

# BioWatch Year 5 Continuation Instructions and Tips

Opportunity Number: DHS-06-ST-091-003-NC5

CFDA Number: 97.091

Do not submit an application UNLESS your organization has received a letter of invitation to apply for funding from DHS. This funding opportunity is solely for continuation applications for a previously approved DHS project.

## General Notes

1. To submit an application please visit applicant resources on the Grants.gov website at <http://www.grants.gov/applicants/resources.jsp>.
2. Funding opportunity number DHS-06-ST-091-003-NC5 at Grants.gov has two groups of forms – mandatory and optional.
3. Failure to complete all of the required elements of a mandatory form means you will not be able to submit your application package.
4. Please submit the following items as part of your application (the Grants.gov forms provide places to electronically attach these documents).

a. Project Narrative for the BioWatch project, including a narrative of planned activities, and milestones. DHS does not anticipate significant changes in Recipients' current BioWatch programs or operations. Your continuation application should address current operations.

**NOTE:** Your noncompeting continuation application should not propose any new expansions not previously approved by DHS.

b. Budget Justification (see below for the requirements for the budget justification).

NEW for this year: Several jurisdictions have reported incidents of field operations staff receiving challenges from local law enforcement during nighttime operations. Therefore the BioWatch Program has authorized the following items are eligible supplies FOR THE SOLE PURPOSE OF IDENTIFYING BIOWATCH FIELD OPERATIONS PERSONNEL TO LAW ENFORCEMENT OFFICIALS. If you choose to include any of these items in your Year 5 request, you must provide a justification for the number of items that corresponds to the number of field operations personnel who regularly conduct nighttime BioWatch operations. Examples of eligible items:

- safety vests
- tee shirts
- caps

- magnetic placards
- wind-breaker type jackets

Please **use your Year 4 approved budget as a baseline**, and identify and justify any significant changes in costs.

c. A copy of your most recent Indirect Cost Rate Agreement used in formulating your budget.

## Mandatory Forms

**1. SF424 Application for Federal Assistance (SF424-V2.0)** – please complete this form in its entirety.

a. If you fill this form out first, other required forms will populate with basic data such as name, address, etc. Signature and date will auto-fill when you submit the application package through Grants.gov.

b. Block 1, Type of Submission – please check “Application”

c. Block 2, Type of Application – please check “Continuation”

d. Block 17, Proposed Project – please provide the start and end dates for the third year of your BioWatch project.

e. Block 18, Total Estimated Project Funding – this amount should correspond to your budget justification and the Budget form’s total for the requested budget period. Do not provide the entire, multi-year budget estimate.

f. Block 19 (E.O. 12372 review question): Please contact your State Single Point of Contact (SPOC) to determine whether you are required to submit this noncompeting continuation application for review, and then check the appropriate box in Block 19. Find your State SPOCs: <http://www.whitehouse.gov/omb/grants/spoc.html>

g. Regarding Block 21:

**By submitting this application, your organization is providing certifications and assurances regarding:**

- i. Drug-Free Workplace Requirements
- ii. Debarment, Suspension, and Other Responsibility Matters—  
Primary Covered Transactions

Information regarding the certifications on drug-free workplace; and debarment, suspension and other matters, is attached for your reference as Attachment A.

h. Attach your **indirect cost rate agreement**, fringe benefit rate agreement or description of how fringe rates are calculated using the “**Add Attachments**” button at the end of this form.

## **2. Budget Information, NonConstruction Programs (SF424A-V1.1) –**

Filling out the Budget Form – please ensure that funds requested on the Budget form correspond to the same items in your budget justification, and that the total requested corresponds to Block 18 on the SF 424 form.

## **3. Budget Narrative (Budget-V1.1) (also known as the “budget justification”)**

a. Attach your budget justification to this form.

b. If you need to attach more than one file to fully capture your budget justification, you may use the optional “Attachments” form (Attachments-V1.1).

c. Please use the following guidance when assembling your budget justification:

-- Use the following cost categories to group items of cost in your budget justification (please **see Attachment B for guidance on the Budget Justification**).

