



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: Joint Fiscal Committee members  
From: Daniel Dickerson, Fiscal Analyst *DMD*  
Date: October 9, 2018  
Subject: Position and Grant Requests – JFO #2929 - #2931

Enclosed please find three (3) items, which the Joint Fiscal Office has received, two from the Administration and one from the Judiciary.

**JFO #2929** – \$1,001,577 from the Federal Emergency Management Agency to the VT Dept. of Public Safety. The funds will be used to provide public assistance to Chittenden, Grand Isle, Lamoille, Orange and Orleans counties, which were impacted by severe storms and flooding that occurred on May 4-5, 2018. Approximately \$1.34 million in damages were estimated and the FEMA funding would cover 75% of the costs. The remainder of funding would come from state and local sources. The state source of funding would be the Emergency Relief and Assistance Fund and the Department has estimated that \$142,150 would be funded from this source over three state fiscal years, \$85,290 of which would be spent in the current fiscal year.

*[JFO received 10/02/18]*

**JFO #2930** – \$2,041,347 from the U.S. Dept. of Health and Human Services (HHS) to the Vermont Judiciary. The funds would be used to expand the Windsor DUI court docket to include Windham and Orange Counties. The funding would also be used to increase capacity in the existing Windsor County docket area. Funding for this program was previously provided through the Governor's Highway Safety Program but now the funding will be coming from the Substance Abuse and Mental Health Services Administration (SAMSHA) at HHS. One (1) limited-service position was authorized under the previous grant and the Judiciary has requested that the position be re-authorized under the new grant. The position is titled Treatment Court Coordinator and is tasked with coordinating and implementing the day-to-day activities of the treatment court docket.

*[JFO received 9/28/18]*

**JFO #2931** – \$143,455 from the U.S. Dept. of Homeland Security to the Vermont Dept. of Public Safety. The funds have been granted as part of the Nonprofit Security Grant Program for the purpose of integrating the preparedness activities of nonprofit organizations that are at a high risk of terrorist attacks with broader state and local preparedness efforts. The entities that are slated to receive these funds are: Castleton University, Copley Health Systems, Essex Alliance Church and Springfield Area Parent Child Center. The state would serve as a pass-through entity for the funding, which would go out to the nonprofits in state FY2019.

*[JFO received 10/09/18]*

Please review the enclosed materials and notify the Joint Fiscal Office (Daniel Dickerson at (802) 828-2472; [ddickerson@leg.state.vt.us](mailto:ddickerson@leg.state.vt.us)) if you have questions or would like an item held for legislative review. Unless we hear from you to the contrary by October 23, 2018 we will assume that you agree to consider as final the Governor's acceptance of these requests.

**State of Vermont**  
 Department of Finance & Management  
 109 State Street, Pavilion Building  
 Montpelier, VT 05620-0401

[phone] 802-828-2376  
 [fax] 802-828-2428

**RECEIVED**  
 Agency of Administration  
 OCT 10 2018  
**JOINT FISCAL OFFICE**

**STATE OF VERMONT  
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

<b>Grant Summary:</b>		Federal assistance to integrate preparedness activities of nonprofit organizations that are at high risk of a terrorist attack.			
<b>Date:</b>		9/26/2018			
<b>Department:</b>		Department of Public Safety			
<b>Legal Title of Grant:</b>		FY2018 Nonprofit Security Grant Program			
<b>Federal Catalog #:</b>		97.008			
<b>Grant/Donor Name and Address:</b>		U.S. Department of Homeland Security, Washington, D.C.			
<b>Grant Period:</b>		<b>From:</b> 9/1/2018		<b>To:</b> 8/31/2021	
<b>Grant/Donation</b>		\$143,455			
	<b>SFY 1</b>	<b>SFY 2</b>	<b>SFY 3</b>	<b>Total</b>	<b>Comments</b>
<b>Grant Amount:</b>	\$143,455	\$	\$	\$143,455	
<b>Position Information:</b>		<b># Positions</b>	<b>Explanation/Comments</b>		
		0			
<b>Additional Comments:</b>					
<b>Has Vantage budget detail been reviewed and reconciled?</b>		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(Analyst Initial)	
<b>Department of Finance &amp; Management</b>		<i>MS</i>	(Initial)		
<b>Secretary of Administration</b>		<i>BT</i>	(Initial)		
<b>Sent To Joint Fiscal Office</b>		10/5/18	<b>Date</b>		



