



U.S. DEPARTMENT OF HOMELAND SECURITY

FISCAL YEAR 2010

INTERCITY BUS SECURITY GRANT PROGRAM

GUIDANCE AND APPLICATION KIT

DECEMBER 2009



U.S. DEPARTMENT OF HOMELAND SECURITY

Title of Opportunity: FY 2010 Intercity Bus Security Grant Program (IBSGP)

Funding Opportunity Number: DHS-10-GPD-057-000-01

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 Bus Security Grant Program (IBSGP) contains improvements based on outreach to grant participants and stakeholders. The following are some of the key changes impacting the FY 2010 IBSGP as compared to the previous year's program:

Allowable Cost Guidance

This FY 2010 grant guidance contains more guidance about allowable costs in Part IV.E. Additional instructions are also detailed in this section regarding the completion of the Investment Justification (IJ).

Management and Administration

Management and Administration (M&A) may not exceed five percent (5%) of the total award for grantees.

Removal of Project Minimums

Unlike the FY 2009 IBSGP, there are no project minimum amounts for the FY 2010 IBSGP. This applies to all project types.

Security Impact Reporting

As a condition of accepting an award, DHS reserves the right to ask grantees for information about their security-related investments to determine the security impact and cost effectiveness of the grants.

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PART I.

FUNDING OPPORTUNITY DESCRIPTION

The Intercity Bus Security Grant Program (IBSGP) is one of five grant programs that constitute the Department of Homeland Security (DHS) Fiscal Year (FY) 2010 focus on transportation infrastructure security activities. IBSGP is one tool among 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 FY 2010 IBSGP is authorized by Section 1532 of the *Implementing Recommendations of the 9/11 Commission Act* (Public Law 110-53) (the 9/11 Act), 6 U.S.C. 1182, and the *Department of Homeland Security Appropriations Act, 2010* (Public Law 111-83). This program is appropriated as Over-the-Road Bus Security but for the purposes of this guidance and application kit, the program is called the Intercity Bus Security Grant Program.

The vast bulk of America's critical infrastructure is owned and/or operated by State, local, and private sector partners. The funds provided by the IBSGP are primarily intended to support the work of operators of fixed-route intercity and charter bus services.

The purpose of this package is to provide: (1) an overview of the IBSGP; and (2) the formal grant guidance and application materials needed to apply for funding under the program. Also included is an explanation of DHS management requirements for implementation of a successful application.

Federal Investment Strategy

IBSGP is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness, including the security of America's critical infrastructure. IBSGP implements objectives addressed in a series of post-9/11 laws, strategy documents, plans, Executive Orders, and Homeland Security Presidential Directives (HSPDs). Of particular significance are the National Preparedness Guidelines and its associated work products, including the National Infrastructure Protection Plan and its transportation sector-specific plans and Executive Order 13416 (*Strengthening Surface Transportation Security*). The National Preparedness Guidelines are an all-hazards vision regarding the Nation's four core preparedness objectives: 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 also integral to the Guidelines' success.¹ 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 some 37 critical 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 investments 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 funding priorities for the FY 2010 IBSGP reflect the Department's overall investment strategy, in which two priorities are paramount: risk-based funding and regional security cooperation. The funding priorities also reflect the 9/11 Act, which was enacted by Congress in August 2007.

First, based upon ongoing intelligence analysis, extensive security reviews, consultations with industry partners, and Congressional direction, DHS has once again focused the available intercity bus grant funds on operators serving the Nation's highest-risk metropolitan areas.

Second, DHS places a very high priority on ensuring that all IBSGP applications reflect robust regional coordination and an investment strategy that institutionalizes regional security strategy integration.

In order to be eligible to receive FY 2010 IBSGP grant funding, the 9/11 Act requires that all operators have completed a vulnerability assessment and developed a security plan. **If the operator has not completed a security plan or vulnerability assessment, then the operator may use FY 2010 IBSGP grant funding for only the development of a security plan or vulnerability assessment. The operator cannot apply for any other projects.**

The 9/11 Act outlines several uses of funds for over-the-road bus security assistance in section 1532 (b), which are all eligible costs under the FY 2010 IBSGP. Those uses of funds are listed below in prioritized order for funding consideration for the FY 2010 IBSGP:

- Development of assessments or security plans:
 - Development of a vulnerability assessment that includes, as appropriate:
 - Identification and evaluation of critical assets and infrastructure, including platforms, stations, terminals, and information systems

¹ The National Preparedness Guidelines and supporting documents were published in September 2007, and are available at: <http://www.ojp.usdoj.gov/odp/assessments/hspd8.htm>.

- Identification of vulnerabilities to those assets and infrastructure
 - Identification of weaknesses in physical security; passenger and cargo security; the security of programmable electronic devices, computers, or other automated systems which are used in providing over-the-road bus transportation; alarms, cameras, and other protection systems; communications systems and utilities needed for over-the-road bus security purposes, including dispatching systems; emergency response planning; and employee training
- Development of a security plan that includes, as appropriate:
 - The identification of a security coordinator having authority to implement security actions, coordinate security improvements, and receive communications from appropriate Federal officials regarding over-the-road bus security
 - A list of needed capital and operational improvements
 - Procedures to be implemented or used by the operator in response to a terrorist attack, including evacuation and passenger communication plans that include individuals with disabilities
 - The identification of steps taken with State and local law enforcement agencies, emergency responders, and Federal officials to coordinate security measures and plans for response to a terrorist attack
 - A strategy and timeline for conducting training to prepare front-line employees for potential security threats and conditions
 - Enhanced security measures to be taken by the operator when the Secretary of DHS declares a period of heightened security risk
 - Plans for providing redundant and backup systems required to ensure the continued operation of critical elements of the operator's system in the event of a terrorist attack
- Operating and capital costs associated with over-the-road bus security awareness, preparedness, and response training, including training for front-line employees for potential security threats and conditions (must be DHS-approved training courses)
- Live or simulated exercises for the purpose of assessing and improving the capabilities of entities to prevent, prepare for, mitigate, respond to, and recover from acts of terrorism (must be DHS-approved exercises)
- Public awareness campaigns for enhanced over-the-road bus security (must be DHS-approved)
- Modifying over-the-road buses to increase their security
- Installing cameras and video surveillance equipment on over-the-road buses and at terminals, garages, and over-the-road bus facilities
- Constructing and modifying terminals, garages, and facilities, including terminals and other over-the-road bus facilities owned by State or local governments, to increase their security
- Establishing and improving an emergency communications system linking drivers and over-the-road buses to the recipient's operations center or linking the operations center to law enforcement and emergency personnel

