

A photograph of the United States flag waving in the wind, set against a backdrop of snow-capped mountains under a clear blue sky. The flag is the central focus, with its stars and stripes clearly visible. The mountains are in the distance, and the sky is a deep, clear blue.

U.S. DEPARTMENT OF HOMELAND SECURITY

FISCAL YEAR 2010

INTERCITY PASSENGER RAIL - AMTRAK

GUIDANCE AND APPLICATION KIT

DECEMBER 2009



U.S. DEPARTMENT OF HOMELAND SECURITY

Title of Opportunity: FY 2010 Intercity Passenger Rail – Amtrak

Funding Opportunity Number: DHS-10-GPD-075-000-02

Federal Agency Name: U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA)

Announcement Type: Initial

Dates: Completed applications must be submitted **no later than 11:59 p.m. EST, February 12, 2010.**

Additional overview information: The Fiscal Year (FY) 2010 Intercity Passenger Rail (IPR) program contains improvements based on extensive outreach to grant participants and stakeholders. Some of the key changes impacting the FY 2010 IPR as compared to the previous year's program include:

Funding Priorities

The funding priorities include the following project types for the FY 2010 IPR:

- Protection of high-risk/high-consequence underwater and underground rail assets
- Planning
- Targeted counterterrorism training for key frontline employees
- Use of visible, unpredictable deterrence
- Emergency preparedness drills and exercises
- Public awareness and preparedness campaigns
- Protection of other high-risk/high-consequence assets and systems that have been identified through system wide risk assessments
- Security projects in line with or addressing one or more of the 22 areas outlined in Sec. 1513 of the 9/11 Act (6 U.S.C. §601, et seq)

Maintenance and Sustainment. The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Please refer to Part IV.E. "Other Allowable Costs – Maintenance and Sustainment" in this kit for more information.

Operational Expenses

Funding under the FY 2010 IPR program may be used to fund certain operational expenses, bundled as Operational Packages (OPacks) for canine teams, mobile screening teams, and Anti-Terrorism Teams (ATT).

Additional Considerations

- No minimum project cost requirement
- No cost share match requirement
- Funding release of project design/planning costs for eligible projects when identified clearly in the Investment Justification/Budget Detail Worksheet

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PART I.

FUNDING OPPORTUNITY DESCRIPTION

The FY 2010 Intercity Passenger Rail – Amtrak (IPR) is one of five grant programs that constitute the Department of Homeland Security (DHS) Fiscal Year (FY) 2010 focus on transportation infrastructure security activities. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by the Administration to help strengthen the Nation’s critical infrastructure against risks associated with potential terrorist attacks. The IPR is an important component of the Department’s effort to enhance the security of the Nation’s critical infrastructure. The program provides funds to Amtrak to protect critical surface transportation infrastructure and the traveling public from acts of terrorism, major disasters, and other emergencies. The FY 2010 IPR is authorized by Section 1513 of the *Implementing Recommendations of the 9/11 Commission Act of 2007* (the 9/11 Act) and the *Department of Homeland Security Appropriations Act, 2010* (Public Law 111-83).

The funding priorities for the FY 2010 IPR reflect the Department’s overall investment strategy. Of these priorities two have been paramount — risk-based funding and regional security cooperation. This document also reflects changes called for in the 9/11 Act and the Public Law 111-83.

Federal Investment Strategy

The IPR is an important part of the Administration’s larger, coordinated effort to strengthen homeland security preparedness, including the security of America’s critical infrastructure. The program implements objectives addressed in a series of post-9/11 laws, strategy documents, plans, Executive Orders, and Homeland Security Presidential Directives. Of particular significance is the National Preparedness Guidelines and its associated work products, including the National Infrastructure Protection Plan (NIPP) and its transportation sector-specific plans and Executive Order 13416 (*Strengthening Surface Transportation Security*). The National Preparedness Guidelines is an all-hazards vision regarding the Nation’s four core preparedness objectives: to prevent, protect against, respond to, and recover from terrorist attacks and catastrophic natural disasters.

The National Preparedness Guidelines define a vision of what to accomplish, and provide a set of tools to forge a unified national consensus about what to do and how to work together at the Federal, State, local, and tribal levels. Private sector participation is integral to the Guidelines’ success. They outline 15 scenarios of terrorist attacks or national disasters that form the basis of much of the Federal exercise and training regime. In addition, they identify 37 critical target capabilities that DHS is making the focus of key investments with State, local, and tribal partners.

DHS expects its critical infrastructure partners to be familiar with this national preparedness architecture and to incorporate elements of this architecture into their planning, operations, and investment to the degree practicable. DHS funding priorities outlined in this document reflect the National Preparedness Guidelines' priority investments as appropriate. Programmatic requirements or priority investment categories reflecting the national preparedness architecture for this grant program are identified below. Additional information may be found at <http://www.dhs.gov/xprepresp/publications>.

Funding Priorities

The Department has identified the following project types for the FY 2010 IPR:

Protection of high risk/high consequence underwater and underground rail assets. Many of the Nation's largest transit systems have significant track miles and support large concentrations of riders in rail systems that run underground and underwater. It is the highest priority of the FY 2010 IPR to support measures that protect underground rail system assets — particularly underwater assets — from terrorist attacks by improvised explosive devices (IEDs) or other threats that can damage or significantly breach such assets. Active coordination and regular testing of emergency evacuation plans can greatly reduce loss of life in serious incidents.

Planning. Planning for how to prevent, protect against, respond to, and recover from acts of terrorism is a core component in an agency's security framework. Vulnerability assessments, security plans, and risk mitigation plans all work to help identify focus areas that must be addressed to remediate risk, including action plans for how those identified risks will be addressed.

Targeted counter-terrorism training for key front line staff. Effective employee training programs address individual employee responsibilities and provide basic security awareness to front line employees, including equipment familiarization, assessing and reporting incident severity, appropriate responses to protect self and passengers, use of protective devices, crew communication and coordination, and incident evacuation procedures. For example, well trained and rehearsed operators ensure that if an underground station has suffered a chemical agent attack, trains — and the riding public — are quickly removed from the scene, thus reducing their exposure and risk.

Use of visible, unpredictable deterrence. Visible and unpredictable security activities instill confidence and enhance security awareness in the riding public, and deter attacks by disrupting the ability of terrorists to prepare for and execute attacks. Examples include the mobile screening of passengers and luggage; the acquisition, training, and certification of explosives detection canine teams; training of law enforcement, security officials and front-line employees in behavioral pattern recognition; and procurement of mobile detection or screening equipment to identify the presence of explosives, residue, and other suspicious items on persons or in packages.

Emergency preparedness drills and exercises. In order to assess and enhance a system's capability to respond under a variety of serious incidents, transit agencies are encouraged to maintain an emergency drill and exercise program to test key operational protocols, including coordination with first responders. The IPR can support exercises related to terrorist attack scenarios (such as IEDs or chemical, biological, radiological, nuclear, and explosive (CBRNE) weapons attacks), natural disasters, and other emergencies. Such programs can take various forms, from table top exercises to more comprehensive multi-agency full-scale exercises. IPR funds also support rigorous after action assessments to identify further system improvements.