RECEIVED  
MAY 18 1954  
JOINT LEGAL OFFICE

**STATE OF VERMONT REQUEST FOR GRANT (\*) ACCEPTANCE (Form AA-1)**

BASIC GRANT INFORMATION				
<b>1. Agency:</b>				
<b>2. Department:</b>	Department of Public Safety			
<b>3. Program:</b>	NSGP			
<b>4. Legal Title of Grant:</b>	Nonprofit Security Grant Program			
<b>5. Federal Catalog #:</b>	97.008			
<b>6. Grant/Donor Name and Address:</b>	Department of Homeland Security, FEMA, 400 C Street, SW. 3 <sup>rd</sup> Fl, Washington DC, 20472-3645			
<b>7. Grant Period:</b>	<b>From:</b>	9/1/2018	<b>To:</b>	8/31/2021
<b>8. Purpose of Grant:</b>	Provides funding support for physical security enhancements and other security activities to nonprofit organizations that are high risk of a terrorist attack.			
<b>9. Impact on existing program if grant is not Accepted:</b>	These nonprofit organizations are at-risk of an attack without funding to improve their security.			
10. BUDGET INFORMATION				
	<b>SFY 1</b>	<b>SFY 2</b>	<b>SFY 3</b>	<b>Comments</b>
<b>Expenditures:</b>	<b>FY 19</b>	<b>FY</b>	<b>FY</b>	
Personal Services	\$	\$	\$	
Operating Expenses	\$	\$	\$	
Grants	\$143,455	\$	\$	
<b>Total</b>	<b>\$143,455</b>	<b>\$</b>	<b>\$</b>	
<b>Revenues:</b>				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$143,455	\$	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source )	\$	\$	\$	
<b>Total</b>	<b>\$143,455</b>	<b>\$</b>	<b>\$</b>	
<b>Appropriation No:</b>	2140013500	<b>Amount:</b>	\$143,455	
			\$	
			\$	
			\$	
			\$	
			\$	
			\$	
		<b>Total</b>	\$143,455	

SEP. 26 2018

**STATE OF VERMONT REQUEST FOR GRANT (\*) ACCEPTANCE (Form AA-1)**

**PERSONAL SERVICE INFORMATION**

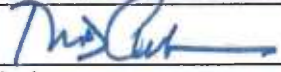
**11. Will monies from this grant be used to fund one or more Personal Service Contracts?**  Yes  No  
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

Appointing Authority Name: \_\_\_\_\_ Agreed by: \_\_\_\_\_ (initial)

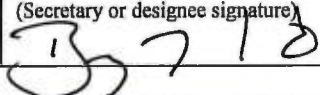
12. Limited Service Position Information:	# Positions	Title
		N/A
<b>Total Positions</b>		

**12a. Equipment and space for these positions:**  Is presently available.  Can be obtained with available funds.

**13. AUTHORIZATION AGENCY/DEPARTMENT**

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: 	Date: 9/10/18
	Title: Commissioner	
	Signature:	Date:
	Title:	

**14. SECRETARY OF ADMINISTRATION**

<input checked="" type="checkbox"/> Approved:	(Secretary or designee signature) 	Date: 9/28/18
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**15. ACTION BY GOVERNOR**

<input checked="" type="checkbox"/> Check One Box: Accepted	(Governor's signature) 	Date: 10/5/18
<input type="checkbox"/> Rejected		

**16. DOCUMENTATION REQUIRED**

**Required GRANT Documentation**

<input type="checkbox"/> Request Memo	<input type="checkbox"/> Notice of Donation (if any)
<input type="checkbox"/> Dept. project approval (if applicable)	<input type="checkbox"/> Grant (Project) Timeline (if applicable)
<input checked="" type="checkbox"/> Notice of Award	<input type="checkbox"/> Request for Extension (if applicable)
<input type="checkbox"/> Grant Agreement	<input type="checkbox"/> Form AA-1PN attached (if applicable)
<input type="checkbox"/> Grant Budget	

**End Form AA-1**

(\*) The term "grant" refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5).