- Implementing and operating passenger screening programs for weapons and explosives
- Protecting or isolating the driver of an over-the-road bus
- Chemical, biological, radiological, or explosive detection, including canine patrols for such detection
- Acquiring, upgrading, installing, or operating equipment, software, or accessorial services for collection, storage, or exchange of passenger and driver information through ticketing systems or other means and for information links with government agencies, for security purposes
- Overtime reimbursement, including reimbursement of State, local, and tribal governments for costs, for enhanced security personnel assigned to duties related to over-the-road bus security during periods of Orange or Red Alert levels or National Special Security Events

Please see Part IV.8 for more specific information on allowable projects.

IBSGP Program Management: Roles and Responsibilities at DHS

Effective management of the IBSGP entails a collaborative effort and partnership within DHS, the dynamics of which require continuing outreach, coordination, and interface. For the FY 2010 IBSGP, 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 additional assistance and cooperation of the Federal Transit Administration (FTA) and the Federal Railroad Administration (FRA) determine the primary security architecture of the IBSGP program.

PART II.

AWARD INFORMATION

Authorizing Statutes

The FY 2010 IBSGP is authorized by Section 1532 of the *Implementing Recommendations of the 9/11 Commission Act* (Public Law 110-53) (the 9/11 Act), 6 U.S.C. 1182, and the *Department of Homeland Security Appropriations Act, 2010* (Public Law 111-83). This program is appropriated as Over-the-Road Bus Security but for the purposes of this guidance and application kit, the program is called the Intercity Bus Security Grant Program.

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 \$11,520,000. FY 2010 IBSGP funds will be allocated based on division into two tiers, as summarized in Table 1. As with the FY 2009 program, eligible FY 2010 IBSGP applicants will be placed into one of two tiers. Tier I will be comprised of the larger intercity bus systems in the country that operate at least 250 over-the-road buses and meet the other minimum eligibility requirements. Tier II will be comprised of all other intercity bus systems that meet the minimum eligibility requirements.

Table 1: FY 2010 IBSGP Funding by Tier

Risk Tier	FY 2010 Funding
Tier I	\$6,336,000
Tier II	\$5,184,000
TOTAL	\$11,520,000

PART III.

ELIGIBILITY INFORMATION

A. Eligible Applicants

Minimum Eligibility Requirements

Eligibility for funding under both tiers is limited to applicants meeting one or both of the following criteria:

- Operate fixed-route intercity bus transportation providing services to a defined Urban Areas Security Initiative (UASI) jurisdiction
- Operate a charter bus service using over-the-road buses and provide a minimum of 50 trips annually to one or more defined UASI jurisdictions

The following definitions are applicable for the purpose of meeting FY 2010 program eligibility requirements:

- **Fixed-route intercity bus service** is defined as passenger transportation service provided to the general public for compensation over specified, predetermined, and published routes between cities or terminals using over-the-road-buses.
- **Charter bus service** is defined as a bus service that operates neither over fixed-routes nor on regular schedules.

Note: A charter bus service is characterized by the rental of a bus and the services of a driver to a person or group where all passengers embark and disembark at the same point. A charter bus service must use over-the-road buses.

- **An over-the-road bus** is defined as a vehicle designated for long-distance transportation of passengers, characterized by integral construction with an elevated passenger deck located over a baggage compartment and at least 35 feet in length with a capacity of more than 30 passengers. Only over-the-road buses are eligible for vehicle security enhancements through this program. Limousines, mini-coaches, school buses, or any other vehicle that does not fit the definition of an over-the-road bus are not eligible.

- **An Urban Areas Security Initiative (UASI) jurisdiction** is defined in the Homeland Security Grant Program (HSGP) FY 2010 Program Guidelines and Application Kit. A list of FY 2010 UASI jurisdictions is provided later in this section.
- **A trip** is defined as a single bus journey from an embarkation point to the furthest destination in that journey. For example, a trip from New York City to Denver to San Francisco would be considered a single trip. A trip is made to a defined UASI jurisdiction if at any point in the trip the bus stops in a UASI jurisdiction and embarks or disembarks passengers. For example, a trip from Newburgh, NY to Manhattan to Charleston, WV is a trip to a defined UASI jurisdiction if passengers embark or disembark in Manhattan.
- **Tier I** is defined as intercity bus companies that have an operational fleet of 250 buses or more and meet the minimum eligibility requirements established above.
- **Tier II** is defined as all other intercity bus systems that meet the minimum eligibility requirements established above.

Note: Intracity bus service is not eligible for funding under the FY 2010 IBSGP. Funding for intracity bus security is being addressed through the FY 2010 Transit Security Grant Program.

Ineligible Service Categories

- School buses
- Fixed service routes under contract to transit authorities within UASI jurisdictions
- Fixed service routes not stopping in qualifying UASI jurisdictions
- Intracity trolley and/or tour services
- Bus company owners that are not operators

Note: Eligible applicants may submit one application for funding of up to three projects. If a bus company operates both a fixed-route and a charter bus service, only one application may be submitted for that company. However, the specific projects included in that application may address one or both of the services, assuming both are eligible under the FY 2010 IBSGP guidelines.