Public awareness and preparedness campaigns. A public awareness and preparedness program can employ announcements and postings in stations, transit vehicles, or other media to ensure awareness of heightened alert or threat conditions. Effective awareness programs enlist the public in becoming an informal part of an agency security plan. They should explain specific actions the public can take to contribute to strengthening system security.¹

Protection of other high risk/high consequence assets and systems that have been identified through system wide risk assessments. It is imperative that transit agencies focus countermeasure resources on their highest risk, highest consequence areas or systems. The IPR will particularly support the development and enhancement of capabilities to prevent, protect against, and respond to terrorist attacks employing CBRNE weapons, particularly IEDs. For example, a system wide assessment may highlight the need to segregate critical security infrastructure from public access. One solution is an integrated intrusion detection system, which controls access to these critical facilities or equipment. Transit systems should consider security technologies to reduce the burden on security manpower. Using smart closed circuit television (CCTV) systems in remote locations could free up security patrols to focus on more high risk areas.

Other. Security projects in line with, or addressing one or more of the 22 areas outlined in Sec. 1513 of the 9/11 Act will be considered.

IPR Program Management: Roles and Responsibilities at DHS

Effective management of the IPR entails a collaborative effort and partnership within DHS, the dynamics of which require continuing outreach, coordination, and interface. For the FY 2010 IPR, FEMA is responsible for designing and operating the administrative mechanisms needed to implement and manage the grant program. The Transportation Security Administration (TSA) provides programmatic subject matter expertise for the transportation industry and assists by coordinating the myriad of intelligence information and risk/vulnerability assessments resulting in ranking and rating rail and mass transit assets nationwide against threats associated with potential terrorist attacks and in defining the parameters for identifying, protecting, deterring, responding, and recovering from such incidents. Together, these two agencies with

¹ For more information about citizen preparedness, see the Citizen Corps website at <http://www.citizencorps.gov/>.

additional assistance and cooperation of the Federal Transit Administration (FTA), for rail and mass transit systems, and the Federal Railroad Administration (FRA), as needed for freight rail operations, determine the primary security architecture of the IPR program.

PART II.

AWARD INFORMATION

Authorizing Statutes

Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53) (6 U.S.C. §1135 et seq.) and the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83).

Period of Performance

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

Available Funding

In FY 2010, the total amount of funds distributed under this grant will be \$20,000,000.

PART III.

ELIGIBILITY INFORMATION

A. Eligible Applicants

The National Passenger Railroad Corporation (Amtrak) is the only entity eligible to apply for funding under FY 2010 IPR.

DHS will partner with Amtrak to develop security enhancements for eligible intercity passenger rail operations in all eligible Urban Areas Security Initiative (UASI) areas Amtrak passes through or services.

Amtrak is strongly encouraged to fully integrate and coordinate with regional transit entities in the conduct of developing security enhancements.

National Incident Management System (NIMS) Implementation Compliance

In accordance with Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the adoption of the NIMS is a requirement to receive Federal preparedness assistance, through grants, contracts, and other activities. The NIMS provides a consistent nationwide template to enable all levels of government, tribal nations, nongovernmental organizations, and private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

Federal FY 2009 NIMS implementation must be considered prior to allocation of any Federal preparedness awards in FY 2010. In April 2009, the National Integration Center Incident Management Systems Integration (IMSI) Division advised State², tribal nation, and local governments to respond to metric assessments in the NIMS Compliance Assistance Support Tool (NIMSCAST) to assess on-going progress and achievement. The list of objectives against which progress and achievement are assessed and reported can be found at

<http://www.fema.gov/emergency/nims/ImplementationGuidanceStakeholders.shtm#item2>.

All State, tribal nation, and local government grantees were required to update their respective NIMSCAST assessments by September 30, 2009. State, tribal, and local

² As defined in the *Homeland Security Act of 2002* (Public Law 107-296), the term "State" means "any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States" 6 U.S.C. 101 (14).

grantees unable to meet implementation objectives were required to submit a Corrective Action Plan via NIMSCAST no later than October 31, 2009. Comprehensive information concerning NIMS implementation for States, tribal nations, local governments, nongovernmental organizations, and the private sector is available through IMSI via its NIMS Resource Center at <http://www.fema.gov/nims>.

States, tribal nations, and local governments should continue to implement the training guidance contained in the *Five-Year NIMS Training Plan*, released in February 2008.

The primary grantee/administrator of FY 2010 IPR award funds is responsible for determining if sub-awardees have demonstrated sufficient progress to disburse awards.

B. Restrictions

Please see Part IV.E. for Management & Administration (M&A) limits and allowable/unallowable costs guidance.

Part IV.
**APPLICATION AND SUBMISSION
INFORMATION**

A. Address to Request Application Package

All applications for DHS grants will be filed using the common electronic “storefront” – www.grants.gov. To access application forms and instructions, select “Apply for Grants,” and then select “Download Application Package.” Enter the Catalog of Federal Domestic Assistance (CFDA) and/or the funding opportunity number located on the cover of this announcement. Select “Download Application Package,” and then follow the prompts to download the application package. To download the instructions, go to “Download Application Package” and select “Instructions.” If you experience difficulties or have any questions, please call the www.grants.gov customer support hotline at (800) 518-4726.

DHS may request original signatures on forms at a later date.

B. Content and Form of Application

The on-line application must be completed and submitted using www.grants.gov after Central Contractor Registry (CCR) registration is confirmed. The on-line application includes the following required forms and submissions:

- Budget Detail Worksheet
- Investment Justification, if applicable
- Standard Form 424, Application for Federal Assistance
- Standard Form 424A, Budget Information
- Standard Form 424B, Assurances
- Standard Form 424C, Budget Information – Construction Form
- Standard Form 424D, Assurances – Construction Programs
- Lobbying Form – Certification Regarding Lobbying (this form must be completed by all grant applicants)
- Standard Form LLL, Disclosure of Lobbying Activities (if the grantee has engaged or intends to engage in lobbying activities)
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters
- Certification Regarding Drug-Free Workplace Requirements

The program title listed in the CFDA is “*Rail and Transit Security Grant Program.*” The CFDA number is **97.075**.

1. **Application via www.grants.gov.** All applicants must file their applications using the Administration's common electronic "storefront" – www.grants.gov. Eligible grantees must apply for funding through this portal, accessible on the Internet at www.grants.gov.
2. **Dun and Bradstreet Data Universal Numbering System (DUNS) number.** The applicant must provide a DUNS number with their application. This number is a required field within www.grants.gov and for CCR Registration. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS number request line at (866) 705-5711.
3. **Valid CCR Registration.** The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at <http://www.ccr.gov>, as well as apply for funding through www.grants.gov.
4. **Investment Justification.** As part of the FY 2010 IPR application process, applicants must develop a formal Investment Justification that addresses each initiative being proposed for funding, including M&A costs. Applicants may submit up to fifteen (15) Investment Justifications. These Investment Justifications must demonstrate how proposed projects address gaps and deficiencies in current programs and capabilities. The Investment Justification must demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by DHS. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit.

Investment Justifications must be submitted with the grant application as a file attachment within www.grants.gov. Applicants must use the following file naming convention when submitting the Investment Justifications as part of the FY 2010 IPR:

Investment Justification (www.grants.gov file attachment)
Name of Applicant_IJ Number (Example: Amtrak_IJ#1)

Applicants must provide information in the following categories for **each** proposed investment:

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

Applicants will find an Investment Justification Template in Part VIII. This worksheet may be used as a guide to assist applicants in the preparation of the Investment Justification.

- 5. Detailed Budget.** The applicant must also provide a detailed budget for the funds requested. The detailed budget must be submitted with the grant application as a file attachment within www.grants.gov. 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.

