



U.S. DEPARTMENT OF HOMELAND SECURITY

FISCAL YEAR 2009

INTERCITY PASSENGER RAIL (AMTRAK) PROGRAM

GUIDANCE AND APPLICATION KIT

NOVEMBER 2008



U.S. DEPARTMENT OF HOMELAND SECURITY

Title of Opportunity: FY 2009 Intercity Passenger Rail (Amtrak) Program

Funding Opportunity Number: DHS-09-GPD-075-1962

Federal Agency Name: FEMA Grant Programs Directorate (GPD)

Announcement Type: Initial

Dates: Completed applications must be submitted **no later than 11:59 PM EST, January 13, 2009.**

Additional overview information: The FY 2009 Transit Security Grant Program (TSGP) and Intercity Passenger Rail (IPR) contain significant improvements based on extensive outreach to grant participants and stakeholders. Some of the key changes impacting the FY 2009 IPR as compared to the previous year's program include:

Cost Sharing Requirements

Pursuant to the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329), there is no cost share requirement for funding received under the FY 2009 IPR program.

Operational Expenses

Funding under the FY 2009 IPR program may be used to fund certain operational expenses, bundled as operational packages (OPacks) for K-9 teams, mobile screening teams, and Visible Intermodal Protection and Response (VIPR) teams.

CONTENTS

Contents.....	1
Part I. FUNDING OPPORTUNITY DESCRIPTION.....	2
Part II. AWARD INFORMATION	5
Part III. ELIGIBILITY INFORMATION	6
A. Eligible Applicants.....	6
B. Cost Sharing	6
C. Restrictions	6
Part IV. APPLICATION AND SUBMISSION INFORMATION.....	7
A. Address to Request Application Package	7
B. Content and Form of Application	7
C. Submission Dates and Times	16
D. Intergovernmental Review	16
E. Funding Restrictions	17
Part V. APPLICATION REVIEW INFORMATION	24
A. Review Criteria.....	24
B. Review and Selection Process	24
C. Anticipated Announcement and Award Dates	25
Part VI. AWARD ADMINISTRATION INFORMATION	26
A. Notice of Award	26
B. Administrative and National Policy Requirements	26
C. Reporting Requirements	33
Part VII. FEMA CONTACTS.....	36
Part VIII. OTHER INFORMATION	40

PART I.

FUNDING OPPORTUNITY DESCRIPTION

The Intercity Passenger Rail, (hereinafter IPR), program is a component of the Transit Security Grant Program (TSGP) that constitutes the Department of Homeland Security's (DHS) Fiscal Year 2009 focus on transportation infrastructure security activities. The IPR program 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 2009 IPR program is authorized by Section 1513 of the *Implementing Recommendations of the 9/11 Commission Act* (Public Law 110-53) and the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329).

The purpose of this package is to provide: (1) an overview of the FY 2009 TSGP for the IPR grant program; 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

The IPR program is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness, including the security of America's critical infrastructure. The program implements objectives addressed in a series of post-9/11 laws, strategy documents, plans, Executive Orders, and Homeland Security Presidential Directives, including the *Implementing Recommendations of the 9/11 Commission Act of 2007* (Public Law 110-53). Of particular significance is the *National Preparedness Guidelines* and its associated work products, including the *National Infrastructure Protection Plan (NIPP)* and its transportation sector-specific plans and Executive Order 13416 (*Strengthening Surface Transportation Security*). The *National Preparedness Guidelines* is an all-hazards vision regarding the Nation's four core preparedness objectives: to prevent, protect against, respond to, and recover from terrorist attacks and catastrophic natural disasters.

The *National Preparedness Guidelines* defines a vision of what to accomplish, and provides a set of tools to forge a unified national consensus about what to do and how to work together at the Federal, State, Local, and Tribal levels. Private sector participation is integral to the Guidelines' success. It outlines 15 scenarios of terrorist attacks or national disasters that form the basis of much of the Federal exercise and training regime. In addition, it identifies 37 critical target capabilities that DHS is making the focus of key investments with State, Local and Tribal partners.

DHS expects its critical infrastructure partners to be familiar with this national preparedness architecture and to incorporate elements of this architecture into their planning, operations and investment to the degree practicable. Our 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.

Funding Priorities

The Department has identified the following seven specific priorities as the highest priority selection criteria for the FY 2009 IPR:

Protection of high risk/high consequence underwater and underground rail assets. Many of the Nation's largest transit systems have significant track miles and support large concentrations of riders in rail systems that run underground and underwater. It is the highest priority of the FY 2009 IPR to support measures that protect underground rail system assets — particularly underwater assets — from terrorist attacks by improvised explosive devices (IEDs) or other threats that can damage or significantly breach such assets. Active coordination and regular testing of emergency evacuation plans can greatly reduce loss of life in serious incidents.