Table 2: Tier I and II Urban Areas

FY 2010 Tier I Urban Areas			
State/Territory	Urban Area	State/Territory	Urban Area
California	Bay Area	New Jersey	Jersey City/Newark Area
	Los Angeles/Long Beach Area	New York	New York City Area
District of Columbia	National Capital Region	Pennsylvania	Philadelphia Area
Illinois	Chicago Area	Texas	Dallas/Fort Worth/Arlington Area
Massachusetts	Boston Area		Houston Area
FY 2010 Tier II Urban Areas			
State/Territory	Urban Area	State/Territory	Urban Area
Arizona	Phoenix Area	Nebraska	Omaha Area
	Tucson Area	Nevada	Las Vegas Area
California	Anaheim/Santa Ana Area	New York	Albany Area
	Bakersfield Area		Buffalo Area
	Oxnard Area		Rochester Area
	Riverside Area		Syracuse Area
	Sacramento Area	North Carolina	Charlotte Area
	San Diego Area	Ohio	Cincinnati Area
Colorado	Denver Area		Cleveland Area
Connecticut	Bridgeport Area		Columbus Area
	Hartford Area	Toledo Area	
Florida	Fort Lauderdale Area	Oklahoma	Oklahoma City Area
	Jacksonville Area		Tulsa Area
	Miami Area	Oregon	Portland Area
	Orlando Area	Pennsylvania	Pittsburgh Area
	Tampa Area	Puerto Rico	San Juan Area
Georgia	Atlanta Area	Rhode Island	Providence Area
Hawaii	Honolulu Area	Tennessee	Memphis Area
Indiana	Indianapolis Area		Nashville Area
Kentucky	Louisville Area	Texas	Austin Area
Louisiana	Baton Rouge Area		El Paso Area
	New Orleans Area		San Antonio Area
Maryland	Baltimore Area	Utah	Salt Lake City Area
Michigan	Detroit Area	Virginia	Norfolk Area
Minnesota	Twin Cities Area		Richmond Area
Missouri	Kansas City Area	Washington	Seattle Area
	St. Louis Area	Wisconsin	Milwaukee Area

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 State, 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.² 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 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 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 IBSGP award funds is responsible for determining if sub-awardees have demonstrated sufficient progress to disburse awards.

B. Cost Sharing

The FY 2010 IBSGP has a 75 percent Federal and 25 percent grantee cost share cash- or in-kind match requirement. The non-federal contribution may be cash or in-kind as defined under 44 CFR 13.24.

C. Restrictions

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

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).

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:

- Investment Justification
- Budget Detail Worksheet
- 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
- Attachment include Project Narrative and the Budget Justification
- 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 “*Intercity Bus Security Grant Program.*” The CFDA number is **97.057**.

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 IBSGP application process, applicants must develop a formal Investment Justification that addresses each initiative being proposed for funding, including estimated M&A costs. These Investment Justifications must demonstrate how proposed projects address gaps and deficiencies in current programs and capabilities. The Investment Justification must demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by FEMA. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit.

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

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

Data Submission Requirements for Tier I and II

To be considered under for the FY 2010 IBSGP applicants must furnish fleet size information within their application in section I.C. of the Investment Justification template on page 42. Applicants that meet the minimum IBSGP eligibility requirements and maintain an operational fleet of at least 250 over-the-road buses used in fixed-route or charter service categories will be designated as Tier I. Other applicants that meet the minimum eligibility requirements will be considered in Tier

II. Applicants are asked to provide the following data within section I.C. of their Investment Justification:

- Total number of over-the-road buses in service (excluding vehicles not in operation);
- Total number of over-the-road buses in eligible service categories;
- The number of over-the-road buses utilized in each eligible service category and the UASI jurisdiction(s) being served. Also, identify how many of these service multiple UASI jurisdictions; and
- A source which would allow DHS to verify fleet size, such as standard inventory documents, insurance policies on covered buses, copies of Unified Carrier Registrations, Single State Registrations, Department of Transportation numbers, etc.

Applicants that provide incorrect fleet size data may be ineligible to receive IBSGP funding.

- 5. Detailed Budget.** The applicant must also provide a detailed budget for the funds requested. The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs, any appropriate narrative, and a detail of all M&A costs. Budgets should also round costs to the nearest whole dollar, and not include cents.

The detailed budget 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 required documents as part of the FY 2010 IBSGP:

Legal Name of Bus Company_IJ Number_Budget (Example: ABC Bus Lines_IJ#1_Budget)

When completing the budget, applicants should break costs down to the smallest unit possible. For instance, a fencing project should provide the cost per linear foot of fencing and a closed circuit television (CCTV) project should provide the cost per camera. This will greatly assist the review panel in determining the type and cost effectiveness of the different components of the project.

Additionally, any technical or computer equipment should be described in adequate detail as to easily understand the function of such devices. The budget narrative section of the application allows applicants the opportunity to describe the purpose and function of project components. Budget narratives should also clearly identify any optional features or capabilities, such as a Global Positioning System (GPS) unit equipped with a panic button. Optional or potential capabilities not clearly identified will be assumed as not being present.

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.

- 6. Vulnerability Assessment and Security Plan Certification Statement** (if applicable). If an operator already has a current (updated within the last three years) vulnerability assessment and security plan and wishes to apply for other projects, they must certify as such using the certification statement on page 50.

If applying for other projects, applicants must justify those projects based on the findings and recommendations in their vulnerability assessment and security plan. Applicants that do not tie their proposed projects back to their company specific security plans risk receiving lower scores than applicants that do tie their proposed projects to their security plan.

C. Submission Dates and Times

Application submissions will be received by **11:59 p.m. EST, 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 Office of Management and Budget's (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.

In administering the program, the eligible intercity bus system(s) must comply with the following general requirements:

- 1. Management and Administration.** Any management and administration (M&A) costs associated with individual projects submitted for consideration of funding under the FY 2010 IBSGP must be included in the budget for that project. M&A costs

associated with managing the overall IBSGP award itself must be accounted for separately. M&A costs may not exceed five percent (5%) of the total grant award.