Applicants must use the following file naming convention when submitting detailed budgets as part of the FY 2010 IPR:

Detailed Budget Narrative (through www.grants.gov file attachment)
Agency_IJ Number_Budget (Example: Amtrak_IJ#1_Budget)

Applicants will find a sample Budget Detail Worksheet in Part VIII. This worksheet may be used as a guide to assist applicants in the preparation of the budget and budget narrative.

Note: Design and Planning/Engineering costs must be a separate line item and clearly identified as such in order for partial funding to be released prior to Environmental Planning and Historic Preservation (EHP) review and approval of the project concerned.

- 6. Operational Packages (OPacks).** The applicant electing to pursue OPack funding is required to submit additional documentation and is subject to additional requirements.

For the applicant electing to pursue OPacks, the following must also be submitted:

- A certification statement and supporting documentation from the agency's chief operating official or designee that certifies in writing:
 - The current capability (without Federal funding) for each eligible position (Canine, Anti-Terrorism Teams (ATT), etc);
 - The agency's understanding that funds being used under this provision will only be used either to fill new, dedicated full-time OPack positions or to cover initial overtime costs associated with establishing the OPack position capability approved for FY 2010 IPR funding by DHS until the new full-time officers are in place;
 - The agency's understanding of the six-month limitation on overtime referenced above; and
 - The agency's understanding that, after the 36-month period of performance, the positions will become the responsibility of the employing agency to sustain. Failure to sustain the level of capability established by the grant will result in disqualification from using future IPR awards for operational expenses.
- A detailed audit process to ensure that supported personnel are involved only in counterterrorism activities as defined per the selected OPack position, and that supported positions are above and beyond pre-grant capabilities. This process

must be develop and submitted for review within 60 days of the grant award. The results of these audit activities must be submitted to DHS for review on a semiannual basis.

- A five-year Security Capital and Operational Sustainment Plan. This plan must include how the agency proposes to implement capital projects that will decrease the need for operational activities, and/or demonstrate how the agency will sustain the operational investments after grant funding has been expended.

Requests for OPacks will not be funded if the agency does not have a Security Capital and Operational Sustainment Plan.

In addition, awardees must commit to minimum training standards to be set by the Department for all federally funded security positions.

Below is the necessary certification statement.

I, [insert name], as the [insert title] of [insert agency name], request funds from the Fiscal Year (FY) 2010 Intercity Passenger Rail Program (IPR) for operational activities for the [insert region name] region in the amount of [insert dollar amount]. I certify that these operational funds will only be used to fill new dedicated full-time positions related to Operational Packages (OPacks) eligible under the FY 2010 IPR or to pay for initial overtime costs associated with establishing the OPack position capability approved for FY 2010 IPR funding by DHS until the new full-time officers are in place. I also confirm [agency name]'s understanding that, after a 36-month period of performance, positions funded with these operational funds will no longer qualify for Federal funding under this or future IPR awards. In all cases, the activities paid for by the FY 2010 IPR funds will result in additional capabilities not previously available and/or paid for by the agency/region. I certify [agency name]'s understanding that failure to sustain the level of capability established by these operational funds beyond the period of performance will result in disqualification of [agency name] from using future IPR awards for operational activities.

Signature

Date

C. Submission Dates and Times

Application submissions will be received by **11:59 p.m. EST, on February 12, 2010**. Only applications made through www.grants.gov will be accepted.

D. Intergovernmental Review

Executive Order 12372 requires applicants from State and local units of government or other organizations providing services within a State to submit a copy of the application to the State Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the State. Applicants must contact their State SPOC to

determine if the program has been selected for State review. Executive Order 12372 can be referenced at <http://www.archives.gov/federal-register/codification/executive-order/12372.html>. The names and addresses of the SPOCs are listed on OMB's home page available at <http://www.whitehouse.gov/omb/grants/spoc.html>.

E. Funding Restrictions

DHS grant funds may only be used for the purpose set forth in the grant, and 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.

Pre-award costs are allowable only with the written consent of DHS and if they are included in the award agreement.

1. Allowable Costs

Specific investments made in support of the funding priorities discussed above generally fall into one of the following six allowable expense categories:

1. Planning
2. Equipment Acquisitions
3. Training
4. Exercises
5. Management and Administration
6. Operational Activities

The following provides guidance on allowable costs within each of these areas:

Planning. FY 2010 IPR program funds may be used for the following types of planning activities:

- Development and enhancement of security plans and protocols
- Development or further strengthening of security assessments, including multi-agency and multi-jurisdictional partnerships and conferences to facilitate planning activities
- Hiring of full or part-time staff and contractors or consultants to assist with planning activities (not for the purpose of hiring public safety personnel)
- Materials required to conduct planning activities
- Other project planning activities with prior approval from DHS

Equipment Acquisitions. FY 2010 IPR funds may be used for the following categories of equipment. A comprehensive listing of allowable equipment categories and types is found on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) at <https://www.rkb.us/lists.cfm>. These costs include:

- Personal protection equipment

- Explosive device mitigation and remediation equipment
- CBRNE operational search and rescue equipment, logistical support equipment, reference materials or incident response vehicles, including response watercraft
- Interoperable communications equipment, including efforts to address flaws in the computerized systems that control generators, switching stations, and electrical substations as well as other emerging threats to infrastructure critical to the U.S. economy
- Detection equipment
- Decontamination equipment
- Medical supplies and limited pharmaceuticals
- Power equipment
- Terrorism incident prevention equipment
- Physical security enhancement equipment

Unless otherwise noted, equipment must be certified that it meets required regulatory and/or DHS-adopted standards to be eligible for purchase using these funds. Equipment must comply with the Occupational Safety and Health Administration requirement for certification of electrical equipment by a nationally recognized testing laboratory, and demonstrate compliance with relevant DHS-adopted standards through a supplier's declaration of conformity with appropriate supporting data and documentation per ISO/IEC 17050, parts 1 and 2. In addition, agencies must have all necessary certifications and licenses for the requested equipment, as appropriate, prior to the request.

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

Training. FY 2010 IPR funds may be used for the following training activities”

- **Training Workshops and Conferences.** Grant funds may be used to plan and conduct training workshops or conferences to include costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel, and training plan development.
- **Hiring of Full or Part-Time Staff or Contractors/Consultants** to support training-related activities. Payment of salaries and fringe benefits must be in accordance with the policies of the State or unit(s) of local government and have the approval of the State or awarding agency, whichever is applicable. Such costs must be included within the funding allowed for program management personnel expenses, which must not exceed 15 percent (15%) of the total allocation as specified in Part IV.E. In no case is dual compensation allowable.
- **Overtime and Backfill.** Overtime costs which are the direct result of attendance at FEMA and/or approved training courses and programs are allowable. Overtime payments related to backfilling personnel who have been sent to training are also allowable, but only for the marginal added cost

to the grantee of having to pay overtime instead of regular time. The grantee must maintain financial responsibility for the regular time portion of backfill costs. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or unit(s) of local government and has the approval of the State or the awarding agency, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though such work may benefit both activities.

- **Travel.** Travel costs (e.g., airfare, mileage, per diem, and hotel) are allowable as expenses by employees who are on travel status for official business related, approved training.
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the training project(s) (e.g., copying paper, gloves, tape, non-sterile masks). These costs will be considered M&A.
- **Other Items.** These costs may include the rental of space/locations for planning and conducting training.
- **Funds Used to Develop, Deliver, and Evaluate Training,** including costs related to administering the training, planning, scheduling, facilities, materials and supplies, reproduction of materials, and equipment.
- **Certification/Recertification of Instructors** is an allowable cost. States are encouraged to follow the FEMA Instructor Quality Assurance Program to ensure a minimum level of competency and corresponding levels of evaluation of student learning. This is particularly important for those courses that involve training of trainers. This information is contained in an Information Bulletin #193, issued October 20, 2005.