**State of Vermont**  
**Department of Public Safety**  
45 State Drive  
Waterbury, Vermont 05671-1300  
<http://dps.vermont.gov/>

TO: David Beatty, Finance & Management Budget Analyst  
FROM: Monica Buzzell, Financial Administrator  
DATE: September 25, 2018  
SUBJECT: Request for Grant Acceptance

Attached please find a request for Grant Acceptance (Form AA-1) and documentation for the Nonprofit Security Grant Program.

If you have any questions, please contact me at 802-241-5395 or [monica.buzzell@vermont.gov](mailto:monica.buzzell@vermont.gov).

Thank you.

cc: Rhonda Camley, Richard Deschamps, Financial Managers, DPS  
Rick Hallenbeck, Assistant Director of Administration/Finance, DPS

SEP 26 2018







Vermont Business Account Number	450-030213787F-03
Fiscal Entity	Castleton University
Address	62 Alumni Drive, Castleton, VT 05735
Fiscal Year (mm/yy)	Start: 07/18                      End: 06/19
Fiscal Contact Name	Laura Jakubowski
Fiscal Contact Title	Chief Budget and Financial Officer
Fiscal Contact Signature	<i>Laura Jakubowski</i>
Email	Laura.jakubowski@castleton.edu

<b>Proposed Budget Summary</b>	
<p><i><b>Target Hardening</b> - NSGP funding can be used for the acquisition and installation of security equipment on real property, specifically in prevention of and/or protection against the risk of terrorist attack. Allowable equipment is limited to two categories within the Authorized Equipment List (AEL):</i></p> <p><a href="https://www.fema.gov/authorized-equipment-list?combine=&amp;field_ael_category_tid%5B%5D=9529&amp;=GO">https://www.fema.gov/authorized-equipment-list?combine=&amp;field_ael_category_tid%5B%5D=9529&amp;=GO</a></p> <ul style="list-style-type: none"> <li><i>Physical Security Enhancement Equipment (AEL Category 14)</i></li> <li><i>Inspection and Screening Systems (AEL Category 15)</i></li> </ul>	Outside electronic door access controls on existing academic buildings.
<p><i><b>Security Related Training</b> - NSGP funds may be used for security-related training courses and programs. Allowable training-related costs are limited to attendance fees for training, and related expenses such as materials, supplies, and/or equipment.</i></p>	NONE
<p><i><b>Construction/Renovation</b> - For construction costs to be allowed, they must be specifically approved by FEMA in writing prior to the use of any NSGP program funds for construction or renovation.</i></p>	NONE
<b>Total Expenses</b>	<b>TOTAL \$75,000</b>

**Target Hardening (2,200 character max - not including spaces)**

*Describe the proposed target hardening activity that addresses the identified threat or vulnerability. Allowable costs are focused on target hardening activities as well as security-related training courses and programs limited to the protection of critical infrastructure key resources, including physical and cyber security, target hardening, and terrorism awareness/employee preparedness. Funding can also be used for the acquisition and installation of security equipment on real property (including buildings and improvements) owned or leased by the nonprofit organization, specifically in prevention of and/or in against the risk of a terrorist attack.*

Access control software upgrade. Ours currently does not lock all exterior doors. It has weak spots and is not able to be used to its full potential. It is on a private network limiting its capabilities to send alerts and or ability to lock down remotely.  
 Hardware for doors.  
 Server for cameras and access control software.  
 Upgrading doors and accessibility for lockdown capabilities.  
 Upgrading security access control network.  
 Upgrading security accessibility from offsite so lockdown can be set from anywhere.