FY 2010 IBSGP funds may be used for the following M&A costs to assist with the management of the FY 2010 IBSGP:

- Hiring of full-time or part-time staff or contractors/consultants
- Travel expenses
- Meeting-related expenses. For a complete list of allowable meeting-related expenses, please review FAR, Part 31.2.

- 2. Minimum Project Amounts.** There is no minimum project request amount requirement for the FY 2010 IBSGP.
- 3. Construction Projects Guidance.** FY 2010 IBSGP 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, EHP Compliance and Part VI.B 1.4 for requirements related to Duplication of Benefits.
- 4. Vulnerability Assessment and Security Plan.** Per the 9/11 Act, in order to be eligible, **the operator must have conducted a vulnerability assessment and developed a security plan.** If the operator already has a current (updated within the last three years) vulnerability assessment and security plan, they must certify as such. (Please see Part VIII.C for a certification statement.) If the operator has not conducted a vulnerability assessment and/or developed a security plan, then FY 2010 IBSGP funding may be used to meet those requirements.

If the operator does not have a vulnerability assessment and/or security plan, or if they are not current, then the only project that they can propose is for the vulnerability assessment and security plan development. Other project requests will not be considered until the vulnerability assessments and security plans are developed and/or certified by the bus operator. Further:

- Tier I operators must complete them within one year of the grant award. The assessments and plans must be submitted to DHS through the cooperative agreement quarterly meetings. If a grant recipient does not submit a vulnerability assessment or security plan within one year, the recipient will be required to return their grant award, in full, to DHS.
- Tier II operators are highly encouraged to complete them within one year of the grant award. Tier II operators should be prepared to submit them upon request.

Eligible grantees in both Tier I and Tier II may request FY 2010 IBSGP funding to conduct a vulnerability assessment and develop a security plan, and must still meet

the above requirements. See page 50 for the Vulnerability Assessment/Security Plan certification statement.

A security plan template is available on the following website:

<http://www.tsa.gov/join/grants/ibsgp.shtm>.

5. **Corporate Security Review (CSR) and Audit.** By accepting a FY 2010 IBSGP award, the grantee must allow DHS to perform a CSR and audit upon request. Grantees will be required to provide basic information concerning critical assets, threat assessments, vulnerability assessments, management, and oversight of the security plan, personnel security, training, secure areas, exercises, cyber security, and physical security countermeasures.
6. **Security Impact Reporting.** As a condition of accepting an award, DHS reserves the right to ask grantees for information about their security-related investments to determine the security impact and cost effectiveness of the grants. This information will be collected, reviewed, and analyzed in order to capture the impact of the IBSGP, and may affect how information is asked for and evaluated through the grant application process in future grant programs. The type of data collected may include, but is not limited to: program-funded initiatives, program statistics, security incident statistics, and risk reduction data.
7. **Allowable Costs.** Specific investments made in support of the funding priorities discussed in Part I of the grant guidance generally fall into one of seven project categories as described below.

Applicants should identify which category their project falls into in Section II.A of the IJ. DO NOT combine different projects in one IJ. Applicants may only request funding for three projects under the FY 2010 IBSGP.

Project components should be related as defined by the following seven projects:

Facility Security Enhancements

FY 2010 IBSGP funds may be used for the following facility security enhancement costs:

- **Capital Projects.** Grant funds may be used on projects that focus on lighting, fencing, securing gates, door access codes, cameras, etc.
- **Full or Part-Time Staff or Contractors/Consultants.** Full or part-time staff or contractors/consultants may be hired to support facility security enhancement-related activities. The applicant's formal written procurement policy or 2 CFR Part 215 must be followed.

Please Note: Camera, video surveillance, and alarm systems MUST be live monitored 24/7. Systems that do not clearly specify live monitoring in the IJ will not be funded.

The maintenance, repair, or replacement of existing security capabilities is not an allowable expense.

When completing a Facility Security IJ, please address the following, as applicable:

- Identify if the facility is owned or leased.
- Identify the height, type, length and features of any fencing project and provide an estimated cost per linear foot of fencing in the budget. If “ornamental” or other special types of fencing is required by local ordinance, please reference the ordinance in the IJ. Unsupported requests for special fencing will not be funded.
- Identify the type, capability, and proposed location of any security cameras and provide an estimated cost per camera in the budget. An aerial photo of the facility would be helpful.
- Include a monitoring plan for any cameras and/or alarm systems describing when, how, and by whom such systems will be monitored and any protocols for dealing with an emergency.

Vehicle/Driver Security Enhancements

FY 2010 IBSGP funds may be used for the following costs:

- **Vehicle Security Enhancements** focus on theft prevention, real-time bus inventory and inventory control, tracking, monitoring, and locating technologies. Applicants are discouraged from submitting projects that propose the use of CCTV as an on-board deterrent to terrorism. Driver security enhancements focus on protection for the bus driver to prevent would-be terrorists from immobilizing the driver and/or hijacking the bus.
- **Full or Part-Time Staff or Contractors/Consultants.** Full or part-time staff or contractors/consultants may be hired to support security enhancement-related activities. The applicant's formal written procurement policy or 2 CFR Part 215.40, Procurement Standards, must be followed.

Please Note: Camera, video surveillance, and panic button systems MUST be live monitored 24 hours, seven days a week. Systems that do not clearly specify live monitoring in the IJ will not be funded.

The maintenance, repair or replacement of existing security capabilities is not an allowable expense.

When completing a Vehicle Security IJ, please address the following, as applicable:

- Identify the location and focus area of any on-board cameras. Please note that external cameras or externally facing cameras are not a security priority of this program.
- Identify the type of vehicles involved. Please note that only Over-The-Road Buses (OTRBs) as defined on page 8 are eligible vehicles for security enhancements.
- Be sure the project does not include removal, replacement, or maintenance costs.