Exercises. FY 2010 IPR funds may be used for the following exercise activities:

- **Funds Used to Design, Develop, Conduct and Evaluate an Exercise.** Includes costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel, and documentation.
- **Hiring of Full or Part-Time Staff or Contractors/Consultants.** Full or part-time staff may be hired to support exercise-related activities. Such costs must be included within the funding allowed for program management personnel expenses, which must not exceed 15 percent (15%) of the total allocation. The applicant's formal written procurement policy or the Federal Acquisition Regulations (FAR) – whichever is more stringent – must be followed. In no case is dual compensation allowable.
- **Overtime and Backfill.** Overtime and backfill costs associated with the design, development, and conduct of exercises are allowable expenses. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or unit(s) of local government and has the approval of the State or the awarding agency, whichever is applicable. In no case is dual compensation allowable.

- **Travel.** Travel costs are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of exercise project(s).
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the exercise project(s) (e.g., copying paper, gloves, tape, non-sterile masks, disposable protective equipment).
- **Other Items.** These costs include the rental of space/locations for exercise planning and conduct, rental of equipment (e.g., portable toilets, tents), food, gasoline, exercise signs, badges, etc.

Management and Administration (M&A). M&A costs may not exceed five percent (5%) of the total award. FY 2010 IPR funds may be used for the following M&A costs:

- Hiring of full-time or part-time staff or contractors/consultants to assist with the management of the FY 2010 IPR or the design, requirements, and implementation of the IPR.
- Hiring of full-time or part-time staff, contractors or consultants and M&A expenses related to pre-application submission management activities and application requirements or meeting compliance with reporting/data collection requirements, including data calls.
- Development of operating plans for information collection and processing necessary to respond to DHS data calls.
- Travel expenses.
- Acquisition of authorized office equipment, including personal computers or laptops.

Operational Activities. Three OPacks have been developed to support operational activities and are available for funding to Amtrak. DHS considers OPacks to be effective tactics for supporting the FY 2010 funding priorities for the IPR program.

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

Security Capital Plan and Operational Sustainment. Amtrak's request for OPacks funding must include the submission of a five-year Security Capital and Operational Sustainment Plan. This plan must include how the agency proposes to implement capital projects that will decrease the need for operational activities, and/or demonstrate how the agency will sustain the operational investments after grant funding has been expended. **Requests for OPacks will not be funded if the applicant does not have a Security Capital and Operational Sustainment Plan.**

- **Explosive Detection Canine Teams (EDCT).** When combined with the existing capability of a transit security/police force, the added value provided through the addition of a canine team is significant. EDCT are a proven, reliable resource to detect explosives and are a key component in a balanced counter-sabotage program. Canine teams also provide the added psychological deterrent achieved solely through their presence. Such operational efficiency cannot be obtained through borrowed use of local police force-operated canine teams, as the needs of the local jurisdiction will always be their first priority. Therefore, the IPR will provide funds to establish dedicated Amtrak security/police force canine teams. Each canine team will be composed of one dog and one handler. Funds for these canine teams may not be used to fund drug detection and apprehension technique training. Only explosives detection training for the canine teams will be funded.
- **Anti-Terrorism Teams (ATT).** The ATT capability provided through the OPack program will offer IPR funding for dedicated transit ATT capability on a regular basis, rather than using teams for the surge capacity provided by DHS in the past. The ATT initiative aligns with DHS' risk-based strategy in confronting terrorist threats to potentially vulnerable public transit systems. ATTs do not supersede other local transit security forces; rather, they augment current capabilities with the unique strengths and expertise leveraged through the specialized skill sets possessed by each individual within the ATT. Each ATT will consist of four individuals, including two overt elements (e.g., uniformed transit sector law enforcement officer, canine team, mobile explosive screeners), and two discreet observer elements. Funds for these canine teams may not be used to fund drug detection and apprehension technique training. Only explosives detection training for the canine teams will be funded.
- **Mobile Explosive Screening Team.** The Mobile Explosive Screening Team OPack will allow Amtrak the flexibility to deploy combinations of trained individuals and technologies that will assist in making screening decisions where there are large numbers of individuals with hand carried items. This screening technology will be coupled with mobile explosive screening technologies to resolve the problem of screening a large number of items and individuals.

Funding Availability for OPacks. OPacks will be funded for a 36 month period. The monetary figures presented below are stated in terms of cost per period of performance (which indicates actual/complete funding for the 36 month period). Additionally, any OPack costs after the 36 month period of performance (including expenses related to the maintenance, personnel, equipment, etc.) are the responsibility of the applicable transit system or law enforcement sub-recipient. If these positions are not sustained, the state or local agency will not be eligible for this personnel support in the future.

Table 1: Available Funding for OPacks

	Operational Package	Funding per Year (12 months)	Funding per Period of Performance (36 months)
1.	Explosives Detection Canine Teams (EDCT)	\$150,000 per team	\$450,000 per team
2.	Anti-Terrorism Teams (ATT)	\$500,000 per team	\$1,500,000 per team
3.	Mobile Explosive Screening Team	\$600,000 per team	\$1,800,000 per team

OPack Requirements

IPR OPack funds may only be used for new positions and cannot be used to pay for existing capabilities/programs (e.g., canine teams) already supported by Amtrak. Non-supplanting restrictions apply.

Table 2: OPack Requirements

OPacks	Requirements
Explosives Detection Canine Teams (EDCT)	Please refer to page 20 for detailed information regarding EDCTs under the IPR.
Anti-Terrorism Teams (ATT)	Specific for the Canine Team within the ATT: <ul style="list-style-type: none"> • Each canine team, composed of one dog and one handler, must be certified by an appropriate, qualified organization. • Canines should receive an initial basic training course and also weekly maintenance training sessions thereafter to maintain the certification. The basic training averages 10 weeks for the team, with weekly training and daily exercising (comparable training and certification standards, such as those promulgated by the TSA Explosive Detection Canine Program), the National Police Canine Association (NPCA), the United States Police Canine Association (USPCA), or the International Explosive Detection Dog Association (IEDDA) may be used to meet this requirement. • The individuals hired for the covert and overt elements must be properly trained law enforcement officers. • Certifications should be on file with the grantee and must be made available to DHS upon request.
Mobile Explosives Screening Team	Certifications should be on file with the grantee and must be made available to DHS upon request.

Allowable Expenses for OPacks

Table 3 identifies allowable expenses for the various OPacks. Please see the inserted footnotes for clarification of certain allowable costs.

Table 3: Allowable Expenses for OPacks

	OPacks	Salary and Fringe Benefits	Training and Certification ³	Equipment Costs	Purchase and Train a Canine	Canine Costs ⁴
1.	Explosives Detection Canine Teams (EDCT)	✓	✓	✓	✓ ⁵	✓
2.	Anti-Terrorism Teams (ATT)	✓	✓	✓	✓	✓
3.	Mobile Explosives Screening Team	✓		✓ ⁶		

Specific Guidance for EDCT

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

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

³ Travel costs associated with training for personnel, handlers, and canines are allowable.

⁴ Canine costs include but are not limited to: veterinary, housing, and feeding costs.

⁵ Training specific to the detection of common explosives odors is allowable.

⁶ Equipment and other costs can include but are not limited to: explosives detection; stainless steel search tables; consumables such as gloves, swabs, and alcohol; and land mobile radios.

