance in managing Federal award.
- iv. Reports and findings from audits.
- v. Ability to effectively implement statutory, regulatory, or other requirements.

#### c. Supplemental Financial Integrity Criteria and Review

Prior to making a Federal award where the anticipated total Federal share will be greater than the simplified acquisition threshold, currently \$250,000:

- i. FEMA is required to review and consider any information about the applicant, including information on the applicant's immediate and highest-level owner, subsidiaries, and predecessors, if applicable, that is in the designated integrity and performance system accessible through the System for Award Management (SAM), which is currently the Federal Awardee Performance and Integrity Information System (FAPIIS).
- ii. An applicant, at its option, may review information in FAPIIS and comment on any information about itself that a Federal awarding agency previously entered.
- iii. FEMA will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

#### 2. Review and Selection Process

The Deputy Administrator of FEMA for Resilience, on behalf of the FEMA Administrator, will approve or disapprove the training projects funded through this program.

#### F. Federal Award Administration Information

#### 1. Notice of Award

Before accepting the award, the AOR and recipient should carefully read the award package. The award package includes instructions on administering the grant award and the terms and conditions associated with responsibilities under Federal awards. Recipients must accept all conditions in this NOFO as well as any specific terms and conditions in the Notice of Award to receive an award under this program.

FEMA will provide the Federal award package to the applicant electronically via FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An email notification of the award package will be sent through FEMA's grant application system to the Authorized Organization Representative (AOR) that submitted the application.

Recipients must accept their awards no later than 30-days from the award date. The recipient shall notify FEMA of its intent to accept and proceed with work under the award through the FEMA GO system.

Funds will remain on hold until the recipient accepts the award through the FEMA GO system and all other conditions of the award have been satisfied or until the award is otherwise rescinded. Failure to accept a grant award within the specified timeframe may result in a loss of funds.

#### 2. Administrative and National Policy Requirements

In addition to the requirements of in this section and in this NOFO, FEMA may place specific terms and conditions on individual awards in accordance with 2 C.F.R. Part 200.

#### a. DHS Standard Terms and Conditions

All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at: <a href="DHS Standard">DHS Standard</a> Terms and Conditions.

The applicable DHS Standard Terms and Conditions will be those in effect at the time the award was made unless the application is for a continuation award. In that event, the terms and conditions in effect at the time the original award was made will generally apply. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

#### b. Ensuring the Protection of Civil Rights

As the Nation works towards achieving the <u>National Preparedness Goal</u>, it is important to continue to protect the civil rights of individuals. Recipients and subrecipients must carry out their programs and activities, including those related to the building, sustainment, and

delivery of core capabilities, in a manner that respects and ensures the protection of civil rights for protected populations.

Federal civil rights statutes, such as Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964, along with DHS and FEMA regulations, prohibit discrimination on the basis of race, color, national origin, sex, religion, age, disability, limited English proficiency, or economic status in connection with programs and activities receiving Federal financial assistance from FEMA.

The DHS Standard Terms and Conditions include a fuller list of the civil rights provisions that apply to recipients. These terms and conditions can be found in the <a href="https://www.fema.gov/about/offices/equal-rights/civil-rights">DHS Standard Terms and Conditions</a>. Additional information on civil rights provisions is available at <a href="https://www.fema.gov/about/offices/equal-rights/civil-rights">https://www.fema.gov/about/offices/equal-rights/civil-rights</a>.

Monitoring and oversight requirements in connection with recipient compliance with Federal civil rights laws are also authorized pursuant to 44 C.F.R. Part 7.

In accordance with civil rights laws and regulations, recipients and subrecipients must ensure the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

#### c. Environmental Planning and Historic Preservation (EHP) Compliance

As a Federal agency, FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by FEMA, including grant-funded projects, comply with Federal EHP laws, Executive Orders, regulations, and policies, as applicable.

All non-critical new construction or substantial improvement of structures in a Special Flood Hazard Area must, at a minimum, apply the flood elevations of the Federal Flood Risk Management Standard's Freeboard Value Approach unless doing so would cause the project to be unable to meet applicable program cost-effectiveness requirements. All other types of projects may choose to apply the flood elevations of the Federal Flood Risk Management Standard's Freeboard Value Approach. See Executive Order (EO) 14030, Climate-Related Financial Risk and FEMA Policy #-206-21-0003, Partial Implementation of the Federal Flood Risk Management Standard for Hazard Mitigation Assistance Programs (Interim) (fema.gov).

Recipients and subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, the construction of communication towers, modification or renovation of existing buildings, structures, and facilities, or new construction including replacement of facilities, must participate in the FEMA EHP review process. The EHP review process involves the submission of a detailed project description along with any supporting documentation requested by FEMA in order to determine whether the proposed project has the potential to impact environmental resources or historic properties.

In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. Federal law requires EHP review to be

completed before Federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not incompliance with applicable EHP laws, Executive Orders, regulations, and policies.

DHS and FEMA EHP policy is found in directives and instructions available on the <u>FEMA.gov EHP page</u>, the FEMA website page that includes documents regarding EHP responsibilities and program requirements, including implementation of the National Environmental Policy Act and other EHP regulations and Executive Orders.

#### d. National Incident Management System (NIMS) Implementation

In expending funds under this program, recipients that are state, local, tribal, or territorial governments must ensure and maintain adoption and implementation of NIMS. The state, local, tribal, or territorial government must show adoption of NIMS during any point of the period of performance. The list of objectives used for progress and achievement reporting is at https://www.fema.gov/emergency-managers/nims/implementation-training.

Emergency management and incident response activities require carefully managed resources (personnel, teams, facilities, equipment, and/or supplies) to meet incident needs. Using standardized resource management concepts such as typing, credentialing, and inventorying, promote a strong national mutual aid capability needed to support delivery of core capabilities. Additional information on resource management, NIMS resource typing definitions, job titles, and position qualifications is on FEMA's website at <a href="https://www.fema.gov/emergency-managers/nims/components">https://www.fema.gov/emergency-managers/nims/components</a>.

FEMA developed the <u>National Incident Management System Guideline for the National Qualification System</u> to describe national credentialing standards and to provide written guidance regarding the use of those standards. This guideline describes credentialing and typing processes and identifies tools which Federal Emergency Response Officials and emergency managers at all levels of government may use both routinely and to facilitate multijurisdictional coordinated responses.

Although state, local, tribal, and private sector partners (including nongovernmental organizations) are not required to credential their personnel in accordance with these guidelines, FEMA strongly encourages them to do so to leverage the Federal investment in the Federal Information Processing Standards 201 infrastructure and to facilitate interoperability for personnel deployed outside their home jurisdiction.

Additional information about NIMS in general is available at <a href="https://www.fema.gov/emergency-managers/nims">https://www.fema.gov/emergency-managers/nims</a>.

#### 3. Reporting

Recipients are required to submit various financial and programmatic reports as a condition of award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent.

#### a. Financial Reporting Requirements

#### I. FEDERAL FINANCIAL REPORT (FFR)

Recipients must report obligations and expenditures through the FFR form (SF-425) to FEMA.

Recipients may review the Federal Financial Reporting Form (FFR) (SF-425) at https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1

Recipients must file the FFR electronically using FEMA GO.

#### II. FFR REPORTING PERIODS AND DUE DATES

An FFR must be submitted quarterly throughout the POP, including partial calendar quarters, as well as in periods where no grant award activity occurs. The final FFR is due within 120 calendar days after the end of the POP. Future awards and fund drawdowns may be withheld if these reports are delinquent, demonstrate lack of progress, or are insufficient in detail.