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

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

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

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

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

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

TSGP Program Management: Roles and Responsibilities at DHS

Within DHS, the Transportation Security Administration (TSA) by law has the lead for managing the Department's security oversight and security programs for the transit and intercity passenger railroad industry. TSA provides rail system subject matter expertise within DHS and determines the primary security architecture for the IPR program. Its subject matter experts have the lead in crafting all selection criteria associated with the application review process. TSA coordinates daily with the DHS Chief Intelligence Officer to review intelligence reporting and craft intelligence risk assessments related to the transportation sector.

The Federal Emergency Management Agency (FEMA) has the lead for designing and operating the administrative mechanisms needed to manage the Department's core grant programs, including this grant program. In short, FEMA is responsible for ensuring compliance with all relevant Federal grant management requirements and delivering the appropriate grant management tools, financial controls, audits and program management discipline needed to support the IPR.

While TSA and FEMA of necessity interface directly with Amtrak, TSA will prioritize specific investments and set security priorities associated with the IPR. Effective management of the IPR entails a partnership within DHS. In order to make this partnership seamless to Amtrak, upon award of an FY 2009 IPR grant, a primary account manager from TSA and FEMA will be identified who will function as turnkey facilitators. They will meet directly with Amtrak officials as needed, and will coordinate with each other routinely to facilitate DHS support. These individuals will be the one-stop IPR account managers for Amtrak.

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

PART II.

AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the FY 2009 IPR program, describes the basic distribution method used to determine final grants awards, and identifies all eligible applicants for FY 2009 funding.

Award Period of Performance

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

Available Funding

In FY 2009, the total amount of funds distributed under the IPR will be \$25,000,000.

PART III.

ELIGIBILITY INFORMATION

A. Eligible Applicants

The National Passenger Railroad Corporation (Amtrak) is the only entity eligible to apply for funding under FY 2009 Intercity Passenger Rail.

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

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

B. Cost Sharing

Pursuant to the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329), participants of the FY 2009 TSGP, including Amtrak under the Intercity Passenger Rail program, will not be required to provide a cost share for funding they receive.

C. Restrictions

Please see Section IV.E. for Management & Administration limits, and allowable/unallowable costs guidance.

PART IV.

APPLICATION AND SUBMISSION INFORMATION

A. Address to Request Application Package

DHS participates in the Administration's e-government initiative. As part of that initiative, all applications must be filed using the Administration's common electronic "storefront" -- [grants.gov](http://www.grants.gov). Eligible entities must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>. To access application forms and instructions, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located on the cover of this announcement. Select "Download Application Package," and then follow the prompts to download the application package. To download the instructions, go to "Download Application Package" and select "Instructions." If you experience difficulties or have any questions, please call the [grants.gov](http://www.grants.gov) customer support hotline at (800) 518-4726.

B. Content and Form of Application

1. On-line application. The on-line application must be completed and submitted using [grants.gov](http://www.grants.gov) after Central Contractor Registry (CCR) registration is confirmed. The on-line application includes required forms and submissions:

- Investment Justification
- Any additional Required Attachments
- Standard Form 424, Application for Federal Assistance
- Standard Form 424A, Budget Information
- Standard Form 424B, Assurances
- Standard Form 424C, Budget Information-Construction Form (if applicable)
- Standard Form 424D, Assurances-Construction Programs (if applicable)
- Standard Form LLL, Disclosure of Lobbying Activities

The program title listed in the Catalog of Federal Domestic Assistance (CFDA) is "2009 Rail and Transit Security Grant Program." The CFDA number is **97.075**.

2. Application via [grants.gov](http://www.grants.gov). FEMA participates in the Administration's e-government initiative. As part of that initiative, all applicants must file their applications using the Administration's common electronic "storefront" -- [grants.gov](http://www.grants.gov). Eligible entities must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>.

3. DUNS number. The applicant must provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number with their application. This number is a required field within [grants.gov](http://www.grants.gov) and for CCR Registration. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as

possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at (866) 705-5711.

4. **Valid Central Contractor Registry (CCR) Registration.** The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at <http://www.ccr.gov>, as well as apply for funding through grants.gov.
5. **Investment Justification.** As part of the FY 2009 IPR application process, applicants must develop a formal Investment Justification that addresses each initiative being proposed for funding, including 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 DHS. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit.
6. **Detailed budget**
The applicant must also provide a detailed budget for the funds requested. The Detailed Budget must be submitted with the grant application as a file attachment within grants.gov. The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs, any appropriate narrative, and a detailed justification of M&A costs.