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

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

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

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

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

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

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

The grantee will provide safe and sanitary kennel facilities for program canines. This applies to kenneling canine at the mass transit system, handlers' residences, or commercial boarding facilities. Canines must not be left in makeshift accommodations or without proper supervision, protection, and care. The grantee

will ensure that canines are transported on-duty and off-duty in vehicles configured with adequate temperature control, padding, and screening to ensure proper health, safety, and security.

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

TSA reserves the right to conduct an on-site operational and record review upon 48 hour notice to ensure compliance with applicable federal regulations.

Other Allowable Costs – Maintenance and Sustainment. The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Grantees are reminded to be sensitive to supplanting issues. Maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees previously purchased with State and or local funds cannot be replaced with Federal grant funding. Routine upkeep (i.e. gasoline, tire replacement, routine oil changes, monthly inspections, grounds and facility maintenance, etc.) is the responsibility of the grantee and may not be funded with preparedness grant funding.

- **Maintenance Contracts and Warranties.** To increase the useful life of the equipment, maintenance contracts and warranties may be purchased using grant funding from one fiscal year to cover equipment purchased with funding from a different fiscal year. The use of grant funding for the purchase of maintenance contracts and warranties must meet the following conditions:
 - Maintenance contracts and warranties may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, maintenance contracts and warranties must be purchased using funds from the same grant program used to purchase the original equipment.
 - The term of the maintenance contract or warranty shall not exceed the period of performance of the grant to which the contract is being charged.
- **Repair and Replacement Costs.** The cost of repair and replacement parts for equipment purchased using FEMA preparedness grant funding is an allowable expense.
 - Repair and replacement parts may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, repair and replacement parts must be purchased using the same grant program used to purchase the original equipment.
- **Upgrades.** FEMA preparedness grant funding may be used to upgrade previously purchased allowable equipment. For example, if the grantee purchased risk management software with HSGP funds in FY 2005 and

would like to use FY 2010 grant funding to upgrade the software, this is allowable.

- Upgrades may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
- To avoid supplementing Congressional appropriations for specific programs, upgrades must be purchased using the same grant program used to purchase the original equipment.
- **User fees.** User fees are viewed as costs for specific services required to maintain and provide continued operation of equipment or systems. An example would be the recurring service fees associated with handheld radios or mobile data computers.
 - User fees may only be paid for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, user fees must be paid for using the same grant program used to purchase the original equipment. The service time purchased shall not exceed the period of performance of the grant to which the user fee is being charged.
- **Implementation.** Planned or actual expenditures for maintenance contracts and warranties, repair and replacement costs, upgrades, and user fees must be reflected in the Initial Strategy Implementation Plan (ISIP) or Biannual Strategy Implementation Report (BSIR).

Grantees must comply with all the requirements in 44 CFR Part 13 and 2 CFR Part 215.

Construction Projects Guidance. FY 2010 IPR recipients using funds for construction projects must comply with the *Davis-Bacon Act*. Grant recipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor wage determinations, is available from the following website: <http://www.dol.gov/esa/programs/dbra/>. See also, Part VI.5.7 for EHP Compliance and Part VI.B. 1.4 for requirements related to Duplication of Benefits.

2. Unallowable Costs

Specific unallowable costs include:

- Expenditures for items such as general-use software (word processing, spreadsheet, graphics, etc), general-use computers, and related equipment (other than for allowable M&A activities or otherwise associated preparedness or response functions), general-use vehicles, licensing fees, weapons systems, and ammunition
- Personnel costs (except as detailed above)
- Activities unrelated to the completion and implementation of the IPR

- Other items not in accordance with the AEL or previously listed as allowable costs

F. Other Submission Requirements

Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this program. Federal employees may not receive funds under this award.

PART V.

APPLICATION REVIEW INFORMATION

A. Review Criteria

The completed application must be submitted to DHS via www.grants.gov (see below for details about this Federal grants application tool) no later than 11:59 p.m. EST, February 12, 2010. DHS will evaluate and act on the application within 60 days following close of the application period.

Amtrak must comply with all administrative requirements described herein — including Investment Justifications, budgets, and application process requirements. Having met all administrative requirements, the application will be evaluated based on:

1. **Funding priorities.** Projects will be evaluated and prioritized based on the extent to which they address the specific funding priorities contained in the FY 2010 IPR (Amtrak) Program Guidance and Application Kit.
2. **Cost effectiveness.** Projects will be evaluated and prioritized on the expected impact on security relative to the investment.
3. **Ability to reduce risk of catastrophic events.** Projects will be evaluated and prioritized on their ability to reduce risk.
4. **Sustainability without additional Federal funds and leveraging of other funding.** Projects will be evaluated and prioritized regarding the extent to which they exhibit a likelihood of success, or continued success, without requiring additional Federal assistance.
5. **Timelines.** Projects will be evaluated and prioritized on the ability of the applicant to complete the proposed project within submitted timeframes.

B. Review and Selection Process

DHS will enter a cooperative agreement with Amtrak. The nature of the Federal involvement in the execution of this program may include joint participation in a project. Other examples of prospective substantial Federal involvement include the following:

- Collaboration, participation, and/or intervention in any activity covered by the cooperative agreement;
- Approval from DHS prior to the selection of a new project or commencement of the next phase of an approved project;
- Authority for DHS to halt an activity if detailed performance specifications are not met;
- Authority for DHS to direct or redirect the scope of work of a project based on new circumstances; and

- Authority for DHS to create a working group of key Federal and private sector stakeholders to provide guidance and coordination for transit security activities.

C. Anticipated Announcement and Award Dates

FEMA will evaluate and act on applications within 60 days following close of the application period, consistent with the *Department of Homeland Security Appropriations Act, 2010* (Public Law 111-83). Awards will be made on or before September 30, 2010.

PART VI.

AWARD ADMINISTRATION INFORMATION

A. Notice of Award

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

The period of performance is 36 months and begins on the Project Period/Budget Period start date listed in the award package. Any unobligated funds will be de-obligated at the end of the close-out period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications as to why an extension is required. All extension requests must be submitted to FEMA at least 60 days prior to the expiration of the grant period of performance. The justification must address:

- Reason for delay;
- Current status of the activity/activities;
- Approved period of performance termination date and new project completion date;
- Remaining available funds, both Federal and non-Federal;
- Budget outlining how remaining Federal and non-Federal funds will be expended;
- Plan for completion including milestones and timeframe for achieving each milestone and the position/person responsible for implementing the plan for completion; and
- Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA.

B. Administrative and National Policy Requirements

The recipient and any sub-recipient(s) must, in addition to the assurances made as part of the application, comply and require each of its subcontractors employed in the completion of the project to comply with all applicable statutes, regulations, executive orders, OMB circulars, terms and conditions of the award, and the approved application.

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

1.1 – Administrative Requirements.

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

1.2 – Cost Principles.

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

1.3 – Audit Requirements.

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

1.4 – Duplication of Benefits. There may not be a duplication of any Federal assistance, per 2 CFR Part 225, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Authority may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per 2 CFR Parts 220 and 230 and FAR Part 31.2.

2. Payment. DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. To enroll in the DD/EFT, the Recipient must complete a Standard Form 1199A, Direct Deposit Form.

FEMA uses the FEMA Payment and Reporting System (PARS) for payments made under this program, <https://isource.fema.gov/sf269/> (Note: link connects to Federal Financial Report [SF-425]).