PERSONNEL  
FRINGE BENEFITS  
TRAVEL  
EQUIPMENT  
SUPPLIES  
CONTRACTUAL  
CONSTRUCTION  
OTHER DIRECT COSTS  
INDIRECT COSTS

d. Please attach separate subaward or subcontract budgets to the Attachments form.

## **4. Project Narrative Form (Project-V1.1)**

Attach your project narrative to this form.

**5. Certification Regarding Lobbying (GG\_Lobbying Form-V1.1).**

Submit this form. It will be electronically signed upon submission to Grants.gov as part of your application. If paragraph two of the certification applies, then complete and submit the SF-LLL Disclosure of Lobbying, which is provided as an optional form in the application package.

**Optional forms**

**1. Attachments Form** – use this form to attach other documents if you need another place to electronically attach portions of your application:

**2. SF-LLL Disclosure of Lobbying Activities** – fill out and submit this form ONLY if Condition 2 in the Lobbying Certification applies.

**FOR REFERENCE PURPOSES ONLY**

Certifications on  
Drug-Free Workplace Requirements

And

Debarment, Suspension And Other Responsibility  
Matters

**By submitting an application, your organization is providing  
certifications regarding these two matters.**

**YOU DO NOT NEED TO SUBMIT THESE  
CERTIFICATIONS**

## **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

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This certification is required by the regulations implementing Sections 5151-5160 of the Drug-Free Workplace Act of 1988 (P.L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 *et seq.*).

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1. **By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.**
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

*Controlled substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

*Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

*Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

## **Certification Regarding Drug-Free Workplace Requirements**

### Alternate I. (Grantees Other Than Individuals)

- A. The grantee certifies that it will or will continue to provide a drug-free workplace by:
- (a.) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b.) Establishing an ongoing drug-free awareness program to inform employees about –
    - (1) The dangers of drug abuse in the workplace;
    - (2) The grantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - (c.) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - (d.) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
    - (1) Abide by the terms of the statement; and
    - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

- (e.) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f.) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g.) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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\_\_\_ Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

- (a.) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b.) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

This certification is required by the Department of Homeland Security implementing Executive Orders 12549 and 12689, Debarment and Suspension.

### Instructions for Certification

- 1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.**
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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**Certification Regarding Debarment, Suspension, and Other Responsibility Matters--  
Primary Covered Transactions**

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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### **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-- Lower Tier Covered Transactions**

#### Instructions for Certification

**1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.**

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR

part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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**Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--  
Lower Tier Covered Transactions**

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## Budget Justification Guidance – BioWatch Continuation, Year 5

The following budget detail is required.

**Please use your Year 4 approved budget as a baseline, and identify and justify any significant changes in costs proposed for Year 5.**

**IMPORTANT:** Please include an estimate of your projected **unobligated balance** through the end of your Year 4 budget period.

### 1. PERSONNEL

**Description:** Costs of employee salaries and wages and any cost for background or suitability checks for employees.

**Justification:** Provide information and justification for any changes to overall personnel costs (e.g., cost of living adjustments), any increase in the number of personnel, any significant personnel actions that increase salaries or wages (promotions, etc.) or a change in the level of effort for BioWatch personnel.

### 2. FRINGE BENEFITS

**Description:** Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

**Justification:** Address any changes to your fringe benefit rate.

**NOTE:** Please attach a fringe benefit rate agreement or the requested breakdown to the SF-424 (Application for Federal Assistance), using the “**Add Attachments**” button at the end of the form.

### 3. TRAVEL

**Description:** Costs of project-related travel by employees of the applicant organization (do not include costs of subcontractor travel). DHS anticipates two types of travel costs:

a. Annual Conference/Workshop: The project manager or his/her designee, and up to two (2) Field Personnel, should plan on attending one annual DHS-sponsored workshop. The conference/workshop is estimated to be 3 days in duration. DHS expects this workshop to take place in Milwaukee, WI.

b. Travel costs associated with project operations. These are costs incurred by Recipients that pay travel costs outside of the “Contractual” line of their approved budget.