Investment Justification Template

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

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

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

I. Background

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

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

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

II. Strategic and Program Priorities

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

	<ul style="list-style-type: none"> Reference use of prior year grant funds, if applicable <p><i>Note: Ensure that details on purchases within this section match what is outlined in the detailed budget.</i></p>
Response	

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

III. Impact

III.A. Discuss how the implementation of this investment will decrease or mitigate risk. Describe how the project offers the highest risk reduction potential at the least cost. Include output and outcome metrics	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> Discuss how this investment will reduce risk (e.g., reduce vulnerabilities or mitigate the consequences of an event) in a cost effective manner by addressing the needs and priorities identified in earlier analysis and review; Identify the nature of the risk and how the risk and need are related to show how addressing the need through this investment will also mitigate risk (e.g., reduce vulnerabilities or mitigate the consequences of an event); and, Outline the expected, high-level impacts this investment is expected to attain or achieve if implemented, and potential negative impacts if the investment is not implemented.
Response	

IV. Funding & Implementation Plan

IV.A. Investment Funding Plan.	
Response Type	Numeric and Narrative
Response Instructions	<ul style="list-style-type: none"> Complete the chart below to identify the amount of funding Amtrak is requesting for <u>this investment only</u>; Funds should be requested and detailed by allowable cost categories (i.e., planning, organization, equipment, training, exercises, and management and administration.); Applicants must make funding requests that are reasonable and justified by direct linkages to activities outlined in this particular investment; and, Applicants must indicate whether additional funding (non-FY 2009 grants) will be leveraged for this investment. <p><i>Note: Investments will be evaluated on the expected impact on security relative to the amount of the investment (i.e., cost effectiveness). An itemized Budget Detail Worksheet and Budget Narrative must also be completed for this investment.</i></p>

Response	
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The following template illustrates how Amtrak should indicate the amount of FY 2009 IRP funding required for the investment, how these funds will be allocated across the cost elements, and what (if any) non-FY 2009 IRP funds will be utilized:

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

IV.B. Discuss funding resources beyond the current fiscal year grant funding that have been identified and will be leveraged to support the implementation and sustainment of this investment.	
Response Type	Narrative
Response Instructions	<ul style="list-style-type: none"> • Give the expected total life-span for this investment if fully implemented and sustained through completion; • Discuss other funding sources (e.g., non-Federal grant programs, public or private agreements, future fiscal year grants) that you plan on utilizing for the implementation and/or continued sustainment of this investment; • If no other funding resources have been identified, or if none are necessary, provide rationale as to why the requested FY 2009 Amtrak funding is sufficient for the implementation and sustainment of this investment; and, • Investments will be evaluated on the extent to which they exhibit a likelihood of success, or continued success, without requiring additional Federal assistance.
Response	

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

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

Investment Justification Submission and File Naming Convention

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

Investment Justification (through grants.gov file attachment)

Name of Applicant_ IJ Number (Example: Amtrak_IJ_#1)

Sample Budget Detail Worksheet

Purpose. The Budget Detail Worksheet is provided as a guide to assist applicants in the preparation of the budget and budget narrative, when required. You may submit the budget information 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.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
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Note: Personnel costs are only allowable for direct management and administration of the grant award, i.e., preparation of mandatory post-award reports.

TOTAL _____

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

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
TOTAL	_____	
Total Personnel & Fringe Benefits	_____	

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

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
TOTAL	_____			

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

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
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Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

TOTAL _____

E. Supplies. List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy and threshold amount for classification of supplies may be used). Generally, supplies include any materials that are expendable or consumed during the course of the project. These costs are applicable to the overall M&A cap of three percent (3%).

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
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TOTAL _____

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

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

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
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Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

Subtotal _____

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

<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
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Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

Subtotal _____

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

<u>Item</u>	<u>Cost</u>
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Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

Subtotal _____

TOTAL _____

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

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
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Budget Narrative: Provide a narrative budget justification for each of the budget items identified.

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

TOTAL _____

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

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
--------------------	--------------------	-------------

TOTAL _____

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.