Except for the final FFR due at 120 days after the end of the POP for purposes of closeout, the following reporting periods and due dates apply for the FFR:

Reporting Period	Report Due Date
October 1 – December 31	January 30
January 1 – March 31	April 30
April 1 – June 30	July 30
July 1 – September 30	October 30

#### b. Programmatic Performance Reporting Requirements

#### I. PERFORMANCE PROGRESS REPORT (PPR)

Recipients are responsible for providing updated performance reports in Microsoft Word on a semi-annual basis. These is no prescribed government form for this report. The report is due within 30 days after the end of the reporting period. Recipients must submit it as an attachment to the FEMA GO system.

The semi-annual Performance Progress Report must follow the guidance provided by FEMA's National Training and Education Division (NTED) in the NTED Monitoring Policy and Procedure Guide. FEMA/NTED will provide this guide to recipients of a FY 2023 NCPC award as a post-award action.

Program Performance Reporting Periods and Due Dates The following reporting periods and due dates apply for the PPR:

Reporting Period	Report Due Date
January 1 – June 30	July 30
July 1 – December 31	January 30

#### II. FINANCIAL AND COMPLIANCE AUDIT REPORT

For audits of fiscal years beginning on or after December 26, 2014, recipients that expend \$750,000 or more from all Federal funding sources 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 requirements of Government and Accountability Office's (GAO) Government Auditing Standards, located at <a href="https://www.gao.gov/yellowbook/overview">https://www.gao.gov/yellowbook/overview</a>, and the requirements of Subpart F of 2 C.F.R. Part 200, located at <a href="http://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f">https://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f</a>.

#### c. Closeout Reporting Requirements

#### I. CLOSEOUT REPORTING

Within 120 calendar days after the end of the period of performance for the prime award or after an amendment has been issued to close out an award before the original POP ends, recipients must liquidate all financial obligations and must submit the following:

- i. The final request for payment, if applicable.
- ii. The final FFR (SF-425).
- iii. The final progress report detailing all accomplishments, including a narrative summary of the impact of those accomplishments throughout the period of performance.
- iv. Other documents required by this NOFO, terms and conditions of the award, or other FEMA guidance.

In addition, pass-through entities are responsible for closing out their subawards as described in 2 C.F.R. § 200.344; subrecipients are still required to submit closeout materials within 90 calendar days of the period of performance end date. When a subrecipient completes all closeout requirements, pass-through entities must promptly complete all closeout actions for subawards in time for the recipient to submit all necessary documentation and information to FEMA during the closeout of the prime award.

After the prime award closeout reports have been reviewed and approved by FEMA, a closeout notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for at least three years from the date of the final FFR. The record retention period may be longer, such as due to an audit or litigation, for equipment or real property used beyond the period of performance, or due to other circumstances outlined in 2 C.F.R. § 200.334.

The recipient is responsible for refunding to FEMA any balances of unobligated cash that FEMA paid that are not authorized to be retained per 2 C.F.R. § 200.344(d).

#### II. ADMINISTRATIVE CLOSEOUT

Administrative closeout is a mechanism for FEMA to unilaterally move forward with closeout of an award using available award information in lieu of final reports from the recipient per 2 C.F.R. § 200.344(h)-(i). It is a last resort available to FEMA, and if FEMA needs to administratively close an award, this may negatively impact a recipient's ability to obtain future funding. This mechanism can also require FEMA to make cash or cost adjustments and ineligible cost determinations based on the information it has, which may result in identifying a debt owed to FEMA by the recipient.

When a recipient is not responsive to FEMA's reasonable efforts to collect required reports needed to complete the standard closeout process, FEMA is required under 2 C.F.R. § 200.344(h) to start the administrative closeout process within the regulatory timeframe. FEMA will make at least three written attempts to collect required reports before initiating administrative closeout. If the recipient does not submit all required reports in accordance with 2 C.F.R. § 200.344, this NOFO, and the terms and conditions of the award, FEMA must proceed to administratively close the award with the information available within one year of the period of performance end date. Additionally, if the recipient does not submit all required reports within one year of the period of performance end date, per 2 C.F.R. § 200.344(i), FEMA must report in FAPIIS the recipient's material failure to comply with the terms and conditions of the award.

If FEMA administratively closes an award where no final FFR has been submitted, FEMA uses that administrative closeout date in lieu of the final FFR submission date as the start of the record retention period under 2 C.F.R. § 200.334.

In addition, if an award is administratively closed, FEMA may decide to impose remedies for noncompliance per 2 C.F.R. § 200.339, consider this information in reviewing future award applications, or apply special conditions to existing or future awards.

#### d. Additional Reporting Requirements

#### I. DISCLOSING INFORMATION PER 2 C.F.R. § 180.335

This reporting requirement pertains to disclosing information related to government-wide suspension and debarment requirements. Before a recipient enters into a grant award with FEMA, the recipient must notify FEMA if it knows if it or any of the recipient's principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335:

- i. Are presently excluded or disqualified;
- ii. Have been convicted within the preceding three years of any of the offenses listed in 2 C.F.R. § 180.800(a) or had a civil judgment rendered against it or any of the recipient's principals for one of those offenses within that time period;
- iii. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state or local) with commission of any of the offenses listed in 2 C.F.R. § 180.800(a); or
- iv. Have had one or more public transactions (Federal, state, or local) terminated within the preceding three years for cause or default.

At any time after accepting the award, if the recipient learns that it or any of its principals

falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to FEMA in accordance with 2 C.F.R. § 180.350.

#### II. REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE

Per 2 C.F.R. Part 200, Appendix I § F.3, the additional post-award reporting requirements in 2 C.F.R. Part 200, Appendix XII may apply to applicants who, if upon becoming recipients, have a total value of currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies that exceeds \$10,000,000 for any period of time during the period of performance of an award under this funding opportunity.

Recipients that meet these criteria must maintain current information reported in FAPIIS about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII at the reporting frequency described in paragraph 4 of Appendix XII.

#### III. SINGLE AUDIT REPORT

For audits of fiscal years beginning on or after December 26, 2014, recipients that expend \$750,000 or more from all Federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report, also known as the single audit report.

The audit must be performed in accordance with the requirements of U.S. Government Accountability Office's (GAO) Government Auditing Standards, located at <a href="https://www.gao.gov/yellowbook/overview">https://www.gao.gov/yellowbook/overview</a>, and the requirements of Subpart F of 2 C.F.R. Part 200, located at <a href="http://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f">https://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f</a>.

#### 4. Monitoring and Oversight

Per 2 C.F.R. § 200.337, FEMA, through its authorized representatives, has the right, at all reasonable times, to make site visits or conduct desk reviews to review project accomplishments and management control systems to review award progress and to provide any required technical assistance. During site visits or desk reviews, FEMA will review recipients' files related to the award. As part of any monitoring and program evaluation activities, recipients must permit FEMA, upon reasonable notice, to review grant-related records and to interview the organization's staff and contractors regarding the program. Recipients must respond in a timely and accurate manner to FEMA requests for information relating to the award.

Effective monitoring and oversight help FEMA ensure that recipients use grant funds for their intended purpose(s); verify that projects undertaken are consistent with approved plans; and ensure that recipients make adequate progress toward stated goals and objectives. Additionally, monitoring serves as the primary mechanism to ensure that recipients comply with applicable laws, rules, regulations, program guidance, and requirements. FEMA regularly monitors all grant programs both financially and programmatically in accordance with Federal laws, regulations (including 2 C.F.R. Part 200), program guidance, and the terms and conditions of the award. All monitoring efforts ultimately serve to evaluate progress towards grant goals and proactively target and address issues that may threaten grant success during the period of performance.