**Justification:**

a. Annual Conference/Workshop: For the proposed trip, provide the purpose, estimated number of travelers, travel origin and destination if known, number of days, and a breakdown of costs for airfare, lodging, meals, car rental, and incidentals. The basis for the total costs must be provided, such as past trips, current quotations, Federal Travel Regulations, etc.

b. Travel costs associated with project operations. Any recipients that pay travel costs outside of the “Contractual” line of their approved budget should address and justify any changes in the prior year award for items such as gasoline, tolls, mileage, etc.

### 4. EQUIPMENT

**Description:** “Equipment” means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost, which equals or exceeds the lesser of (a) the capitalization level established by the organization for the financial statement purposes, or (b) \$5,000. (Note: Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in-transit insurance, freight, and installation shall be included in or excluded from acquisition cost in accordance with the organization's regular written accounting practices.)

**Justification:** For each type of equipment requested, provide a description of the equipment, the cost per unit, the number of units, the total cost, and a plan for use on the project, as well as use or disposal of the equipment after the project ends. An applicant organization that uses its own definition for equipment should provide a copy of its policy or section of its policy which includes the equipment definition. Please identify proposed equipment to which you are applying your own definition of equipment.

**NOTE:** DHS does not expect to see proposals for large numbers of new items of equipment.

## 5. SUPPLIES

**Description:** Costs of all tangible personal property other than that included under the Equipment category.

**Justification:** Specify general categories of supplies and their costs. Show computations and provide other information which supports the amount requested.

Provide information and justification for any changes to costs for supplies (i.e., all supplies related to the total number of samplers approved for your jurisdiction). Justify any significant changes in the costs for supplies.

## 6. CONTRACTUAL

**Description:** Costs of all contracts for services and goods except for those that belong under other categories such as equipment, supplies, etc. Include contracts with secondary recipient organizations.

**Justification:** Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open and free competition. Identify proposed subaward/consultant work and the cost of each subaward/consultant. **Provide a detailed budget for each subawardee that is expected to perform work estimated to be \$25,000 or more, or 50 percent of the total work effort, whichever is less.** The subawardee budget should provide the same level of detail as that of the applicant (i.e., by Object Class Category/Cost Classification). In addition, the following information must be provided:

Subcontractors -- Identify each planned subcontractor and its total proposed budget. Each subcontractor's budget and supporting detail should be included as part of the applicant's budget justification. In addition, the applicant shall provide the following information for each planned subcontract: a brief description of the work to be subcontracted; the number of quotes solicited and received; the cost or price analysis performed by the applicant; names and addresses of the subcontractors tentatively selected and the basis for their selection, i.e., low bidder, delivery schedule, and technical competence; type of contract and estimated cost and fee or profit; and, affiliation with the applicant, if any.

A Recipient may be required to make available to DHS, pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc. This may include procurements expected to exceed the simplified acquisition threshold fixed at 41 USC 403(11) (currently set at \$100,000) and expected to be awarded without competition or only one bid or offer is received in response to a solicitation.

Subawardees – Identify each planned subawardee and its total proposed budget. Each subawardee’s budget and supporting detail should be separate from the applicant’s budget narrative.

All required flow down provisions in the award must be included in any subcontract or subaward.

## 7. OTHER DIRECT COSTS

Provide an itemized list with costs for any other item proposed as a direct cost and state the basis for each proposed item.

## 8. INDIRECT COSTS

If claiming indirect costs, provide a copy of the latest rate agreement approved by a Federal Government agency. If the applicant organization is in the process of initially developing or renegotiating a rate, upon notification that an award will be made, it should immediately develop a tentative indirect cost rate proposal based on its most recently completed fiscal year, in accordance with the cognizant agency's guidelines for establishing indirect cost rates, and submit it to the cognizant agency. Applicants awaiting approval of their indirect cost proposals may also request indirect costs. When an indirect cost rate is requested, those costs included in the indirect cost pool should not also be charged as direct costs to the cooperative agreement. Also, if the applicant is requesting a rate that is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed.

**NOTE:** Please attach a copy of your Indirect Cost Rate Agreement to the SF424 Application for Federal Assistance (SF424-V2.0) form, using the “**Add Attachments**” button at the end of the form.