<u>Budget Category</u>	<u>Federal Amount</u>	<u>Non-Federal Amount</u>
------------------------	-----------------------	---------------------------

A. Personnel	_____	_____
B. Fringe Benefits	_____	_____
C. Travel	_____	_____
D. Equipment	_____	_____
E. Supplies	_____	_____
F. Consultants/Contracts	_____	_____
G. Other	_____	_____
Total Direct Costs	_____	_____

H. Indirect Costs _____

I. Total Grantee Contribution _____

* TOTAL PROJECT COSTS _____

Federal Request _____

Detailed Budget Submission and File Naming Convention

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

Detailed Budget (through *grants.gov* file attachment)

State_Region_IJ Number_Budget (Example: AMTRAK_IJ#1_Budget)

C. Submission Dates and Times

Completed applications must be submitted electronically through www.grants.gov no later than **11:59 PM EST, January 13, 2009**. Late applications will neither be considered nor reviewed. Upon successful submission, a confirmation e-mail message will be sent with a *grants.gov* tracking number, which is needed to track the status of the application.

D. Intergovernmental Review

Executive Order 12372 requires applicants from State and local units of government or other organizations providing services within a State to submit a copy of the application to the State Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the State. Applicants must contact their State SPOC to determine if the program has been selected for State review. Executive Order 12372 can be referenced at <http://www.archives.gov/federal-register/codification/executive-order/12372.html>. The names and addresses of the SPOCs are listed on OMB's home page available at:

<http://www.whitehouse.gov/omb/grants/spoc.html>.

E. Funding Restrictions

Allowable Costs

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

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

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

Planning Costs. FY 2009 Intercity Passenger Rail (Amtrak) program funds may be used for the following types of planning activities:

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

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

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

Unless otherwise noted, equipment must be certified that it meets required regulatory and/or DHS-adopted standards to be eligible for purchase using these funds. Equipment must comply with the OSHA requirement for certification of electrical

equipment by a nationally recognized testing laboratory, and demonstrate compliance with relevant DHS-adopted standards through a supplier's declaration of conformity with appropriate supporting data and documentation per ISO/IEC 17050, parts 1 and 2. In addition, agencies must have all necessary certifications and licenses for the requested equipment, as appropriate prior to the request.

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

Training Costs. FY 2009 IPR funds may be used for the following training activities:

- **Training workshops and conferences.** Grant funds may be used to plan and conduct training workshops or conferences to include costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel and training plan development.
- **Certain full or part-time staff and contractors or consultants.** Full or part-time staff may be hired to support training-related activities. The services of contractors or consultants may also be procured by Amtrak in the design, development, conduct and evaluation of CBRNE training. The applicant's formal written procurement policy or 2 CFR Part 215 must be followed.
- **Overtime and backfill costs.** Payment of overtime expenses will be for work performed by award or sub-award employees in excess of the established work week (usually 40 hours). Further, overtime payments and backfill costs associated with sending personnel to training are allowable, provided that it is DHS approved training. These costs are allowed only to the extent the payment for such services is in accordance with the policies of Amtrak. In no case is dual compensation allowable. That is, an employee of Amtrak may not receive compensation from Amtrak AND from an award for a single period of time (e.g., 1:00 pm to 5:00 pm), even though such work may benefit both activities.
- **Travel.** Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the training project(s) or for attending DHS-approved courses or DHS-sponsored technical assistance programs.
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the training project(s) (e.g., copying paper, gloves, tape, and non-sterile masks).
- **Other items.** These costs may include the rental of space/locations for planning and conducting training, badges, and similar materials.

Exercise Costs. FY 2009 IPR 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.
- **Certain full or part-time staff and contractors or consultants.** Full or part-time staff may be hired to support exercise-related activities. Payment of salaries and fringe benefits must be in accordance with the policies of Amtrak. The services of contractors or consultants may also be procured to support the

design, development, conduct and evaluation of CBRNE exercises. The applicant's formal written procurement policy or 2 CFR Part 215 must be followed.

- **Overtime and backfill costs.** Overtime and backfill costs associated with the design, development and conduct of CBRNE exercises are allowable expenses. Payment of overtime expenses will be for work performed by award or sub-award employees 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. These costs are allowed only to the extent the payment for such services is in accordance with the policies of Amtrak. In no case is dual compensation allowable. That is, an employee of Amtrak may not receive compensation from Amtrak AND from an award for a single period of time (e.g., 1:00 pm to 5:00 pm), even though such work may benefit both activities.
- **Travel.** Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the exercise project(s) or for attending DHS-approved courses or DHS-sponsored technical assistance programs.
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the exercise project(s) (e.g., copying paper, gloves, tape, non-sterile masks, and disposable protective equipment).
- **Other Items.** These costs may include the rental of space/locations for exercise planning and conduct, exercise signs, badges, etc.