In this section, list all target hardening equipment being proposed. Include the Authorized Equipment List (AEL) number and description, the vulnerability the equipment addresses, and the funding requested. Allowable equipment is limited to two categories of items on the AEL: - AEL Category 14 - Physical Security Enhancement Equipment - AEL Category 15 - Inspection and Screening Systems The equipment categories are listed on the web based AEL on the FEMA website, <https://www.fema.gov/authorized-equipment-list>.

AEL #	Description of Item to be Purchased	Vulnerability to Be Addressed	Funding Requested
<i>Example: 14SW-01-ALRM</i>	<i>Systems/Sensors, Alarm</i>	<i>Vulnerable entry</i>	<i>\$7,000.00</i>
14SW-01-PACS	Genetec Cloud link server	Vulnerable Entry, Lockdown capabilities, off site monitoring	\$1150.00
14SW-01-PACS	Genetec Security Desk Pro Server	Vulnerable Entry, Lockdown capabilities, off site monitoring	\$4250.00
14SW-01-PACS	Security Desk Mobile License	Vulnerable Entry, Lockdown capabilities, off site monitoring	\$750.00
14SW-01-PACS	Mercury M51e edge Network reader	Vulnerable Entry, Lockdown capabilities, off site monitoring	\$32,500.00
14SW-01-PACS	Synergis Professional base license	Vulnerable Entry, Lockdown capabilities, off site monitoring	\$3500.00
14SW-01-VIDA	Omnicast Professional Camera License	Vulnerable Entry, Lockdown capabilities, off site monitoring	\$150.00
14SW-01-PACS	Genetec Advantage 5 Year SMA	Vulnerable Entry, Lockdown capabilities, off site monitoring	\$1275.00

**Target Hardening** (2,200 character max - not including spaces)


*Describe the proposed target hardening activity that addresses the identified threat or vulnerability. Allowable costs are focused on target hardening activities as well as security-related training courses and programs limited to the protection of critical infrastructure key resources, including physical and cyber security, target hardening, and terrorism awareness/employee preparedness. Funding can also be used for the acquisition and installation of security equipment on real property (including buildings and improvements) owned or leased by the nonprofit organization, specifically in prevention of and/or in protection against the risk of a terrorist attack.*

1. Improve current lockdown ability. Based on quotes from Dion Locksmith Company: upgrade of all doors, locks, and deadbolts within the campus would cost est. \$4339 including labor and service fees (lowest bidder).
2. Facility hardening. 12 doors within the campus could be hardened at \$39/door, for a total of \$468, done by Armor Concepts (lowest bidder).
3. Blast-proofing of existing exterior windows with bullet resistant film. Est. \$3598 from CJ Buffer Company (lowest bidder).
4. Security Team training and sustainment. \$1500, Full Armor Church Safety Solutions (highest quality bidder).
5. Current need to update interior and exterior surveillance systems to include real time monitoring. Bids pending.

In this section, list all target hardening equipment being proposed. Include the Authorized Equipment List (AEL) number and description, the vulnerability the equipment addresses, and the funding requested. Allowable equipment is limited to two categories of items on the AEL: - AEL Category 14 - Physical Security Enhancement Equipment - AEL Category 15 - Inspection and Screening Systems The equipment categories are listed on the web based AEL on the FEMA website, <https://www.fema.gov/authorized-equipment-list>