- Include a monitoring plan for any on-board cameras and/or panic buttons describing when, how, and by whom such systems will be monitored and any protocols for dealing with an emergency.

Passenger Screening

FY 2010 IBSGP funds may be used for the implementation and operation of passenger screening programs. These screening programs should focus on weapons and explosives.

Training

FY 2010 IBSGP 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.
- **Full or Part-Time Staff or Contractors/Consultants.** Full or part-time staff may be hired to support training-related activities. The services of contractors/consultants may also be procured by the State in the design, development, conduct, and evaluation of Chemical, Biological, Radiological, Nuclear & Explosive (CBRNE) training. The applicant's formal written procurement policy or 2 CFR Part 215.40, Procurement Standards, must be followed.
- **Overtime and Backfill Costs.** Overtime and backfill costs associated with the design, development, and conduct of CBRNE training are allowable expenses. Payment of overtime expenses will be for work performed by recipient or sub-recipient employees in excess of the established work week (usually 40 hours) related to the planning and conduct of the training project(s). Further, overtime payments and backfill costs associated with sending personnel to training are allowable, provided that the event being attended is a DHS-approved course. Grant funds cannot be used for personnel or salary costs for employees to attend training sessions. Grantees seeking to claim overtime or backfill costs will be required to submit verification. Straight time costs are not eligible expenses.
- **Travel.** Travel costs (i.e., airfare, mileage, per diem, hotel, etc.) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the training project(s) or for attending DHS-approved courses. These costs must be in accordance with State law as highlighted in FAR Part 31.2. Recipients must also follow State regulations regarding travel. If a grantee does not have a travel policy they must follow Federal guidelines and rates, as explained in 2 CFR Part 215.
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the training project(s) (e.g., copying paper, gloves, tape, and non-sterile masks).
- **Other Items.** These costs include the rental of space/locations for planning and conducting training, badges, etc.

FY 2010 IBSGP funds may be not used for the following training activities:

- Training that is not on the DHS-approved course list
- Personnel costs that are not specifically identified as overtime or backfill
- Food or refreshments during training sessions

When completing a training IJ, please address the following, as applicable:

- Include a course syllabus, curriculum, or topic plan identifying the proposed course material and contents.
- Provide the total cost of the training course, the number of participants, and the cost per participant breakdown.

Note: FY 2010 IBSGP funding is not intended as a hiring program and funds may not be used to support hiring that would support new or existing full-time employee positions.

Exercises

FY 2010 IBSGP funds may be used for the following exercise activities:

- **Exercise Planning Workshop.** Grant funds may be used to plan and conduct an Exercise Planning Workshop to include costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel, and exercise plan development.
- **Contractors/Consultants.** Contractors/Consultants staff may be hired to support exercise-related activities. The services of contractors/consultants may also be procured to support the design, development, conduct, and evaluation of terrorism exercises. The applicant's formal written procurement policy or 2 CFR Part 215.40, Procurement Standards, must be followed.
- **Overtime and Backfill Costs.** Overtime and backfill costs associated with the design, development, and conduct of terrorism exercises are allowable expenses. Payment of overtime expenses will be for work performed by employees of public sector recipients or sub-recipients in excess of the established work week (usually 40 hours) related to the planning and conduct of the exercise project(s). Further, overtime payments and backfill costs associated with sending personnel to exercises are allowable, provided that the event being attended is a DHS sponsored exercise. Grant funds cannot be used for personnel or salary costs for employees to attend exercises. Grantees seeking to claim overtime or backfill costs will be required to submit verification. Straight time costs are not eligible expenses.
- **Travel.** Travel costs (i.e., airfare, mileage, per diem, hotel, etc.) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the exercise project(s). These costs must be in accordance with State law. Recipients must also follow State regulations regarding travel. If a State or Territory does not have a travel policy they must follow Federal guidelines and rates, as explained in 2 CFR Part 215.

- **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, and disposable protective equipment).
- **Other Items.** These costs include the rental of space/locations for exercise planning and conduct, exercise signs, badges, etc.

Development of Vulnerability Assessment and Security Plans

FY 2010 IBSGP funds may be used for the following types of activities:

- Vulnerability Assessments
 - The identification and evaluation of critical assets and infrastructure, including platforms, stations, terminals, and information systems
 - The identification of vulnerabilities to those assets and infrastructure
 - The identification of weaknesses in physical security; passenger and cargo security; the security of programmable electronic devices, computers, or other automated systems which are used in providing over-the-road bus transportation; alarms, cameras, and other protection systems; communications systems and utilities needed for over-the-road bus security purposes, including dispatching systems; emergency response planning; and employee training
- Security Plans
 - The identification of a security coordinator having authority to implement security actions, coordinate security improvements, and receive communications from appropriate Federal officials regarding over-the-road bus security
 - A list of needed capital and operational improvements
 - Procedures to be implemented or used by the operator in response to a terrorist attack, including evacuation and passenger communication plans that include individuals with disabilities
 - The identification of steps taken with State and local law enforcement agencies, emergency responders, and Federal officials to coordinate security measures and plans for response to a terrorist attack
 - A strategy and timeline for conducting training to prepare front-line employees for potential security threats and conditions
 - Enhanced security measures to be taken by the operator when the Secretary declares a period of heightened security risk
 - Plans for providing redundant and backup systems required to ensure the continued operation of critical elements of the operator's system in the event of a terrorist attack

Note: If a Vulnerability Assessment/Security Plan already exists and is less than three years old, please justify the need for an updated assessment/plan.

When completing a vulnerability assessment and security plan IJ, please address the following, as applicable:

- In section IV.C of the IJ, discuss how the resulting recommendations will be implemented and from where the resources will come to implement the recommendations.