2.1 – Advance Payment. In accordance with Treasury regulations at 31 CFR Part 205, the Recipient shall maintain procedures to minimize the time elapsing

between the transfer of funds and the disbursement of said funds (see 44 CFR Part 13.21(c)) regarding payment of interest earned on advances. In order to request an advance, the Recipient must maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds from DHS and expenditure and disbursement by the Recipient. When these requirements are not met, the Recipient will be required to be on a reimbursement for costs incurred method.

2.2 – Forms. In order to download the Standard Form 1199A, the Recipient may use the following Internet site: <http://www.fms.treas.gov/eft/1199a.pdf>.

NOTE: FUNDS WILL NOT BE AUTOMATICALLY TRANSFERRED UPON ISSUANCE OF THE GRANT. GRANTEES MUST SUBMIT A REQUEST FOR ADVANCE/REIMBURSEMENT IN ORDER FOR THE FUNDS TO BE TRANSFERRED TO THE GRANTEE’S ACCOUNT.

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

4. Technology Requirements.

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

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

4.3 – 28 CFR Part 23 Guidance. FEMA requires that any information technology system funded or supported by these funds comply with 28 CFR Part 23, *Criminal Intelligence Systems Operating Policies*, if this regulation is determined to be applicable.

4.4 – Best Practices for Government Use of CCTV. DHS recommends that grantees seeking funds to purchase and install CCTV systems, or funds to provide support for operational CCTV systems, review and utilize the guidance in *Best Practices for Government Use of CCTV: Implementing the Fair Information*

Practice Principles available on the DHS Privacy Office website at http://www.dhs.gov/xlibrary/assets/privacy/privacy_rpt_cctv_2007.pdf.

5. Administrative Requirements.

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

5.2 – Protected Critical Infrastructure Information (PCII). The PCII Program, established pursuant to the *Critical Infrastructure Act of 2002* (Public Law 107-296) (CII Act), created a framework which enables members of the private sector, States, local jurisdictions, and tribal nations to voluntarily submit sensitive information regarding critical infrastructure to DHS. The Act provides statutory protection from public disclosure and civil litigation for CII that is validated as PCII. When validated as PCII, the information can only be shared with government employees who complete the training requirement, who have homeland security duties, and a need to know.

PCII accreditation is a formal recognition that the covered government entity has the capacity and capability to receive and store PCII appropriately. DHS encourages all States, local jurisdictions, and tribal nations to pursue PCII accreditation to cover their government agencies. Accreditation activities include signing a memorandum of agreement (MOA) with DHS, appointing a PCII Officer and developing a standard operating procedure for handling PCII. For additional information about PCII or the accreditation process, please contact the DHS PCII Program Office at pcii-info@dhs.gov.

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

- *Title VI of the Civil Rights Act of 1964*, as amended, 42 U.S.C. §2000 et. seq. – Provides that no person on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with Limited English Proficiency (LEP). (42 U.S.C. §2000d et seq.)
- *Title IX of the Education Amendments of 1972*, as amended, 20 U.S.C. §1681 et. seq. – Provides that no person, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973*, as amended, 29 U.S.C. §794 – Provides that no otherwise qualified individual with a disability in the United States, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or subject to discrimination in any program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975*, as amended, 20 U.S.C. §6101 et. seq. – Provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

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

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

5.5 – Certifications and Assurances. Certifications and assurances regarding the following apply:

- *Lobbying.* 31 U.S.C. §1352, *Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions* – Prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. FEMA and DHS have codified restrictions upon lobbying at 44 CFR Part 18 and 6 CFR Part 9. (Refer to form included in application package.)
- *Drug-free Workplace Act*, as amended, 41 U.S.C. §701 et seq. – Requires the recipient to publish a statement about its drug-free workplace program and give a copy of the statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out. Also, place(s) where work is being performed under the award (i.e., street address, city, state, and zip code) must be maintained on file. The recipient must notify the Grants Officer of any employee convicted of a violation of a criminal drug statute that occurs in the workplace. For additional information, see 44 CFR Part 17.
- *Debarment and Suspension* – Executive Orders 12549 and 12689 provide protection from fraud, waste, and abuse by debaring or suspending those persons that deal in an irresponsible manner with the Federal government. The recipient must certify that they are not debarred or suspended from receiving Federal assistance. For additional information, see 44 CFR Part 17.
- *Federal Debt Status* – The recipient may not be delinquent in the repayment of any Federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefit overpayments. (OMB Circular A-129) (Refer to SF 424, item number 17.)
- *Hotel and Motel Fire Safety Act of 1990* – In accordance with section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds, complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, 15 U.S.C. §2225.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes.

5.6 – Integrating individuals with disabilities into emergency planning.

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

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

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

procedures, policies, and guidance, on how to include citizens with disabilities and other special needs in all phases of the emergency management cycle.

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

5.7 – Environmental Planning and Historic Preservation (EHP) Compliance.

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

The grantee shall provide all relevant information to FEMA's Grant Programs Directorate (GPD) to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact natural or biological resources or historic properties cannot be initiated until FEMA has completed the required EHP review. In addition to a detailed project description that describes what is to be done with the grant funds, how it will be done, and where it will be done, grantees shall provide detailed information about the project (where applicable), including, but not limited to, the following:

- Project location (i.e., exact street address or map coordinates)
- Total extent of ground disturbance and vegetation clearing
- Extent of modification of existing structures
- Construction equipment to be used, staging areas, etc.
- Year that any affected buildings or structures were built
- Natural, biological, and/or cultural resources present within the project area and vicinity, including wetlands, floodplains, geologic resources, threatened or endangered species, or National Register of Historic Places listed or eligible properties, etc.
- Visual documentation such as good quality, color and labeled site and facility photographs, project plans, aerial photos, maps, etc.
- Alternative ways considered to implement the project (not applicable to procurement of mobile and portable equipment)

For projects that have the potential to impact sensitive resources, FEMA must consult with other Federal, State, and tribal agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for the protection and/or management of natural and cultural resources, including Federally-recognized Indian tribes, Tribal Historic Preservation Offices, and the Department of the Interior, Bureau of Indian Affairs. For projects with the potential to have adverse effects on the environment and/or historic properties, FEMA's EHP review process and consultation may result in a substantive agreement between the involved parties outlining how the grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects. Grantees who are proposing communication tower projects are encouraged to complete their Federal Communications Commission (FCC) EHP process prior to preparing their EHP review materials for GPD, and to include their FCC EHP materials with their submission to GPD. Completing the FCC process first and submitting all relevant EHP documentation to GPD will help expedite FEMA's review.

Because of the potential for adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use grant funds toward the costs of preparing such documents. The use of grant funds for mitigation or treatment measures that are not typically allowable expenses will be considered on a case-by-case basis. Failure of the grantee to meet Federal, State, local, and territorial EHP requirements, obtain required permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.

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

For more information on FEMA's EHP requirements, recipients should refer to FEMA's Information Bulletin #329, *Environmental Planning and Historic Preservation Requirements for Grants*, available at

<http://www.fema.gov/pdf/government/grant/bulletins/info329.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

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

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

5.10 – Equipment Marking. Awardees may consider marking equipment in the following manner, "Purchased with funds provided by the U.S. Department of Homeland Security," in order to facilitate their own audit processes, as well as Federal audits and monitoring visits, which may result from receiving Federal funding. Equipment maintenance requirements are outlined in 44 CFR Part 13.32.