FEMA staff will periodically monitor recipients to ensure that administrative processes, policies and procedures, budgets, and other related award criteria are meeting Federal Government-wide and FEMA regulations. Aside from reviewing quarterly financial and programmatic reports, FEMA may also conduct enhanced monitoring through either desk-based review, onsite monitoring visits, or both. Enhanced monitoring will involve the review and analysis of the financial compliance and administrative processes, policies, activities, and other attributes of each Federal assistance award, and it will identify areas where the recipient may need technical assistance, corrective actions, or other support.

Financial and programmatic monitoring are complementary processes within FEMA's overarching monitoring strategy that function together to ensure effective grants management, accountability, and transparency; validate progress against grant and program goals; and safeguard Federal funds against fraud, waste, and abuse. Financial monitoring primarily focuses on statutory and regulatory compliance with administrative grant requirements, while programmatic monitoring seeks to validate and assist in grant progress, targeting issues that may be hindering achievement of project goals and ensuring compliance with the purpose of the grant and grant program. Both monitoring processes are similar in that they feature initial reviews of all open awards, and additional, in-depth monitoring of grants requiring additional attention.

Recipients and subrecipients who are pass-through entities are responsible for monitoring their subrecipients in a manner consistent with the terms of the Federal award at 2 C.F.R. Part 200, including 2 C.F.R. § 200.332. This includes the pass-through entity's responsibility to monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.

In terms of overall award management, recipient and subrecipient responsibilities include, but are not limited to accounting of receipts and expenditures, cash management, maintaining adequate financial records, reporting and refunding expenditures disallowed by audits, monitoring if acting as a pass-through entity, or other assessments and reviews, and ensuring overall compliance with the terms and conditions of the award or subaward, as applicable, including the terms of 2 C.F.R. Part 200.

#### G. DHS Awarding Agency Contact Information

#### 1. Contact and Resource Information

#### a. Program Office Contact

NTED maintains programmatic responsibility for the NCPC program and will maintain the program management function and responsibilities throughout the life cycle of the awarded grant. Contact our NTED point of contact Ms. Jessica Sterling at (202) 212-3042 or via email to <a href="mailto:jessica.sterling@fema.dhs.gov">jessica.sterling@fema.dhs.gov</a> or Mr. Patrick Cowhey <a href="mailto:Patrick.cowhey@fema.dhs.gov">Patrick.cowhey@fema.dhs.gov</a> for additional information.

#### b. Centralized Scheduling and Information Desk (CSID)

CSID is a non-emergency comprehensive management and information resource developed by FEMA for grants stakeholders. CSID provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the Federal, state, and local levels. When necessary, recipients will be directed to a Federal point of contact who can answer specific programmatic questions or concerns. CSID can be reached by phone at (800) 368-6498 or by e-mail at <a href="mailto:askcsid@fema.dhs.gov">askcsid@fema.dhs.gov</a>, Monday through Friday, 9:00 AM – 5:00 PM ET.

#### c. Grant Programs Directorate (GPD) Award Administration Division

GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. Additional guidance and information can be obtained by contacting the AAD's Help Desk via e-mail at <a href="mailto:ASK-GMD@fema.dhs.gov">ASK-GMD@fema.dhs.gov</a>.

#### d. Equal Rights

The FEMA Office of Equal Rights (OER) is responsible for compliance with and enforcement of Federal civil rights obligations in connection with programs and services conducted by FEMA and recipients of FEMA financial assistance. All inquiries and communications about Federal civil rights compliance for FEMA grants under this NOFO should be sent to FEMA-CivilRightsOffice@fema.dhs.gov.

#### e. Environmental Planning and Historic Preservation

The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the EHP review process to FEMA programs and FEMA's recipients and subrecipients. All inquiries and communications about EHP compliance for FEMA grant projects under this NOFO or the EHP review process should be sent to FEMAOEHP-NOFOQuestions@fema.dhs.gov.

#### f. Other Contact Information

#### **Telephone Device for the Deaf (TDD)**

The Telephone Device for the Deaf (TDD) and/or Federal Information Relay Service (FIRS) number available for this announcement is (800) 462-7585 between 8 a.m. to 8 p.m. Eastern Time, Monday through Friday, except Federal holidays.

#### 2. Systems Information

#### a. Grants.gov

For technical assistance with <u>Grants.gov</u>, call the customer support hotline 24 hours per day, 7 days per week (except Federal holidays) at (800) 518-4726 or e-mail at <u>support@grants.gov</u>.

#### b. Payment and Reporting System (PARS)

FEMA uses the <u>Payment and Reporting System (PARS)</u> for financial reporting, invoicing, and tracking payments. FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients. If you have questions about the online system, please call the Customer Service Center at (866) 927-5646 or email <u>ask-GMD@fema.dhs.gov</u>.

#### c. Payment Management System (PMS) ("Smartlink")

The Payment Management System (PMS), commonly referred to as Smartlink, is a web-based application hosted by the Department of Health and Human Services. FEMA CSEPP may continue to use Smartlink for grants awarded in previous fiscal years using Smartlink. Additional information on PMS is available at <a href="https://pms.psc.gov">https://pms.psc.gov</a>.

#### d. FEMA GO

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at <a href="mailto:femago@fema.dhs.gov">femago@fema.dhs.gov</a> or (877) 611-4700, Monday through Friday, 9:00 AM – 6:00 PM ET.

#### e. FEMA Preparedness Toolkit

The <u>FEMA Preparedness Toolkit (PrepToolkit)</u> provides access to the tools and resources needed to implement the National Preparedness System and provide a collaborative community space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required assessments using the tools on PrepToolkit. For assistance, contact <a href="mailto:support@preptoolkit.fema.dhs.gov">support@preptoolkit.fema.dhs.gov</a>.

#### **H.** Additional Information

#### 1. Termination Provisions

FEMA may terminate a Federal award in whole or in part for one of the following reasons. FEMA and the recipient must still comply with closeout requirements at 2 C.F.R. §§ 200.344-200.345 even if an award is terminated in whole or in part. To the extent that subawards are permitted under this NOFO, pass-through entities should refer to 2 C.F.R. § 200.340 for additional information on termination regarding subawards.

#### a. Noncompliance

If a recipient fails to comply with the terms and conditions of a Federal award, FEMA may terminate the award in whole or in part. If the noncompliance can be corrected, FEMA may first attempt to direct the recipient to correct the noncompliance. This may take the form of a Compliance Notification. If the noncompliance cannot be corrected or the recipient is non-responsive, FEMA may proceed with a Remedy Notification, which could impose a remedy for noncompliance per 2 C.F.R. § 200.339, including termination. Any action to terminate based on noncompliance will follow the requirements of 2 C.F.R. §§ 200.341-200.342 as well as the requirement of 2 C.F.R. § 200.340(c) to report in FAPIIS the recipient's material failure to comply with the award terms and conditions. See also the section on Actions to Address Noncompliance in this NOFO.

#### b. With the Consent of the Recipient

FEMA may also terminate an award in whole or in part with the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated.

#### c. Notification by the Recipient

The recipient may terminate the award, in whole or in part, by sending written notification to FEMA setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. In the case of partial termination, FEMA may determine that a partially terminated award will not accomplish the purpose of the Federal award, so FEMA may terminate the award in its entirety. If that occurs, FEMA will follow the requirements of 2 C.F.R. §§ 200.341-200.342 in deciding to fully terminate the award.

#### 2. Program Evaluation

Recipients and subrecipients are encouraged to incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges Federal awarding agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." Evidence Act § 101 (codified at 5 U.S.C. § 311). Evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation.