Management and Administration (M&A) costs. M&A costs will not exceed 3% of the total award. FY 2009 IPR funds may be used for the following M&A costs:

- Hiring of full-time or part-time staff or contractors/consultants to assist with the management of the FY 2009 IPR or the design, requirements, and implementation of the IPR
- Hiring of full-time or part-time staff, contractors or consultants and M&A expenses related to pre-application submission management activities and application requirements or meeting compliance with reporting/data collection requirements, including data calls
- Development of operating plans for information collection and processing necessary to respond to DHS data calls
- Travel expenses.
- Acquisition of authorized office equipment, including personal computers or laptops

Construction Projects Guidance. FY 2009 IPR recipients using funds for construction projects must comply with the Davis-Bacon Act. Grant recipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor wage determinations, is available from the following website:

<http://www.dol.gov/esa/programs/dbra/>. See also, Part VI.4.7, Environmental and Historic Preservation Compliance.

Operational Activities. Three Operational Packages (OPacks) have been developed to support operational activities. These OPacks are available for funding to Amtrak and eligible Tier I transit systems that have a dedicated transit security/police force, a transit security operations dispatch center, and a daily unlinked ridership of 200,000 or greater. DHS considers OPacks to be effective tactics for supporting the FY 2009 funding priorities for the IPR.

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

A. Explosives Detection Canine Teams

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

B. Visible Intermodal Protection and Response (VIPR) Teams

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

C. Mobile Explosive Screening Team

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

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

Funding Availability for OPacks. OPacks will be funded for a 30 month period. The monetary figures presented below are stated in terms of cost per period of performance (which indicates actual/complete funding for the 30 month period). Additionally, any OPack costs after the 30 month period of performance (including expenses related to the maintenance, personnel, equipment, etc.) are the responsibility of the applicable transit system or law enforcement sub-recipient. If these positions are not sustained the state or local agency will not be eligible for this personnel support in the future.

Table 1: Available Funding for OPacks

	Operational Package	Funding per Year (12 months)	Funding per Period of Performance (30 months)
1.	Explosives Detection Canine Teams	\$150,000 per team	\$375,000 per team
2.	Visible Intermodal Protection and Response (VIPR) Teams	\$500,000 per team	\$1,250,000 per team
3.	Mobile Explosive Screening Team	\$600,000 per team	\$1,500,000 per team

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

Table 2: OPack Requirements

OPacks	Requirements
Explosives Detection Canine Team	<ul style="list-style-type: none"> • Each canine team, composed of one dog and one handler, must be certified by an appropriate, qualified organization • Canines should receive an initial basic training course and also weekly maintenance training sessions thereafter to maintain the certification • The basic training averages 10 weeks for the team, with weekly training and daily exercising (comparable training and certification standards, such as those promulgated by the TSA Explosive Detection Canine Program, the National Police Canine Association (NPCA), the United States Police Canine Association (USPCA), or the International Explosive Detection Dog Association (IEDDA) may be used to meet this requirement 2)
VIPR Team	<ul style="list-style-type: none"> • Specific for the Canine Team within the VIPR Team: • Each canine team, composed of one dog and one handler, must be certified by an appropriate, qualified organization • Canines should receive an initial basic training course and also weekly maintenance training sessions thereafter to maintain the certification • The basic training averages 10 weeks for the team, with weekly training and daily exercising (comparable training and certification standards, such as those promulgated by the TSA Explosive Detection Canine Program, the NPCA, the USPCA, or the IEDDA may be used to meet this requirement. • The individuals hired for the covert and overt elements must be properly trained law enforcement officers
Mobile Explosives Screening Team	<p>Certifications should be on file with the grantee and must be made available to DHS upon request.</p>

² Training and certification information can be found at: <http://www.tsa.gov/lawenforcement/programs>, <http://www.npca.net>, <http://www.uspcak9.com>, and <http://www.bombdog.org>.

Allowable Expenses for OPacks

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

Table 3: Allowable Expenses for OPacks

OPacks	Salary and Fringe Benefits	Training and Certification ³	Equipment Costs	Purchase and Train a Canine ⁵	Canine Costs ⁴
Explosives Detection Canine Team	✓	✓	✓	✓ ⁵	✓
VIPR	✓	✓	✓	✓	✓
Mobile Explosives Screening Team	✓		✓ ⁶		

Unallowable Costs

Specific unallowable costs include:

- Expenditures for items such as general-use software (word processing, spreadsheet, graphics, etc), general-use computers and related equipment (other than for allowable M&A activities, or otherwise associated preparedness or response functions), general-use vehicles, licensing fees, weapons systems and ammunition
- Personnel costs (except as detailed above)
- Activities unrelated to the completion and implementation of the IPR
- Other items not in accordance with the AEL or previously listed as allowable costs

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

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

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

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

PART V.