Other Authorized Expenditure Guidance

- Emergency communications technology that focus on theft prevention, real-time bus inventory, tracking, monitoring, and locating technologies.
- Coordinating with local police and emergency responders that are evaluated as activities to address the response to and recovery from a catastrophic event and/or a terrorist attack.
- Training and Exercises that focus on domain awareness training and participating in exercises to coordinate and prepare for an incident or attack.
- Improvement of ticket identification and further implementation of passenger and baggage screening enhancements that focus on programs which utilize an established methodology for screening passengers, their carry-on baggage, and/or their checked baggage, for weapons and/or explosives.

Note: For 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 (OSHA) requirement for certification of electrical equipment by a nationally recognized testing laboratory, and demonstrate compliance with relevant DHS-adopted standards through a supplier's declaration of conformity with appropriate supporting data and documentation per ISO/IEC 17050, parts 1 and 2. In addition, agencies must have all necessary certifications and licenses for the requested equipment, as appropriate, prior to the request. Any equipment purchased with IBSGP funds must be solely used for IBSGP projects and cannot have a dual-use function. For instance, a computer used to monitor a CCTV system cannot also be used for general office work.

8. Unallowable Costs

FY 2010 IBSGP funds may not be used for the following activities:

- 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, recurring operating costs (e.g., cell phone services, maintenance contracts, etc.), weapons systems, and ammunition
- Activities unrelated to the completion and implementation of projects approved under the IBSGP
- Personnel costs (except as noted under Allowable Training, Exercise, and Management & Administration Costs above)
- Maintenance costs
- Monthly service charges or recurring costs
- Pre-agreement costs (i.e., costs incurred prior to the start of the grant period)

- Other indirect costs (i.e., property purchase, depreciation, or amortization expenses)

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 review panel uses the following criteria to score applications. Applicants can score up to 110 points.

Funding priorities. Projects will be evaluated and prioritized based on the extent to which they address the specific funding priorities contained in Part I of this FY 2010 Program Guidance and Application Kit. The Investment Justification should provide details on specific needs to be addressed, vision, goals, and objectives. It should also provide evidence of how the project fits into an overall effort to meet critical infrastructure security requirements, and how the investment provides significant security impact.

Possible Review Panel Score: 0-55 points

Cost effectiveness. Projects will be evaluated and prioritized on the expected impact on security relative to the investment. The Investment Justification should provide quantitative evidence of the security impact, as well as justification for the strategic usage of the proposed budget. The project cost levels should be commensurate with the security impact, and the proposed solution should be reasonable and advantageous over other possible solutions.

Possible Review Panel Cost Effectiveness Score: 0-10 points

Ability to reduce risk of catastrophic events. Projects will be evaluated and prioritized on their ability to reduce risk. The Investment Justification should demonstrate an ability to reduce risk, providing quantitative evidence of the project's security impact, consequence of not funding the project, and strategy to address specific risk areas.

Possible Review Panel Risk Reduction Score: 0-15 points

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, as well as offer a long-term sustainability plan.

Possible Review Panel Sustainability Score: 0-10 points

Timelines. Projects will be evaluated and prioritized on the ability of the applicant to complete the proposed project within submitted timeframes. The Investment Justification should provide a timeline and schedule, and demonstrate evidence of ability to complete it within submitted timeline based on proposed strategy, identified implementation challenges, management and resource plan, and reasonableness of anticipated schedule.

Possible Review Panel Timelines Score: 0-10 points

Risk to critical infrastructure as determined by TSA. Priority will be given to bus systems serving Tier 1 and Tier 2 UASI jurisdictions within the Homeland Security Grant Program and to systems with routes passing through underwater tunnels.

Possible Review Panel Critical Infrastructure Score: 0-10 points

B. Review and Selection Process

The FY 2010 IBSGP will use risk-based prioritization consistent with DHS policy. The following method of selection will be followed under this program:

- FEMA, in conjunction with the TSA, will verify compliance with each of the administrative and eligibility criteria identified in the application kit.
- Eligible applications will be reviewed and scored by a Federal interagency working group, including representatives from TSA, Federal Motor Carrier Safety Administration (FMCSA), and FEMA.
- TSA and FEMA will review the interagency recommendations and make recommendations for funding to the Secretary of Homeland Security.

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 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/ef/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 debarring 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, grant 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 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 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. 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).

- 4. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with 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 IBSGP 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.

5. **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.

6. **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, 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.gsaelibrary.gsa.gov>, denoted with a  or symbol.

Assistance is available from GSA on the Cooperative Purchasing and Disaster Purchasing Program at the local and national levels. For assistance at the local level, visit <http://www.gsa.gov/csd> to find a local customer service director in your area. For assistance at the national level, contact Tricia Reed at tricia.reed@gsa.gov 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	
State	
Bus System Name	
Urban Area(s) Served	
Investment Name	
Investment Phase	
Requested 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. It will also be used to confirm eligibility.

I.A. Identify the bus system and that system's point(s) of contact (POC) and Chief Executive Officer (CEO), as well as the POC and CEO for additional bus systems/partners.	
Word Limit	Not to exceed ½ page
Response Instructions	Identify the following: <ul style="list-style-type: none"> • POC's name and title; • POC's full mailing address; • POC's telephone number; • POC's fax number; • POC's email address; • CEO's name; • CEO's full mailing address; • CEO's telephone number; • CEO's email address; • POC and CEO information (as above) for additional bus systems/partners; and • Include the corresponding information for the single authorizing official for your organization—i.e., the individual authorized to sign a grant award

I.B. Describe the extent of your operations in UASI jurisdictions. (Note – this response will help DHS determine your eligibility to participate in the FY 2010 IBSGP.)	
Page Limit	Not to exceed ¼ page
Response Instructions	Provide: <ul style="list-style-type: none"> • A list of UASI jurisdictions serviced; • For charter services only, the number of trips annually to each UASI jurisdiction (must be a minimum of 50 trips); and • A source, such as a web site or brochure, which would allow DHS to verify service provided.