In addition, recipients are required to participate in a DHS-led evaluation if selected, which may be carried out by a third-party on behalf of the Program Office or DHS. By accepting grant funds, recipients agree to participate in the evaluation, which may include analysis of individuals who benefit from the grant, and provide access to program operating personnel and participants, as specified by the evaluator(s) during the award.

#### 3. Period of Performance Extensions

Extensions to the period of performance (POP) for this program are allowed. Extensions to the POP identified in the award will only be considered through formal, written requests to the recipient's FEMA Program Manager and must contain specific and compelling justifications as to why an extension is required. Recipients are advised to coordinate with the FEMA Program Manager as needed when preparing an extension request.

All extension requests must address the following:

- a. The grant program, fiscal year, and award number;
- b. Reason for the delay –including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;
- c. Current status of the activity(ies);
- d. Approved POP termination date and new project completion date;
- e. Amount of funds drawn down to date;
- f. Remaining available funds, both Federal and, if applicable, non-Federal;
- g. Budget outlining how remaining Federal and, if applicable, non-Federal funds will be expended;

- h. Plan for completion, including milestones and timeframes for achieving each milestone and the position or person responsible for implementing the plan for completion; and
- i. Certification that the activity(ies) will be completed within the extended POP without any modification to the original statement of work, as described in the application and as approved by FEMA.

Extension requests will be granted only due to compelling legal, policy, or operational challenges. Extension requests will only be considered for the following reasons:

- Contractual commitments by the recipient or subrecipient with vendors prevent completion of the project, including delivery of equipment or services, within the existing POP;
- The project must undergo a complex environmental review that cannot be completed within the existing POP;
- Projects are long-term by design, and therefore acceleration would compromise core programmatic goals; or
- Where other special or extenuating circumstances exist.

Recipients should submit all proposed extension requests to FEMA for review and approval at least 90 days prior to the end of the POP to allow sufficient processing time.

#### 4. Disability Integration

Pursuant to Section 504 of the Rehabilitation Act of 1973, recipients of FEMA financial assistance must ensure that their programs and activities do not discriminate against other qualified individuals with disabilities.

Grant recipients should engage with the whole community to advance individual and community preparedness and to work as a nation to build and sustain resilience. In doing so, recipients are encouraged to consider the needs of individuals with disabilities into the activities and projects funded by the grant.

FEMA expects that the integration of the needs of people with disabilities will occur at all levels, including planning; alerting, notification, and public outreach; training; purchasing of equipment and supplies; protective action implementation; and exercises/drills.

The following are examples that demonstrate the integration of the needs of people with disabilities in carrying out FEMA awards:

- Include representatives of organizations that work with/for people with disabilities on planning committees, work groups and other bodies engaged in development and implementation of the grant programs and activities.
- Hold all activities related to the grant in locations that are accessible to persons with physical disabilities to the extent practicable.
- Acquire language translation services, including American Sign Language, that provide public information across the community and in shelters.
- If making alterations to an existing building to a primary function area utilizing Federal funds, complying with the most recent codes and standards and making path of travel to the primary function area accessible to the greatest extent possible.

- Implement specific procedures used by public transportation agencies that include evacuation and passenger communication plans and measures for individuals with disabilities.
- Identify, create, and deliver training to address any training gaps specifically aimed toward whole-community preparedness. Include and interact with individuals with disabilities, aligning with the designated program capability.
- Establish best practices in inclusive planning and preparedness that consider physical access, language access, and information access. Examples of effective communication access include providing auxiliary aids and services such as sign language interpreters, Computer Aided Real-time Translation (CART), and materials in Braille or alternate formats.

FEMA grant recipients can fund projects towards the resiliency of the whole community, including people with disabilities, such as training, outreach and safety campaigns, provided that the project aligns with this NOFO and the terms and conditions of the award.

## **5.** Conflicts of Interest in the Administration of Federal Awards or Subawards For conflicts of interest under grant-funded procurements and contracts, refer to the section on Procurement Integrity in this NOFO and 2 C.F.R. §§ 200.317 – 200.327.

To eliminate and reduce the impact of conflicts of interest in the subaward process, recipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Recipients and pass-through entities are also required to follow any applicable Federal and state, local, tribal, or territorial (SLTT) statutes or regulations governing conflicts of interest in the making of subawards.

The recipient or pass-through entity must disclose to the respective Program Analyst or Program Manager, in writing, any real or potential conflict of interest that may arise during the administration of the Federal award, as defined by the Federal or SLTT statutes or regulations or their own existing policies, within five days of learning of the conflict of interest. Similarly, subrecipients, whether acting as subrecipients or as pass-through entities, must disclose any real or potential conflict of interest to the recipient or next-level pass-through entity as required by the recipient or pass-through entity's conflict of interest policies, or any applicable Federal or SLTT statutes or regulations.

Conflicts of interest may arise during the process of FEMA making a Federal award in situations where an employee, officer, or agent, any members of his or her immediate family, his or her partner has a close personal relationship, a business relationship, or a professional relationship, with an applicant, subapplicant, recipient, subrecipient, or FEMA employees.

#### **6.** Procurement Integrity

Through audits conducted by the DHS Office of Inspector General (OIG) and FEMA grant monitoring, findings have shown that some FEMA recipients have not fully adhered to the proper procurement requirements at 2 C.F.R. §§ 200.317 - 200.327 when spending grant funds. Anything less than full compliance with Federal procurement requirements

jeopardizes the integrity of the grant as well as the grant program. To assist with determining whether an action is a procurement or instead a subaward, please consult 2 C.F.R. § 200.331. For detailed guidance on the Federal procurement standards, recipients and subrecipients should refer to various materials issued by FEMA's Procurement Disaster Assistance Team (PDAT), such as the <a href="PDAT Field Manual">PDAT Field Manual</a> and <a href="Contract Provisions Guide">Contract Provisions Guide</a>. Additional resources, including an upcoming trainings schedule can be found on the PDAT Website: <a href="https://www.fema.gov/grants/procurement">https://www.fema.gov/grants/procurement</a>.

The below highlights the Federal procurement requirements for FEMA recipients when procuring goods and services with Federal grant funds. FEMA will include a review of recipients' procurement practices as part of the normal monitoring activities. All procurement activity must be conducted in accordance with Federal procurement standards at 2 C.F.R. §§ 200.317 – 200.327. Select requirements under these standards are listed below. The recipient and any of its subrecipients must comply with all requirements, even if they are not listed below.

Under 2 C.F.R. § 200.317, when procuring property and services under a Federal award, states (including territories) must follow the same policies and procedures they use for procurements from their non-Federal funds; additionally, states must now follow 2 C.F.R. § 200.321 regarding socioeconomic steps, 200.323 regarding domestic preferences for procurements, 200.323 regarding procurement of recovered materials, and 2 C.F.R. § 200.327 regarding required contract provisions.

All other non-Federal entities, such as tribes (collectively, non-state entities), must have and use their own documented procurement procedures that reflect applicable SLTT laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 C.F.R. Part 200. These standards include, but are not limited to, providing for full and open competition consistent with the standards of 2 C.F.R. § 200.319 and the required procurement methods at § 200.320.

#### a. Important Changes to Procurement Standards in 2 C.F.R. Part 200

OMB recently updated various parts of Title 2 of the Code of Federal Regulations, among them, the procurement standards. States are now required to follow the socioeconomic steps in soliciting small and minority businesses, women's business enterprises, and labor surplus area firms per 2 C.F.R. § 200.321. All non-Federal entities should also, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States per 2 C.F.R. § 200.323. More information on OMB's revisions to the Federal procurement standards can be found in Purchasing Under a FEMA Award: OMB Revisions Fact Sheet.