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

5.12 – National Preparedness Reporting Compliance. *The Government Performance and Results Act of 1993* (Public Law 103-62) (GPRA) requires that the Department collect and report performance information on all programs. For grant programs, the prioritized Investment Justifications and their associated milestones provide an important tool for assessing grant performance and complying with these national preparedness reporting requirements. FEMA will work with grantees to develop tools and processes to support this requirement. FEMA anticipates using this information to inform future-year grant program funding decisions. Award recipients must agree to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within their grant agreement.

This includes any assessments, audits, or investigations conducted by DHS, the Office of the Inspector General, or the U.S. Government Accountability Office (GAO).

C. Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements). Any reports or documents prepared as a result of this grant shall be in compliance with Federal “plain English” policies, directives, etc. Please note that PARS contains edits that will prevent access to funds if reporting requirements are not met on a timely basis.

- 1. Federal Financial Report (FFR) – required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FFR (SF-425), which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, the FFR is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FFR is due 90 days after the end date of the performance period.

OMB has directed that the FFR SF-425 replace the use of the SF-269, SF-269A, SF-272, and SF-272A, which are no longer available as of October 1, 2009. The SF-425 is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements throughout the government.

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

Reporting periods and due dates:

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

- 2. Semi-Annual Assistance Progress Report (SAPR).** Following an award, the awardees will be responsible for providing updated obligation and expenditure information on a semi-annual basis. The applicant is responsible for completing and submitting the SAPR reports. The awardee should include a statement in the narrative field of the SAPR that reads: See BSIR.

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

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

Required submission: SAPR (due semi-annually).

- 3. Biannual Strategy Implementation Reports (BSIR).** Following an award, the awardees will be responsible for providing updated obligation and expenditure information on a semi-annual basis. The applicable grantees are responsible for completing and submitting the BSIR reports which is a component of the SAPR. The BSIR submission will satisfy the narrative requirement of the SAPR. Grantees are still required to submit the SAPR with a statement in the narrative field that reads: *See BSIR*.

The BSIR is due within 30 days after the end of the reporting period (July 30 for the reporting period of January 1 through June 30; and January 30 for the reporting period of July 1 through December 31). Updated obligations and expenditure information must be provided with the BSIR to show progress made toward meeting strategic goals and objectives. Future awards and fund drawdowns may be withheld if these reports are delinquent.

Required submission: BSIR (due semi-annually).

- 4. Exercise Evaluation and Improvement.** Exercises, implemented with grant funds, should be capabilities and performance-based and should evaluate performance of the targeted capabilities required to respond to the exercise scenario. Guidance related to exercise evaluation and the implementation of improvements is defined in the Homeland Security Exercise and Evaluation Program located at <https://hseep.dhs.gov>. Grant recipients must report on scheduled exercises and ensure that an After Action Report (AAR) and Improvement Plan (IP) are prepared for each exercise conducted with FEMA support (grant funds or direct support) and submitted to the FEMA Grants and preparedness Community of Interest (COI) on the Homeland Security Information Network (HSIN) within 90 days following completion of the exercise.

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

Required submissions: AARs and IPs (as applicable).

- 5. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with GAO's *Government Auditing Standards*, located at

<http://www.gao.gov/govaud/ybk01.htm>, and *OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2010 IPR assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

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

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

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

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

- 7. Grant Close-Out Process.** Within 90 days after the end of the period of performance, grantees must submit a final FFR and final SAPR detailing all accomplishments throughout the project. After these reports have been reviewed and approved by FEMA, a close-out notice will be completed to close out the grant. The notice will indicate the project as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FFR. The grantee is responsible for returning any

funds that have been drawn down but remain as unliquidated on grantee financial records.

Required submissions: (1) final SF-425, due 90 days from end of grant period; and (2) final SAPR, due 90 days from the end of the grant period.

PART VII.

FEMA CONTACTS

This section describes several resources that may help applicants in completing a FEMA grant application.

- 1. Centralized Scheduling and Information Desk (CSID).** CSID is a non-emergency comprehensive management and information resource developed by DHS 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. CSID can be reached by phone at (800) 368-6498 or by e-mail at ASKCSID@dhs.gov, Monday through Friday, 8:00 a.m. – 6:00 p.m. (EST).
- 2. Grant Programs Directorate (GPD).** FEMA GPD will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov.
- 3. National Exercise Division (NED).** The NED within the FEMA National Preparedness Directorate maintains program management for the Homeland Security Exercise and Evaluation Program (HSEEP). All questions pertaining to HSEEP may be addressed to hseep@fema.gov or contact the NED at (202) 786-9873.
- 4. Homeland Security Preparedness Technical Assistance Program (HSPTAP) and Planning Support.** The HSPTAP provides direct support assistance on a first-come, first-served basis (and subject to the availability of funding) to eligible organizations to enhance their capacity and preparedness to prevent, protect against, respond to, and recover from terrorist and all hazard threats. In addition to the risk assessment assistance already being provided, FEMA also offers a variety of other direct support assistance programs.

The HSPTAP also provides access to planning support. The planning support aids jurisdictions by increasing their understanding of the complex issues faced in planning for various hazards and threats. This support includes leveraging subject-matter experts from around the country as well as enabling knowledge transfer from jurisdiction to jurisdiction.

More information can be found at http://www.fema.gov/about/divisions/pppa_ta.shtm or by e-mailing FEMA-TARequest@fema.gov or NPD-planning@dhs.gov.

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

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

- 6. Information Bulletins.** Information Bulletins (IBs) provide important updates, clarifications, and policy statements related to FEMA preparedness grant programs. Grantees should familiarize themselves with the relevant publications. Information Bulletins can be found at:
<http://www.fema.gov/government/grant/bulletins/index.shtm>.

- 7. Information Sharing Systems.** FEMA encourages all State, regional, local, and tribal entities using FY 2010 funding in support of information sharing and intelligence fusion and analysis centers to leverage available Federal information sharing systems, including Law Enforcement Online (LEO) and the Homeland Security Information Network (HSIN). For additional information on LEO, contact the LEO Program Office at leoprogramoffice@leo.gov or (202) 324-8833. For additional information on HSIN and available technical assistance, contact the HSIN Help Desk at (703) 674-3003.

- 8. U.S. General Services Administration's (GSA's) State and Local Purchasing Programs.** The GSA offers two efficient and effective procurement programs for State and local governments to purchase products and services to fulfill homeland security and other technology needs. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term, indefinite delivery, indefinite quantity, government-wide contracts with commercial firms of all sizes.

- Cooperative Purchasing Program
Cooperative Purchasing, authorized by statute, allows State and local governments to purchase a variety of supplies (products) and services under specific GSA Schedule contracts to save time, money, and meet their everyday needs and missions.

The Cooperative Purchasing program allows State and local governments to purchase alarm and signal systems, facility management systems, firefighting


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

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

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

Products and services being purchased to facilitate recovery from one of the above listed events, may be purchased both in advance of and in the aftermath of a major disaster, as long as the products and services being purchased, will be used to facilitate recovery.