APPLICATION REVIEW INFORMATION

A. Review Criteria

The completed application must be submitted to DHS via grants.gov (see below for details about this Federal grants application tool) no later than 11:59 PM EST, January 13, 2009. DHS will evaluate and act on the application within 60 days following close of the application period.

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

1. **Funding priorities.** Projects will be evaluated and prioritized based on the extent to which they address the specific funding priorities contained in the FY 2009 Intercity Passenger Rail (Amtrak) program Guidance and Application Kit.
2. **Cost effectiveness.** Projects will be evaluated and prioritized on the expected impact on security relative to the investment.
3. **Ability to reduce risk of catastrophic events.** Projects will be evaluated and prioritized on their ability to reduce risk.
4. **Sustainability without additional Federal funds and leveraging of other funding.** Projects will be evaluated and prioritized regarding the extent to which they exhibit a likelihood of success, or continued success, without requiring additional Federal assistance.
5. **Timelines.** Projects will be evaluated and prioritized on the ability of the applicant to complete the proposed project within submitted timeframes.

B. Review and Selection Process

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

- Collaboration, participation, and/or intervention in any activity covered by the cooperative agreement;
- Approval from DHS prior to the selection of a new project or commencement of the next phase of an approved project;
- Authority for DHS to halt an activity if detailed performance specifications are not met;
- Authority for DHS to direct or redirect the scope of work of a project based on new circumstances; and
- Authority for DHS to create a working group of key Federal and private sector stakeholders to provide guidance and coordination for transit security activities.

C. Anticipated Announcement and Award Dates

FEMA will evaluate and act on the application within 60 days following close of the application period, consistent with the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329). An award will be made on or before September 30, 2009.

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 and log into GMS to access the 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 Program Analyst for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option 3, to obtain the username and password associated with the new award.

The period of performance is 36 months. Any unobligated funds will be deobligated at the end of the 90 day close-out period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required.

B. Administrative and National Policy Requirements

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

1.1 -- Administrative Requirements.

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

1.2 -- Cost Principles.

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

1.3 -- Audit Requirements.

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

1.4-- Duplication of Benefits. There may not be a duplication of any federal assistance, per A-87, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Circular may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. 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.

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

3. Technology Requirements.

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

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

3.3 -- 28 CFR Part 23 Guidance. FEMA requires that any information technology system funded or supported by these funds comply with 28 CFR Part 23, Criminal Intelligence Systems Operating Policies, if this regulation is determined to be applicable.

4. Administrative Requirements.

4.1 -- Freedom of Information Act (FOIA). FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should

be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The applicant may also consult FEMA regarding concerns or questions about the release of information under State and local laws. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.

4.2 -- Protected Critical Infrastructure Information (PCII). The PCII Program, established pursuant to the Critical Infrastructure Information Act of 2002 (Public Law 107-296) (CII Act), created a new framework, which enables State and local jurisdictions and members of the private sector to voluntarily submit sensitive information regarding critical infrastructure to DHS. The Act also provides statutory protection for voluntarily shared CII from public disclosure and civil litigation. If validated as PCII, these documents can only be shared with authorized users who agree to safeguard the information.

PCII accreditation is a formal recognition that the covered government entity has the capacity and capability to receive and store PCII. DHS encourages all entities to pursue PCII accreditation to cover their State government and attending local government agencies. Accreditation activities include signing a memorandum of agreement (MOA) with DHS, appointing a PCII Officer, and implementing a self-inspection program. For additional information about PCII or the accreditation process, please contact the DHS PCII Program Office at pcii-info@dhs.gov.

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

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

from participation in, denied the benefits of or subjected to discrimination under any program or activity receiving Federal financial assistance.

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

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

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

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

- **Comprehensive Preparedness Guide 301 (CPG-301): Interim Emergency Management Planning Guide for Special Needs Populations:** CPG-301 is designed to aid tribal, State, territorial, and local governments in planning for individuals with special needs. CPG-301 outlines special needs considerations for: Developing Informed Plans; Assessments and Registries; Emergency Public Information/Communication; Sheltering and Mass Care; Evacuation; Transportation; Human Services/Medical Management; Congregate

Settings; Recovery; and Training and Exercises. CPG-301 is available at <http://www.fema.gov/pdf/media/2008/301.pdf>.