The recognized procurement methods in 2 C.F.R. § 200.320 have been reorganized into informal procurement methods, which include micro-purchases and small purchases; formal procurement methods, which include sealed bidding and competitive proposals; and noncompetitive procurements. The Federal micro-purchase threshold is currently \$10,000, and non-state entities may use a lower threshold when using micro-purchase procedures under a FEMA award. If a non-state entity wants to use a micro-purchase threshold higher than the Federal threshold, it must follow the requirements of 2 C.F.R. § 200.320(a)(1)(iii)-

(v). The Federal simplified acquisition threshold is currently \$250,000, and a non-state entity may use a lower threshold but may not exceed the Federal threshold when using small purchase procedures under a FEMA award. *See* 2 C.F.R. § 200.1 (citing the definition of simplified acquisition threshold from 48 C.F.R. Part 2, Subpart 2.1).

See 2 C.F.R. §§ 200.216, 200.471, and Appendix II as well as section D.13.a of the NOFO regarding prohibitions on covered telecommunications equipment or services.

#### b. Competition and Conflicts of Interest

Among the requirements of 2 C.F.R. § 200.319(b) applicable to all non-Federal entities other than states, in order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. FEMA considers these actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a non-Federal entity develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the non-Federal entity.

Under this prohibition, unless the non-Federal entity solicits for and awards a contract covering both development <u>and</u> execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.327, Federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with Federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees.

Additionally, some of the situations considered to be restrictive of competition include, but are not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business.
- Requiring unnecessary experience and excessive bonding.
- Noncompetitive pricing practices between firms or between affiliated companies.
- Noncompetitive contracts to consultants that are on retainer contracts.
- Organizational conflicts of interest.
- Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement.
- Any arbitrary action in the procurement process.

Per 2 C.F.R. § 200.319(c), non-Federal entities other than states must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed SLTT geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its

application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Under 2 C.F.R. § 200.318(c)(1), non-Federal entities other than states are required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

Under 2 C.F.R. 200.318(c)(2), if the recipient or subrecipient (other than states) has a parent, affiliate, or subsidiary organization that is not a state, local, tribal, or territorial government, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The non-Federal entity must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.

#### c. Supply Schedules and Purchasing Programs

Generally, a non-Federal entity may seek to procure goods or services from a Federal supply schedule, state supply schedule, or group purchasing agreement.

#### I. GENERAL SERVICES ADMINISTRATION SCHEDULES

States, tribes, and local governments, and any instrumentality thereof (such as local education agencies or institutions of higher education) may procure goods and services from a General Services Administration (GSA) schedule. GSA offers multiple efficient and effective procurement programs for state, tribal, and local governments, and instrumentalities thereof, to purchase products and services directly from pre-vetted contractors. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term government-wide contracts with commercial firms that provide access to millions of commercial products and services at volume discount pricing.

Information about GSA programs for states, tribes, and local governments, and instrumentalities thereof, can be found at <a href="https://www.gsa.gov/resources-for/programs-for-State-and-local-governments">https://www.gsa.gov/resources-for/programs-for-State-and-local-governments</a> and <a href="https://www.gsa.gov/buying-selling/purchasing-programs/gsa-schedules/schedule-buyers/state-and-local-governments">https://www.gsa.gov/buying-selling/purchasing-programs/gsa-schedules/schedule-buyers/state-and-local-governments</a>.

For tribes, local governments, and their instrumentalities that purchase off of a GSA schedule, this will satisfy the Federal requirements for full and open competition provided that the recipient follows the GSA ordering procedures; however, tribes, local governments, and their instrumentalities will still need to follow the other rules under 2 C.F.R. §§ 200.317 – 200.327, such as solicitation of minority businesses, women's business enterprises, small businesses, or labor surplus area firms (§ 200.321), domestic preferences (§ 200.323), contract cost and price (§ 200.324), and required contract provisions (§ 200.327 and Appendix II).

#### II. OTHER SUPPLY SCHEDULES AND PROGRAMS

For non-Federal entities other than states, such as tribes, local governments, and nonprofits, that want to procure goods or services from a state supply schedule, cooperative purchasing program, or other similar program, in order for such procurements to be permissible under Federal requirements, the following must be true:

- The procurement of the original contract or purchasing schedule and its use by the non-Federal entity complies with state and local law, regulations, and written procurement procedures.
- The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the non-Federal entity and other similar types of entities;
- The contract or purchasing schedule specifically allows for such use, and the work to be performed for the non-Federal entity falls within the scope of work under the contract as to type, amount, and geography;
- The procurement of the original contract or purchasing schedule complied with all the procurement standards applicable to a non-Federal entity other than states under at 2 C.F.R. §§ 200.317 200.327; and
- With respect to the use of a purchasing schedule, the non-Federal entity must follow ordering procedures that adhere to applicable state, tribal, and local laws and regulations and the minimum requirements of full and open competition under 2 C.F.R. Part 200.

If a non-Federal entity other than a state seeks to use a state supply schedule, cooperative purchasing program, or other similar type of arrangement, FEMA recommends the recipient discuss the procurement plans with its FEMA Program Manager.

#### d. Procurement Documentation

Per 2 C.F.R. § 200.318(i), non-Federal entities other than states and territories are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price. States and territories are encouraged to

maintain and retain this information as well and are reminded that in order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g).

Examples of the types of documents that would cover this information include but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals.
- Responses to solicitations, such as quotes, bids, or proposals.
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by Federal personnel, if applicable.
- Contract documents and amendments, including required contract provisions; and
- Other documents required by Federal regulations applicable at the time a grant is awarded to a recipient.
- Additional information on required procurement records can be found on pages 24-26 of the PDAT Field Manual.

### 7. Record Retention

#### a. Record Retention Period

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award generally must be maintained for <u>at least</u> three years from the date the final FFR is submitted. *See* 2 C.F.R. § 200.334. Further, if the recipient does not submit a final FFR and the award is administratively closed, FEMA uses the date of administrative closeout as the start of the general record retention period.

- The record retention period may be longer than three years or have a different start date in certain cases. These include:
- Records for real property and equipment acquired with Federal funds must be retained for three years after final disposition of the property. See 2 C.F.R. § 200.334(c).
- If any litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. See 2 C.F.R. § 200.334(a).
- The record retention period will be extended if the non-Federal entity is notified in writing of the extension by FEMA, the cognizant or oversight agency for audit, or the cognizant agency for indirect costs, or pass-through entity. See 2 C.F.R. § 200.334(b).
- Where FEMA requires recipients to report program income after the period of performance ends, the program income record retention period begins at the end of the recipient's fiscal year in which program income is earned. See 2 C.F.R. § 200.334(e).
- For indirect cost rate computations and proposals, cost allocation plans, or any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates), the start of the record retention period depends on whether the indirect cost rate documents were submitted for negotiation. If the indirect cost rate documents were submitted for negotiation, the record retention period begins from the date those documents were submitted for negotiation. If indirect cost rate documents were not submitted for

negotiation, the record retention period begins at the end of the recipient's fiscal year or other accounting period covered by that indirect cost rate. See 2 C.F.R. § 200.334(f).

## b. Types of Records to Retain

FEMA requires that non-Federal entities maintain the following documentation for Federally funded purchases:

- Specifications
- Solicitations
- Competitive quotes or proposals
- Basis for selection decisions
- Purchase orders
- Contracts
- Invoices
- Cancelled checks

Non-Federal entities should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records, including purchasing documentation along with copies of cancelled checks for verification. *See*, *e.g.*, 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

In order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g). Non-Federal entities who fail to fully document all purchases may find their expenditures questioned and subsequently disallowed.