I.C. Describe the size of your fleet. (Note – this response will determine the Tier in which you will compete for funding as part of the FY 2010 IBSGP.)	
Page Limit	Not to exceed ¼ page
Response Instructions	Provide: <ul style="list-style-type: none"> • The number of over-the-road buses in your fleet; and, • A source, such as a web site or brochure, which would allow DHS to verify fleet size.

I.D. Describe your system infrastructure and scope of operations for fixed-route services and/or charter services.	
Page Limit	Not to exceed 2 pages
Response Instructions	<p>For fixed-route services, address each of the following factors:</p> <ul style="list-style-type: none"> ○ System Infrastructure; ○ Area of Operations; ○ Number of Passengers (Annually); ○ Number of Miles Driven (Annually); ○ Number of Employees (Specify categories, such as drivers, administration, management, and mechanics); ○ Description of Terminals/Bus Lots: <ul style="list-style-type: none"> ➢ Number of Terminals/Bus Lots (Owned/Leased and Operated); ➢ Location (street address and city) of each Terminal/Bus Lot (within which UASI jurisdiction it is located); ○ Passenger Traffic for Each Terminal; ○ Other tenants at Each Terminal (other bus companies);and ○ Any other important system features. <p>For charter services, address each of the following factors:</p> <ul style="list-style-type: none"> ○ Company Infrastructure; ○ Area of Operations; ○ Number of Passengers (Annually); ○ Number of Employees (Specify categories, such as drivers, administration, management, and mechanics); ○ Description of Bus Lots: <ul style="list-style-type: none"> ➢ Number of Bus Lots (Owned/Leased and Operated); ➢ Location of each Bus Lot (within which UASI jurisdiction it is located); and ○ Any other important features of the charter service.

II. Strategic and Program Priorities

II.A. Provide an abstract for this investment.	
Page Limit	Not to exceed 1 page
Response Instructions	Provide a statement summarizing this investment, addressing the following questions: <ul style="list-style-type: none"> • What bus security risk will the project address? • How will the investment address a transportation security need? • How will the investment enhance overall system security?

II.B. Describe how the investment will address one or more of the Intercity Bus Security Fundamentals.

Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> • Describe how, and the extent to which, the proposed investment addresses one or more of the following: <ul style="list-style-type: none"> ○ Development of assessments or security plans ○ Operating and capital costs associated with over-the-road bus security awareness, preparedness, and response training, including training for front-line employees for potential security threats and conditions as well as training developed by institutions of higher education and by non-profit employee labor organizations, for over-the-road bus employees ○ Live or simulated exercises for the purpose of assessing and improving the capabilities of entities to prevent, prepare for, mitigate, respond to, and recover from acts of terrorism ○ Public awareness campaigns for enhanced over-the-road bus security ○ Operational costs to hire, train, and employ police and security officers, including canine units, assigned to full-time security or counterterrorism duties related to over-the-road bus transportation, including reimbursement of State, local, and tribal government costs for such personnel ○ Modifying over-the-road buses to increase their security ○ Installing cameras and video surveillance equipment on over-the-road buses and at terminals, garages, and over-the-road bus facilities ○ Constructing and modifying terminals, garages, and facilities, including terminals and other over-the-road bus facilities owned by State or local governments, to increase their security ○ Establishing and improving an emergency communications system linking drivers and over-the-road buses to the recipient's operations center or linking the operations center to law enforcement and emergency personnel. ○ Implementing and operating passenger screening programs for weapons and explosives ○ Protecting or isolating the driver of an over-the-road bus ○ Chemical, biological, radiological, or explosive detection, including canine patrols for such detection ○ Acquiring, upgrading, installing, or operating equipment, software, or accessorial services for collection, storage, or exchange of passenger and driver information through ticketing systems or other means and for information links with government agencies, for security purposes ○ Overtime reimbursement, including reimbursement of State, local, and tribal governments for costs, for enhanced security personnel assigned to duties related to over-the-road bus security during periods of high or severe threat levels, National Special Security Events, or other periods of heightened security as determined by the Secretary of DHS <p><i>Note: If this investment is for a facility security enhancement, you must identify the exact location of the facility.</i></p> <ul style="list-style-type: none"> • Regardless which priority above is addressed through the investment, ensure that your response includes a justification for your approach to

	<p>accomplishing your goals and objectives. Provide an explanation that considers answering such questions as:</p> <ul style="list-style-type: none"> ○ Has a security assessment been conducted? If so, identify who conducted the assessment, when it was completed, and summarize the results; ○ How does the proposed approach achieve the best possible balance of enhanced security and cost effectiveness available to your organization? ○ Other unique, organization-specific factors leading to this project investment?
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III. Impact

III.A. Describe how the project offers the highest risk reduction potential at the least cost.	
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> • Discuss how the project will reduce risk in a cost effective manner. <ul style="list-style-type: none"> ○ Discuss how this investment will reduce risk (e.g., reduce vulnerabilities or mitigate the consequences of an event) by addressing the needs and priorities identified in earlier analysis and review; and ○ Identify the nature of the risk, why you consider it a 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).

III.B. Discuss the anticipated impacts of the investment in terms of outputs and outcomes.	
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> ▪ Outline the expected, high-level impacts this investment is expected to attain/ achieve if implemented. ▪ Explain at a high level how IBSGP funding will help achieve these impacts – briefly define your metrics of success in either: <ul style="list-style-type: none"> • <i>Outputs (i.e., X people will be trained as a result of this program), or</i> • <i>Outcomes (i.e., This training has been shown to increase X standard of preparedness by Y% and therefore we estimate that we will increase our baseline preparedness by Z% after the implementation of this project)</i>

IV. Funding & Implementation Plan

IV.A. Investment Funding Plan.	
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> ▪ Complete the chart below to identify the amount of funding that is being requested for this investment only; ▪ Funds should be requested by allowable cost categories (as identified in the FY 2010 IBSGP Guidance and Application Kit);and ▪ 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 IBSGP) will be leveraged for this investment. <p>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</p>

	completed for this investment. See Page 20 of this document for a sample format.		
	Federal IBSGP Request	Total Match (Cash or In-Kind)	Grand Total
<i>Facility Security Enhancements</i>			
<i>Enhanced Ticket Identification and Passenger Screening</i>			
<i>Vehicle and Driver Security Enhancements</i>			
<i>Emergency Communications</i>			
<i>Coordination with Local Police and Emergency Responders</i>			
<i>Training</i>			
<i>Exercises</i>			
<i>Development of Vulnerability Assessments/Security Plans</i>			
<i>M&A</i>			
Total			

IV.B. Identify up to five (5) potential challenges to the effective implementation of this investment (e.g., stakeholder buy-in, sustainability, aggressive timelines).