- **Guidelines for Accommodating Individuals with Disabilities in Disaster:** The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field. The Guidelines are available at <http://www.fema.gov/oe/reference/>.
- **Disability and Emergency Preparedness Resource Center:** A web-based “Resource Center” that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities. The “Resource Center” is available at <http://www.disabilitypreparedness.gov>.
- **Lessons Learned Information Sharing (LLIS) resource page on Emergency Planning for Persons with Disabilities and Special Needs:** A true one-stop resource shop for planners at all levels of government, non-governmental organizations, and private sector entities, the resource page provides more than 250 documents, including lessons learned, plans, procedures, policies, and guidance, on how to include citizens with disabilities and other special needs in all phases of the emergency management cycle.

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

4.6 -- Compliance with the National Energy Conservation Policy and Energy Policy Acts. In accordance with the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329), grant funds must comply with the following two requirements:

- None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
- None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).

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

The grantee shall provide any information requested by FEMA to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact EHP resources cannot be initiated until FEMA has completed its review. Grantees may be required to provide detailed information about the project, including the following: location (street address or map coordinates); description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation such as site and facility photographs, project plans, maps, etc; and possible project alternatives.

For certain types of projects, FEMA must consult with other Federal and State agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for protecting natural and cultural resources. For projects with the potential to have significant adverse effects on the environment and/or historic properties, FEMA's EHP review and consultation may result in a substantive agreement between the involved parties outlining how the grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects.

Because of the potential for significant adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use these funds toward the costs of preparing such documents and/or implementing treatment or mitigation measures. Failure of the grantee to meet Federal, State, and local EHP requirements, obtain applicable permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.

Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and **modifications to buildings, structures and objects** that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. **Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not eligible for FEMA funding.**

For more information on FEMA's EHP requirements, grantees should refer to FEMA's Information Bulletin #271, *Environmental Planning and Historic Preservation Requirements for Grants*, available at <http://ojp.usdoj.gov/odp/docs/info271.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

4.8 -- Royalty-free License. Applicants are advised that FEMA reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (b) any rights of copyright to which an award recipient or 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.

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

4.10 -- Equipment Marking. Applicants are advised that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."

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

4.12 -- National Preparedness Reporting Compliance. *The Government Performance and Results Act* (Public Law 103-62) (GPRA) requires that the

Department collect and report performance information on all programs. For grant programs, the prioritized Investment Justifications and their associated milestones provide an important tool for assessing grant performance and complying with these national preparedness reporting requirements. FEMA will work with grantees to develop tools and processes to support this requirement. FEMA anticipates using this information to inform future-year grant program funding decisions. Award recipients must agree to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within their grant agreement. This includes any assessments, audits, or investigations conducted by the Department of Homeland Security, Office of the Inspector General, or the Government Accountability Office.

C. Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements).

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

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

Reporting periods and due dates:

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

**Payments for this program will be made by the Department of Transportation, however, FSRs must still be submitted through the FEMA PARS system.*

- 2. Categorical Assistance Progress Report (CAPR).** Following an award, the awardees will be responsible for submitting CAPRs on a semi-annual basis; CAPRs should address performance measures and activities as described in the Investment Justification(s). The applicable entities are responsible for completing and submitting the CAPR reports.

The CAPR is due within 30 days after the end of the reporting period (July 30 for the reporting period of January 1 through June 30; and January 30 for the reporting

period of July 1 through December 31). Future awards and fund drawdowns may be withheld if these reports are delinquent.

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

Required submission: CAPR (due semi-annually).

- 3. Exercise Evaluation and Improvement.** Exercises, implemented with grant funds, should be threat and performance-based and should evaluate performance of the targeted capabilities required to respond to the exercise scenario. Guidance related to the conduct exercise evaluations and the implementation of improvement is defined in the *Homeland Security Exercise and Evaluation Program (HSEEP) Manual* located at <http://www.fema.gov/government/grant/administration.shtm>. Grant recipients must report on scheduled exercises and ensure that an After Action Report (AAR) and Improvement Plan (IP) are prepared for each exercise conducted with FEMA support (grant funds or direct support) and submitted to the FEMA secure Portal (<https://preparednessportal.dhs.gov/>) within 60 days following completion of the exercise.

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

Required submissions: AARs and IPs (as applicable).

- 4. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the U.S. General Accountability Office, *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2009 IPR program assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

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

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

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

Grant Close-Out Process

Within 90 days after the end of the period of performance, grantees must submit a final FSR and final CAPR detailing all accomplishments throughout the project. After these reports have been reviewed and approved by FEMA, a close-out notice will be completed to close out the grant. The notice will indicate the project as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FSR. The grantee is responsible for returning any funds that have been drawdown but remain as unliquidated on grantee financial records.

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

PART VII.