### 8. Actions to Address Noncompliance

Non-Federal entities receiving financial assistance funding from FEMA are required to comply with requirements in the terms and conditions of their awards or subawards, including the terms set forth in applicable Federal statutes, regulations, NOFOs, and policies. Throughout the award lifecycle or even after an award has been closed, FEMA or the pass-through entity may discover potential or actual noncompliance on the part of a recipient or subrecipient. This potential or actual noncompliance may be discovered through routine monitoring, audits, closeout, or reporting from various sources.

In the case of any potential or actual noncompliance, FEMA may place special conditions on an award per 2 C.F.R. §§ 200.208 and 200.339, FEMA may place a hold on funds until the matter is corrected, or additional information is provided per 2 C.F.R. § 200.339, or it may do both. Similar remedies for noncompliance with certain Federal civil rights laws are authorized pursuant to 44 C.F.R. Parts 7 and 19.

In the event the noncompliance is not able to be corrected by imposing additional conditions or the recipient or subrecipient refuses to correct the matter, FEMA might take other remedies allowed under 2 C.F.R. § 200.339. These remedies include actions to disallow costs, recover funds, wholly or partly suspend or terminate the award, initiate suspension and debarment proceedings, withhold further Federal awards, or take other remedies that may be legally available. For further information on termination due to noncompliance, see the section on Termination Provisions in the NOFO.

FEMA may discover and take action on noncompliance even after an award has been closed. The closeout of an award does not affect FEMA's right to disallow costs and recover funds as long the action to disallow costs takes place during the record retention period. *See* 2 C.F.R. §§ 200.334, 200.345(a). Closeout also does not affect the obligation of the non-Federal entity to return any funds due as a result of later refunds, corrections, or other transactions. 2 C.F.R. § 200.345(a)(2).

The types of funds FEMA might attempt to recover include, but are not limited to, improper payments, cost share reimbursements, program income, interest earned on advance payments, or equipment disposition amounts.

FEMA may seek to recover disallowed costs through a Notice of Potential Debt Letter, a Remedy Notification, or other letter. The document will describe the potential amount owed, the reason why FEMA is recovering the funds, the recipient's appeal rights, how the amount can be paid, and the consequences for not appealing or paying the amount by the deadline.

If the recipient neither appeals nor pays the amount by the deadline, the amount owed will become final. Potential consequences if the debt is not paid in full or otherwise resolved by the deadline include the assessment of interest, administrative fees, and penalty charges; administratively offsetting the debt against other payable Federal funds; and transferring the debt to the U.S. Department of the Treasury for collection.

FEMA notes the following common areas of noncompliance for FEMA's grant programs:

- Insufficient documentation and lack of record retention.
- Failure to follow the procurement under grants requirements.
- Failure to submit closeout documents in a timely manner.
- Failure to follow EHP requirements.
- Failure to comply with the POP deadline

#### 9. Audits

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS OIG, the GAO, the pass-through entity, or independent auditing firms for single audits, and may cover activities and costs incurred under the award. Auditing agencies such as the DHS OIG, the GAO, and the pass-through entity (if applicable), and FEMA in its oversight capacity, must have access to records pertaining to the FEMA award. Recipients and subrecipients must retain award documents for at least three years from the date the final FFR is submitted, and even longer in many cases subject to the requirements of 2 C.F.R. § 200.334. In the case of administrative closeout, documents must be retained for at least three years from the date of closeout, or longer subject to the requirements of 2 C.F.R. § 200.334. If documents are retained longer than the required retention period, the DHS OIG, the GAO, and the pass-through entity, as well as FEMA in its oversight capacity, have the right to access these records as well. See 2 C.F.R. §§ 200.334, 200.337.

Additionally, non-Federal entities must comply with the single audit requirements at 2 C.F.R. Part 200, Subpart F. Specifically, non-Federal entities, other than for-profit subrecipients, that expend \$750,000 or more in Federal awards during their fiscal year must have a single or

program-specific audit conducted for that year in accordance with Subpart F. 2 C.F.R. § 200.501. A single audit covers all Federal funds expended during a fiscal year, not just FEMA funds. The cost of audit services may be allowable per 2 C.F.R. § 200.425, but non-Federal entities must select auditors in accordance with 2 C.F.R. § 200.509, including following the proper procurement procedures. For additional information on single audit reporting requirements, see section F of this NOFO under the header "Single Audit Report" within the subsection "Additional Reporting Requirements."

The objectives of single audits are to:

- Determine if financial statements conform to generally accepted accounting principles (GAAP);
- Determine whether the schedule of expenditures of Federal awards is presented fairly;
- Understand, assess, and test the adequacy of internal controls for compliance with major programs; and
- Determine if the entity complied with applicable laws, regulations, and contracts or grants.

For single audits, the auditee is required to prepare financial statements reflecting its financial position, a schedule of Federal award expenditures, and a summary of the status of prior audit findings and questioned costs. The auditee also is required to follow up and take appropriate corrective actions on new and previously issued but not yet addressed audit findings. The auditee must prepare a corrective action plan to address the new audit findings. 2 C.F.R. §§ 200.508, 200.510, 200.511.

Non-Federal entities must have an audit conducted, either single or program-specific, of their financial statements and Federal expenditures annually or biennially pursuant to 2 C.F.R. § 200.504. Non-Federal entities must also follow the information submission requirements of 2 C.F.R. § 200.512, including submitting the audit information to the <u>Federal Audit Clearinghouse</u> within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period. The audit information to be submitted include the data collection form described at 2 C.F.R. § 200.512(c) and Appendix X to 2 C.F.R. Part 200 as well as the reporting package described at 2 C.F.R. § 200.512(b).

The non-Federal entity must retain one copy of the data collection form and one copy of the reporting package for three years from the date of submission to the Federal Audit Clearinghouse. 2 C.F.R. § 200.512; *see also* 2 C.F.R. § 200.517 (setting requirements for retention of documents by the auditor and access to audit records in the auditor's possession).

FEMA, the DHS OIG, the GAO, and the pass-through entity (if applicable), as part of monitoring or as part of an audit, may review a non-Federal entity's compliance with the single audit requirements. In cases of continued inability or unwillingness to have an audit conducted in compliance with 2 C.F.R. Part 200, Subpart F, FEMA and the pass-through entity, if applicable, are required to take appropriate remedial action under 2 C.F.R. § 200.339 for noncompliance, pursuant to 2 C.F.R. § 200.505.

# 10. Payment Information

FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients.

FEMA utilizes the Payment and Reporting System (PARS) for financial reporting, invoicing, and tracking payments. For additional information, refer to <a href="https://isource.fema.gov/sf269/execute/LogIn?sawContentMessage=true">https://isource.fema.gov/sf269/execute/LogIn?sawContentMessage=true</a>.

### 11. Whole Community Preparedness

Preparedness is a shared responsibility that calls for the involvement of everyone—not just the government—in preparedness efforts. By working together, everyone can help keep the nation safe from harm and help keep it resilient when struck by hazards, such as natural disasters, acts of terrorism, and pandemics.

Whole Community includes:

- Individuals and families, including those with access and functional needs
- Businesses
- Faith-based and community organizations
- Nonprofit groups
- Schools and academia
- Media outlets
- All levels of government, including state, local, tribal, territorial, and Federal partners

The phrase "Whole Community" often appears in preparedness materials, as it is one of the guiding principles. It means two things:

- 1. Involving people in the development of national preparedness documents.
- 2. Ensuring their roles and responsibilities are reflected in the content of the materials.

## **Appendix A: Program Guidelines and Application Content Requirements**

**Overview.** Over the last several years our nation has witnessed an exponential rise in threat vectors and cyber-attacks with disruptive and destructive physical consequences. Industrial control systems and other supporting information technology which power energy, water, communications, and other critical infrastructure sectors are becoming increasingly interdependent and attractive as targets.