Page Limit	Not to exceed ½ page
Response Instructions	<p>To identify potential challenges:</p> <ul style="list-style-type: none"> • Consider the necessary steps and stages that will be required for successful implementation of the investment; • Identify areas of possible concern or potential pitfalls in terms of investment implementation; and • Explain why those areas present the greatest challenge to a successful investment implementation. <p>Identify the top challenges (up to 5):</p> <ul style="list-style-type: none"> • For each identified challenge, provide a brief description of how the challenge will be addressed and mitigated, and indicate a probability of occurrence (high, medium, or low);and • The response should focus on the implementation only.

IV.C. Discuss funding resources beyond this fiscal year’s funding that have been identified and will be leveraged to support the implementation of this investment.

Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> • Discuss other funding sources (e.g., non-IBSGP grant programs, public or private agreements, future fiscal year grants) that you plan on utilizing for the implementation of this investment; and • If no other funding resources have been identified or if none are necessary, provide rationale as to why the requested FY 2010 IBSGP funding is sufficient for the implementation of this investment.

IV.D. Provide a high-level timeline, milestones and dates, for the implementation of this investment. Up to 10 milestones may be provided.

Page Limit	Not to exceed 1 page
Response Instructions	<p>Applicants should supply a timeline indicating the proposed milestones within the project keeping in mind the performance period on the grant is up to 36 months. The sample table below may aid the applicant.</p> <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, applicants should only list as many milestones as necessary to sufficiently describe the project; • Milestones are for this discrete investment – those that are covered by the requested FY 2010 IBSGP 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). • Examples of possible milestones: <ul style="list-style-type: none"> • Define kill switch implementation plan • Complete installation • Complete successful test of kill switches

SAMPLE MILESTONES

Sample Project Milestones	Anticipated Dates
Grant is awarded	Award Date
Grantee works on EHP and Financial clearance	Award Date + 3 months
Grantee receives confirmation that special conditions are released	Release of Funds Date
Grantee works with vendors to obtain GPS Unit contract	Release Date + 1 month
Vendor equips GPS units onto buses	Release Date + 6 months
Grantee trains staff on new GPS units	Release Date + 7 months
GPS Project is complete	Release Date + 9 months
Grantee submits final closeout documents to FEMA GPD	Release Date + 12 months

B. Sample Budget Detail Worksheet

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
		\$
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
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	
\$	

C. Vulnerability Assessment and Security Plan Certification Statement

Operators that have already completed vulnerability assessments and developed security plans can use the below statement as their certification, and submit it as part of their grant application. Applicants are required to submit their vulnerability assessments and security plans to DHS upon request.

I, [insert name], as [insert title] of [insert name of bus company], certify that a vulnerability assessment has been completed and a security evaluation preparedness plan has been developed or updated for my company within the last three years.

Signature

Date

D. Specific to For-Profit Entities

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

1. Recipients of IBSGP funds must comply with the contract cost principles as defined in the Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.
2. For purposes of financial and procedural administration of the IBSGP, recipients must comply with 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110) will apply, excluding Sections 40-48.
3. Recipients of IBSGP funds agree that this award may be terminated in accordance with 2 CFR Part 215.61. If the Federal Government determines that a grant will be terminated, it will be carried out in accordance with the process specified in Part 49 of the FAR.
4. Recipients of IBSGP funds may not make a profit as a result of this award or charge a management fee for the performance of this award.
5. Recipients of IBSGP funds must have a financial audit and compliance audit performed by qualified individuals who are organizationally, personally, and externally independent from those who authorize the expenditure of Federal funds. This audit must be performed in accordance with the United States General Accountability Office Government Auditing Standards. The audit threshold contained

in OMB Circular A-133 applies. This audit must be performed on a program-wide basis to ascertain the effectiveness of financial management systems and internal procedures that have been established to meet the terms and conditions of the award. The management letter must be submitted with the audit report. Recipient audit reports must be submitted no later than nine (9) months after the close of each fiscal year during the term of the award. The distribution of audit reports shall be based on requirements in the current edition of 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110). Note: If your audit disclosed findings or recommendations, you must include with your audit report a corrective action plan containing the following: (1) The name and number of the contact person responsible for the corrective action plan; (2) specific steps taken to comply with the recommendations; (3) a timetable for performance or implementation dates for each recommendation; and (4) descriptions of monitoring to be conducted to ensure implementation.

Helpful Hints for Applicants

Are the following components included in the application package?

- SF 424, SF 424A, SF 424B, SF 424C (if applicable), SF 424D (if applicable), and SF LLL
- Investment Justifications for projects
- Detailed budgets containing only allowable costs
- Vulnerability Assessment/Security Plan Certification (if applicable)

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

- Is the type of service provided easily identifiable in the application package (Fixed-route, Charter, or Both)?
- For charter bus companies, are the number of UASI service areas identified?
- 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?
- Do IJs clearly explain how the projects fit into a funding priority area (as identified in Part I)?
- Does the IJ detail the value that this investment has in reducing the risk? Does it specify the current state of the company's security program, the gaps that must be filled to reduce risk, and how the project will fill that gap?
- 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?
- Do requested amounts in the IJ coincide with the amounts listed in the detailed budget?