FEMA CONTACTS

This section describes several resources that may help applicants in completing a FEMA grant application. During the application period DHS will identify multiple opportunities for a cooperative dialogue between the Department and applicants. This commitment is intended to ensure a common understanding of the funding priorities and administrative requirements associated with the FY 2009 IPR program and to help in submission of projects that will have the highest impact on reducing risks.

- 1. Centralized Scheduling & Information Desk (CSID) Help Line.** CSID is a non-emergency resource for use by emergency responders across the nation. CSID is a comprehensive coordination, management, information, and scheduling tool developed by DHS through FEMA for homeland security terrorism preparedness activities. CSID provides general information on all FEMA grant programs and information on the characteristics of CBRNE, agro-terrorism, defensive equipment, mitigation techniques, and available Federal assets and resources.

CSID maintains a comprehensive database containing key personnel contact information for homeland security terrorism preparedness programs and events. These contacts include personnel at the Federal, State and local levels. CSID can be contacted at (800) 368-6498 or askcsid@dhs.gov. CSID hours of operation are from 8:00 am–6:00 pm (EST), Monday-Friday.

- 2. Grant Programs Directorate (GPD).** FEMA GPD will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov.

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

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



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

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

- **Disaster Recovery Purchasing Program**

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

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

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

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

- 4. Exercise Direct Support.** FEMA provides support to Regions, States, and local jurisdictions in accordance with State Homeland Security Strategies and the Homeland Security Exercise and Evaluation Program (HSEEP). Support is available to conduct a Training and Exercise Plan (TEP) workshop, to develop a Multi-year TEP, and to build or enhance the capacity of a jurisdiction to design, develop, conduct, and evaluate effective exercises.

In FY 2009, support for planning and conduct of exercises has shifted in strategy from a State-focused approach, organized by National Preparedness Directorate Headquarters, to a regional (multi-State) approach, organized by the FEMA Regions, to more effectively integrate national, regional, territorial, tribal, State, and local preparedness exercises. At this time, the Regional Exercise Support Program will support discussion-based exercises (i.e., seminar, workshop or tabletop), operations-based exercises (i.e. drills, functional exercises, full scale exercises), and TEP workshops within each of the 10 FEMA Regions. The Regional Exercise Support Program support is not limited to new exercise initiatives and can be applied to ongoing exercises to maintain continuity of existing planning schedules. Applicants are encouraged to coordinate requests for exercise support through the appropriate FEMA Regional Exercise Officer. State requests for support will be considered, however, priority will be given to exercise initiatives that support collaboration within a Region.

Additional guidance on the Regional Exercise Support Program to include the application process and information on the HSEEP is available on the HSEEP website, <https://hseep.dhs.gov>.

- 5. Homeland Security Preparedness Technical Assistance Program.** The Homeland Security Preparedness Technical Assistance Program (HSPTAP) provides direct support assistance on a first-come, first-served basis (and subject to the availability of funding) to eligible organizations to enhance their capacity and preparedness to prevent, protect against, respond to, and recover from terrorist and all hazard threats. In addition to the risk assessment assistance already being provided, FEMA also offers a variety of other direct support assistance programs.

More information can be found at http://www.fema.gov/about/divisions/pppa_ta.shtm.

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

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

7. Information Sharing Systems. FEMA encourages all State, regional, local, and Tribal entities using FY 2009 funding in support of information sharing and intelligence fusion and analysis centers to leverage available Federal information sharing systems, including Law Enforcement Online (LEO) and the Homeland Security Information Network (HSIN). For additional information on LEO, contact the LEO Program Office at leoprogramoffice@leo.gov or (202) 324-8833. For additional information on HSIN and available technical assistance, contact the HSIN Help Desk at (703) 674-3003.

PART VIII.

OTHER INFORMATION

Helpful Hints for Applicants

Are the following components included in the application package?

- SF 424, SF 424A, SF 424B, 424C, 424D, 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?

- Are minimum funding requirements satisfied, as addressed in Part IV?
- Does 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 investment justification as it pertains to the overall security program)
 - Does the information in the detailed budget align with the budget summary in the IJ narrative?
- Does the IJ clearly explain how the projects fit into a funding priority area (as identified in Part I)?
- Does the IJ discuss how this investment will specifically address on or more of the project effectiveness groups identified in the current year's Grant Guidance?
- Does the IJ discuss how this investment will decrease or mitigate risk?
- Is the cost effectiveness of the project clearly explained in the IJ? How does this project provide a high security return on investment?
- Are timelines realistic and detailed?
- Are possible hurdles addressed in a clear and concise fashion?
- Does the M&A total no more than 3% of the total project cost?