#### Guidelines.

Support the 2022-2026 FEMA Strategic Plan. NCPC partners will support the strategic goals and objectives described in the 2022-2026 FEMA Strategic Plan to the greatest extent possible.

Training Must Address the Needs of Underserved Communities. In addition to serving a nationwide audience of various jurisdictions and communities, NCPC partners will plan and implement training to address the needs of underserved communities, as appropriate.

Needs Analysis. The NCPC's training proposal/statement of work must identify and explain preparedness gaps that could be addressed through cybersecurity training development and delivery that are distinct from other national training programs and FEMA courses. NCPC partners will use NTED's Unified Training Needs Assessment (UTNA) process to verify that training solutions to be developed, or to be sustained target the need, align with the FEMA mission, are not duplicative, and are cost effective in terms of content, modality, and delivery.

*Target Audience.* Cybersecurity training must empower technical and non-technical personnel in key roles including cybersecurity and information technology professionals, leadership and organizational decision makers, SLTT emergency responders and end users.

Standards. Proposed training must be consistent with the guidelines found in the following:

- Executive Order 14028: Improving the Nation's Cybersecurity. Signed by President Biden May 12, 2021. <a href="https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/12/executive-order-on-improving-the-nations-cybersecurity/">https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/12/executive-order-on-improving-the-nations-cybersecurity/</a>
- Executive Order 13636: Improving Critical Infrastructure Cybersecurity. Signed by President Obama February 12, 2013. Additional information can be found at <a href="https://www.Federalregister.gov/documents/2013/02/19/2013-03915/improving-critical-infrastructure-cybersecurity">https://www.Federalregister.gov/documents/2013/02/19/2013-03915/improving-critical-infrastructure-cybersecurity</a>.
- Executive Order 13691: Promoting Private Sector Cybersecurity Information Sharing. Signed by President Obama February 13, 2015. Additional information can be found at <a href="https://www.Federalregister.gov/documents/2015/02/20/2015-03714/promoting-private-sector-cybersecurity-information-sharing">https://www.Federalregister.gov/documents/2015/02/20/2015-03714/promoting-private-sector-cybersecurity-information-sharing</a>.
- DHS's Critical Infrastructure Cyber Community C<sup>3</sup> Voluntary Program also provides resources to support critical infrastructure owners and operators in the adoption of the Framework to manage cyber risk more effectively. It was launched in February 2014 to support Executive Order 13636. Additional information on the C<sup>3</sup> Program can be found at <a href="https://www.dhs.gov/ccubedvp">https://www.dhs.gov/ccubedvp</a>;

- Presidential Policy Directive 21: Critical Infrastructure Security and Resilience. More
  information is available at <a href="https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil/">https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil/</a>
- The National Institute of Standards and Technology (NIST) Framework for improving Critical Infrastructure Cybersecurity to better manage cybersecurity risk. This document was released February 12, 2014 and is available at <a href="http://www.nist.gov/cyberframework/upload/cybersecurity-framework-021214.pdf">http://www.nist.gov/cyberframework/upload/cybersecurity-framework-021214.pdf</a>;
- The National Cybersecurity Workforce Framework. This document is available at <a href="https://niccs.us-cert.gov/training/tc/framework">https://niccs.us-cert.gov/training/tc/framework</a>; and
- The Nationwide Cyber Security Review (NCSR) findings and recommendations. The NCSR identifies the level of maturity and risk awareness of state and local government information. This document is available at MS-ISAC (cisecurity.org)
- <u>CISA National Cyber Incident Scoring System</u>
  The CISA National Cyber Incident Scoring System (NCISS) is a framework designed to provide a repeatable and consistent mechanism for estimating the impact of a cyber incident. https://www.cisa.gov/uscert/CISA-National-Cyber-Incident-Scoring-System
- <u>Comprehensive National Cybersecurity Initiative</u>
  The CNCI consists of initiatives and goals designed to help secure the United States in cyberspace. <a href="https://obamawhitehouse.archives.gov/issues/foreign-policy/cybersecurity/national-initiative">https://obamawhitehouse.archives.gov/issues/foreign-policy/cybersecurity/national-initiative</a>
- E-Government Act of 2002 including Title III The Federal Information Security

  Management (FISMA) Act

The purpose of this Act is to enhance the management and promotion of electronic government services and processes. Title III of this act is the Federal Information Security Management Act of 2002. The E-Government Act permanently supersedes the Homeland Security Act in those instances where both Acts prescribe different amendments to the same provisions of the United States Code. https://csrc.nist.gov/projects/risk-management/fisma-background.

- IT Sector Baseline Risk Assessment
  - The ITSRA identifies and prioritizes national-level risks to critical functions delivered and maintained by the IT Sector and relied on by all critical infrastructure sectors. https://www.hsdl.org/?abstract&did=4214
- National Infrastructure Protection Plan
  NIPP 2013 outlines how government and private sector participants in the critical
  infrastructure community work together to manage risks and achieve security and
  resilience outcomes. https://www.cisa.gov/national-infrastructure-protection-plan
- Office of Management and Budget Memoranda M-22-09
   Guidance of moving the U.S. government towards zero trust cybersecurity principles.

   <a href="https://www.whitehouse.gov/wp-content/uploads/2022/01/M-22-09.pdf">https://www.whitehouse.gov/wp-content/uploads/2022/01/M-22-09.pdf</a>
- Office of Management and Budget Guidance on FISMA
   M-22-05 provides current Administration information security priorities, FY 2021-2022
   Federal Information Security Management Act (FISMA) and Privacy Management
   reporting guidance and deadlines, and policy guidelines to improve Federal information
   security posture. https://www.whitehouse.gov/wp-content/uploads/2021/12/M-22-05 FY22-FISMA-Guidance.pdf
- Office of Management and Budget Memoranda M-22-01

Guidance on improving detection of cybersecurity vulnerabilities and incidents on Federal government systems through endpoint detection and response. https://www.whitehouse.gov/wp-content/uploads/2021/10/M-22-01.pdf

Adult Learning Approach. NCPC training programs will use an adult learning approach across of variety of modalities and delivery methods including classroom instruction, virtual training, learning through workshops and seminars, interactive web-based and computer-based training. Adult learning theory includes the following key components outlining the general ways in which adults perceive learning and how they prefer to train: Self-Concept, Adult Learner Experience, Readiness to Learn, Orientation of Learning, and Motivation to Learn.

*Instructional Systems Design Expertise*. NCPC partners must have staff members qualified in the field of Instructional Systems Design whose primary responsibilities are to design and develop instructional content for web-based and/or instructor-led courseware.

*Non-Duplication of Existing Training Programs*. NCPC-developed training must not duplicate training provided by Federal, state, local, tribal, or territorial departments and agencies, or other training providers.

*Course Mapping*. NCPC partners will use NTED's course mapping process to determine appropriate course complexity, learning levels, and alignment with Mission Areas and Core Capabilities.

## **Application Content.** The NCPC application must include the following:

*Executive Summary*. An executive summary that includes the following data and information, as appropriate:

- Statement(s) regarding the NCPC's planned approach for identifying and reaching underserved communities
- Statement(s) explaining the NCPC's status for implementing Level 3 evaluations
- Current funds balance from previous awards
- An estimated number of backlogged training requests using evidence-based data such as student requests or registrations that have not received course allocations
- Number of active certified courses
- Number of proposed new courses
- Average cost per student per course
- Anticipated student throughput per course

Program Narrative, Part 1. Provide detailed explanations for the following:

- Program alignment with the 2022-2026 FEMA Strategic Plan, National Preparedness Goal, National Preparedness System, National Incident Management System, National Planning Frameworks, Mission Areas, and Core Capabilities.
- Plan for addressing the needs of underserved communities that includes a listing of community and risk data sources, data analysis methodology, community engagement strategies, and decision processes for determining training delivery offerings.