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

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

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

PART VIII. OTHER INFORMATION

A. Investment Justification Template

Investment Heading	
Date	
Applicant	
Region and Urban Area(s) Impacted	
Investment Name	
Investment Amount	\$

I. Background

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

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

I.B. Describe the operating system.	
Response Type	Narrative
Response Instructions	Describe the following: <ul style="list-style-type: none"> • Infrastructure; • Ridership data; • Number of passenger miles; • Number of vehicles and/or vessels; • System map; and • Other sources of funding being leveraged for security enhancements.
Response	

II. Strategic and Program Priorities

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

II.B. Describe how this investment specifically addresses one or more of the funding priorities identified in the current year grant guidance.	
Response Type	Narrative
Response Instructions	<p>Describe how the investment addresses one or more of the following:</p> <ul style="list-style-type: none"> • Protection of high risk/high consequence underwater/underground assets and systems; • Protection of other high risk/high consequence assets and systems that have been identified through system-wide risk assessments; • Use of visible, unpredictable deterrence; • Targeted counter-terrorism training for key front-line staff; • Emergency preparedness drills and exercises; and • Public awareness and preparedness campaigns.
Response	

III. Impact

III.A. Discuss how the implementation of this investment will decrease or mitigate risk. Describe how the project offers the highest risk reduction potential at the least cost. Include output and outcome metrics	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> • Discuss how this investment will reduce risk (e.g., reduce vulnerabilities or mitigate the consequences of an event) in a cost effective manner by addressing the needs and priorities identified in earlier analysis and review; • Identify the nature of the risk and how the risk and need are related to show how addressing the need through this investment will also mitigate risk (e.g., reduce vulnerabilities or mitigate the consequences of an event); and • Outline the expected, high-level impacts this investment is expected to

	attain or achieve if implemented, and potential negative impacts if the investment is not implemented.
Response	

IV. Funding & Implementation Plan

IV.A. Investment Funding Plan.	
Response Type	Numeric and Narrative
Response Instructions	<ul style="list-style-type: none"> • Complete the chart below to identify the amount of funding Amtrak is requesting for <u>this investment only</u>; • Funds should be requested and detailed by allowable cost categories (i.e., planning, organization, equipment, training, exercises, and management and administration.); • Applicants must make funding requests that are reasonable and justified by direct linkages to activities outlined in this particular investment; and • Applicants must indicate whether additional funding (non-FY 2010 grants) will be leveraged for this investment. <p><i>Note: Investments will be evaluated on the expected impact on security relative to the amount of the investment (i.e., cost effectiveness). An itemized Budget Detail Worksheet and Budget Narrative must also be completed for this investment.</i></p>
Response	

The following template illustrates how Amtrak should indicate the amount of FY 2010 IPR funding required for the investment, how these funds will be allocated across the cost elements, and what (if any) non-FY 2010 IPR funds will be utilized:

	Federal Request Total	Other Funding Sources Applied	Grand Total
<i>Planning</i>			
<i>Equipment</i>			
<i>Training</i>			
<i>Exercises</i>			
<i>Operational Packages</i>			
<i>M&A</i>			
<i>Total</i>			

IV.B. Discuss funding resources beyond the current fiscal year grant funding that have been identified and will be leveraged to support the implementation and sustainment of this investment.	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> • Give the expected total life-span for this investment if fully implemented and sustained through completion; • Discuss other funding sources (e.g., non-Federal grant programs, public or private agreements, future fiscal year grants) that you plan on utilizing for the implementation and/or continued sustainment of this investment; • If no other funding resources have been identified, or if none are necessary, provide rationale as to why the requested FY 2010 Amtrak funding is sufficient for the implementation and sustainment of this investment; and • Investments will be evaluated on the extent to which they exhibit a likelihood of success, or continued success, without requiring additional

	Federal assistance.
Response	

IV.C. Provide a high-level timeline, milestones and dates, for the implementation of this investment. Up to 10 milestones may be provided.	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> • Only include major milestones that are critical to the success of the investment; • While up to 10 milestones may be provided, Amtrak should only list as many milestones as necessary; • Milestones are for this discrete investment – those that are covered by the requested FY 2010 Amtrak funds and will be completed over the 36-month grant period; • Milestones should be kept to high-level, major tasks that will need to occur; • Identify the planned start date associated with the identified milestone. The start date should reflect the date at which the earliest action will be taken to start achieving the milestone; • Identify the planned completion date when all actions related to the milestone will be completed and overall milestone outcome is met; and • List any relevant information that will be critical to the successful completion of the milestone (such as those examples listed in the question text above).
Response	

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

Investment Justification Submission and File Naming Convention

Investment Justifications must be submitted with the grant application as a file attachment within www.grants.gov. Applicants must use the following file naming convention when submitting the Investment Justifications as part of the FY 2010 IPR:

Investment Justification (through www.grants.gov file attachment)
 Name of Applicant_ IJ Number (Example: Amtrak_IJ_#1)

B. Sample Budget Detail Worksheet

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

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

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

Name/Position	Computation	Cost
		\$
Total Personnel		\$

B. Fringe Benefits. Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project.

Name/Position	Computation	Cost
		\$
Total Fringe Benefits		\$

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

Purpose of Travel	Location	Item	Computation	Cost
				\$
Total Travel				\$

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

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

Item	Computation	Cost
		\$
Total Equipment		\$

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

Supply Items	Computation	Cost
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		\$
	Total Supplies	\$

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

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

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

Name of Consultant	Service Provided	Computation	Cost
			\$
Subtotal – Consultant Fees			\$

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

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

Item	Location	Computation	Cost
			\$
Subtotal – Consultant Expenses			\$

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

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

Item	Cost
	\$
Subtotal – Contracts	\$
Total Consultants/Contracts	\$

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

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

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

Description	Computation	Cost
		\$
Total Other		\$

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

Description	Computation	Cost
		\$
Total Indirect Costs		\$

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Amount	Non-Federal Amount ⁷
A. Personnel	\$	\$
B. Fringe Benefits	\$	\$
C. Travel	\$	\$
D. Equipment	\$	\$
E. Supplies	\$	\$
F. Consultants/Contracts	\$	\$
G. Other	\$	\$
H. Indirect Costs	\$	\$

Total Requested Federal Amount	Total Non-Federal Amount
\$	\$
Combined Total Project Costs	
\$	

Detailed Budget Submission and File Naming Convention

Investment Justifications must be submitted with the grant application as a file attachment within www.grants.gov. Applicants must use the following file naming convention when submitting detailed budgets as part of the FY 2010 IPR:

Detailed Budget (through www.grants.gov file attachment)
 State_Region_IJ Number_Budget (Example: Amtrak_IJ#1_Budget)

⁷ FY 2010 IPR does not require matching funds; this section should be left blank for all FY 2010 IPR applications

Helpful Hints for Applicants:

Are the following components included in the application package?

- SF 424, SF 424A, SF 424B, SF LLL
- Investment Justifications for projects
- Detailed budgets containing only allowable costs
- Vulnerability assessments/security plan certification (if applicable)

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

- Do the IJ and the detailed budget only include allowable costs?
 - Are all of the expenses in the detailed budget addressed in the IJ narrative? (for example, a camera equipment budget line item should be addressed in narrative form in the IJ as it pertains to the overall security program)
 - Does the information in the detailed budget align with the budget summary in the IJ narrative?
 - Are planning and design costs clearly delineated in the budget, as separate from implementation/installation costs? (Planning and design costs may be released before implementation/installation costs, as planning and design costs do not require extensive EHP review.)
- Does the IJ clearly explain how the projects fit into a funding priority area (as identified in Part I)?
- Does the IJ discuss how this investment will specifically address on or more of the project effectiveness groups identified in the current year's grant guidance?
- Does the IJ discuss how this investment will decrease or mitigate risk?
- Is the cost effectiveness of the project clearly explained in the IJ? How does this project provide a high security return on investment?
- Are timelines realistic and detailed?
- Are possible hurdles addressed in a clear and concise fashion?
- Does the M&A total no more than five percent (5%) of the total award?