- Plan for implementing and advancing Level 3 evaluations to include details on how surveys will be delivered to students, examples of accompanying messages to encourage student participation and follow up reminder messages, data collection and assessment practices, and process for reporting data and information to NTED.
- Descriptions of program management structures to illustrate how the program is organized and managed within the NCPC. The NCPC must provide an organizational chart and describe how the organization will support the program.
- A detailed program schedule to reflect the program life cycle with phases, deliverables, and outcomes arranged and explained.
- A process for identifying lessons learned and best practices for inclusion in ongoing FEMA and DHS efforts.

*Program Narrative, Part 2 (Training Objectives).* The NCPC must describe their planned approach to design, develop, implement, and evaluate training aligned with the following objectives:

- Update Existing and Develop New Training for Emerging Cyber Threats and Incidents with Physical Consequences. Training should:
  - Address the need to develop, assess, exercise, and update cyber plans and target the need to prepare for emerging cyber threats and incidents, especially those with the potential to result in physical consequences or otherwise impact the continuity of government at all levels.
  - Educate participants on common terminology, best practices, resources, and planning considerations when developing cyber incident response, disaster recovery, and continuity plans.
  - Address cyber incidents/attacks with physical consequences, in which the attacker(s) access a physical asset within a community's critical infrastructure, such as a utilities provider, hospital, government organization, or 911 system.
  - Relate risks to mitigation actions including the development and use of comprehensive cyber incident response planning tools and superior information system protection.
  - O Present key cyber preparedness program and plan components, including: identify cyber dependent information and information systems that support critical services and related dependencies; prioritize and plan for service and system disruptions; identify roles and responsibilities; provide integrated communication and public messaging; establish partnerships and information sharing procedures; and incorporate planning considerations for specific threat types, such as ransomware
  - O Support the development of community-level cybersecurity preparedness, through development and delivery of a workshop that brings together community members from all sectors to establish a baseline awareness of cybersecurity threats and risks, provide knowledge of the challenges of preparing for, responding to, and recovering from a cyber incident, and prepare communities to integrate cybersecurity into planning.
- Support Development of Cybersecurity Certificate Programs.
  - The NCPC will collaborate with the Emergency Management Institute (EMI) to develop and support a cybersecurity certificate program for the emergency management community.

- The NCPC will identify and develop a competency-based certificate program that will award individuals who successfully complete specific cybersecurity courses in one or more of the NCPC focus areas to include End User Awareness, Management/Leadership, and Information Technology. After completing all required courses under any specific category, the individual is awarded a certificate of completion.
- Leadership and Cybersecurity. Training should:
  - Provide SLTT executive leaders a comprehensive understanding of multi-sector dependencies and interdependencies, common operating environments across all levels of government, public and private partnerships, information sharing and collaboration methods/benefits, and interagency and intergovernmental resources and capabilities.
  - Enhance the ability of SLTT executive leaders to address the challenges of planning for, protecting against, mitigating, responding to, and recovering from a cyber incident.
  - Define roles and responsibilities for securing digital information, networks, critical infrastructure, and other assets for SLTT executive leaders within their jurisdictions, agencies, organizations, and communities.
  - Address coordination activities with SLTT and Federal partners and emphasize compliance and consistency with applicable laws, regulatory requirements, NIST guidelines, and DHS policies and procedures.
- Threats Against Information Technology, Operational Technology, and Critical Infrastructure During Other Disasters and Incidents Resulting in Cascading Impacts. Training should:
  - Highlight the likelihood of cyber-attacks coinciding with climate related disaster such as severe storms, wildfires, and hurricanes, and human caused disasters such as terrorist incidents that result in cascading impacts that could severely impact hamper response efforts and imperil survivors and provide approaches to reduce risks and mitigate impacts.
- Increase Delivery of Existing NCPC Training Programs and Implement New Courses.
  - o The NCPC shall incrementally increase delivery of existing training by at least 50% compared with the average number of course completions between 2019 and 2022 by September 30, 2026.

Work Breakdown Structure. The NCPC will provide a work breakdown structure (WBS) as part of the application. A WBS is a task-oriented schematic of activities that organizes, defines, and graphically displays the total work to achieve the final objectives of a project.

The WBS applies a system for subdividing a project into manageable work packages, components, or elements to provide a common framework for scope/cost/schedule communications, allocation of responsibility, risk management, performance-based evaluations, and a quality control plan. The WBS establishes deliverables arranged on an anticipated timeline. Each descending level represents an increasingly detailed definition of the project objective. Components of the WBS include, but are not limited to, the following:

- A risk management plan describing the approach for identifying and managing risks, and identifying known or postulated events or factors that could prevent a recipient from meeting program objectives (cost, schedule, scope, performance, or quality);
- A performance-based evaluation plan, including program performance measures that will
  assess the attainment of goals, objectives, outcomes, and which details a data collection
  plan including the analysis of data; and
- A quality control plan for the development and delivery of programs and courses.

*Equipment Plan.* The NCPC must provide an equipment-purchasing plan for proposed equipment purchases that are required to support the program. At a minimum, the plan must detail planned equipment purchases, why they are necessary, and the costs of the equipment.

Detailed Budget. The NCPC must provide a detailed budget by task and a summary budget aggregating task costs into the categories of personnel, fringe benefits, travel, equipment, supplies, consultants/contracts, other costs, indirect costs, and the total budget. Submit the detailed budget with the grant application as a file attachment within FEMA GO. The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs, any appropriate narrative, and a detailed justification of M&A costs. Budget information must also address the following:

- Personnel. The NCPC must indicate the total projected salary and wages for all project personnel. Compensation paid for employees engaged in activities must be consistent with that paid for similar work within the NCPC organization.
- Travel. The NCPC must provide the total projected cost for travel. The NCPC should determine costs by the projected number of trips multiplied by the number of people traveling multiplied by an average cost for travel and per diem (airfare, lodging, meals). Separate travel for development of training and delivery of training in the detailed budget but include all travel costs as a single total in the summary budget. Detail travel performed at the request of NTED under travel for development of training.
- Equipment. The NCPC must provide the total projected cost for non-expendable items. Non-expendable equipment is tangible property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. The NCPC may use the organization's own capitalization policy and threshold amount for classification of equipment. Expendable items should be included either in the "Supplies" category or in the "Other" category. The NCPC should analyze the cost benefits of purchasing versus leasing equipment, especially high-cost items, and those subject to rapid technical advances. List rented or leased equipment costs in the "Contracts" category. Identify and explain equipment purchases.
- Supplies. The NCPC must provide the total projected cost of supplies (e.g., office supplies, postage, training materials, copying paper, and other expendable items, such as books and hand-held tape-recording devices). The 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 project.
- Consultants/Contracts. The NCPC must provide the total projected cost of consultants and contracts. Identify and justify the type of consultant/contract.

- Other Costs. The NCPC must provide a total projected cost of miscellaneous items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds).
- Indirect Costs. A copy of an active indirect cost rate agreement must be included in the detailed budget as required for all NCPC applicants. If the NCPC is not required to have an indirect cost rate agreement but will charge indirect costs and is required to have an indirect cost rate proposal, the NCPC must provide a copy of their indirect cost rate proposal with the application. FEMA will evaluate indirect costs as part of the application for Federal funds to determine if allowable and reasonable.