<b>AEL #</b>	<b>Description of Item to be Purchased</b>	<b>Vulnerability to Be Addressed</b>	<b>Funding Requested</b>
<i>Example: 14SW-01-ALRM</i>	<i>Systems/Sensors, Alarm</i>	<i>Vulnerable entry</i>	<i>\$7,000.00</i>
<b>14SW-01-Door</b>	<b>Door Re-enforcements</b>	<b>Lockdown capability</b>	<b>\$468</b>
<b>14SW-01-PACS</b>	<b>Locking devices/entry</b>	<b>Lockdown capability</b>	<b>\$4339</b>
<b>14SW-01-VIDA</b>	<b>Video items</b>	<b>Internal/external security</b>	<b>\$7000</b>
<b>14EX-00-BSIR</b>	<b>Shatter resistant glass</b>	<b>Entry points/windows</b>	<b>\$3,598</b>
<b>NA</b>	<b>Security Team Training</b>	<b>Proper security response to threat</b>	<b>\$1500</b>

*Springfield Area Parent Child Center - page from application package*

Vermont Business Account Number	0050580	
Fiscal Entity	self	
Address	6 Main Street, North Springfield, VT 05150	
Fiscal Year (mm/yy)	Start: July 1	End: June 30
Fiscal Contact Name	Jean Gross	
Fiscal Contact Title	Comptroller	
Fiscal Contact Signature		
Email	jeang@vermontel.net	

<b>Proposed Budget Summary</b>	
<p><b>Target Hardening</b> - NSGP funding can be used for the acquisition and installation of security equipment on real property, specifically in prevention of and/or protection against the risk of terrorist attack. Allowable equipment is limited to two categories within the Authorized Equipment List (AEL): <a href="https://www.fema.gov/authorized-equipment-list?combine=&amp;field=ael_category_tid%5B%5D=9529&amp;=GO">https://www.fema.gov/authorized-equipment-list?combine=&amp;field=ael_category_tid%5B%5D=9529&amp;=GO</a></p> <ul style="list-style-type: none"> <li>Physical Security Enhancement Equipment (AEL Category 14)</li> <li>Inspection and Screening Systems (AEL Category 15)</li> </ul>	<p>AEL Category 14: Physical Security Enhancement Equipment</p> <p>Purchase and install PANIC buttons at four key sites throughout our campus: \$1,500 Control the points of entry by purchasing and installing secure doors, with video surveillance and buzzer system, at our two main entrances: \$10,000 Purchase and install approx. 50 sun letting shades for child care classrooms: \$8,000 (We are awaiting additional quotes from suppliers, but have obtained general information and price ranges for this project. See quotes at end of application.)</p>
<p><b>Security Related Training</b> - NSGP funds may be used for security-related training courses and programs. Allowable training-related costs are limited to attendance fees for training, and related expenses such as materials, supplies, and/or equipment.</p>	<p>2 hours CRASE course for staff: \$1,500</p>
<p><b>Construction/Renovation</b> - For construction costs to be allowed, they must be specifically approved by FEMA in writing prior to the use of any NSGP program funds for construction or renovation.</p>	
<p><b>Total Expenses</b></p>	<p><b>TOTAL \$21,000</b></p>

U.S. Department of Homeland Security  
Washington, D.C. 20472



Thomas Anderson  
Vermont Department of Public Safety  
45 State Drive  
Waterbury, VT 05671 - 1300

Re: Grant No.EMW-2018-UA-00044

Dear Thomas Anderson:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2018 Nonprofit Security Grant Program has been approved in the amount of \$143,455.00. You are not required to match this award with any amount of non-Federal funds.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2018 Nonprofit Security Grant Program Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please log in to the ND Grants system at <https://portal.fema.gov>.

Step 2: After logging in, you will see the Home page with a Pending Tasks menu. Click on the Pending Tasks menu, select the Application sub-menu, and then click the link for "Award Offer Review" tasks. This link will navigate you to Award Packages that are pending review.

Step 3: Click the Review Award Package icon (wrench) to review the Award Package and accept or decline the award. Please save or print the Award Package for your records.

System for Award Management (SAM): Grant recipients are to keep all of their information up to date in SAM, in particular, your organization's name, address, DUNS number, EIN and banking information. Please ensure that the DUNS number used in SAM is the same one used to apply for all FEMA awards. Future payments will be contingent on the information provided in the SAM; therefore, it is imperative that the information is correct. The System for Award Management is located at <http://www.sam.gov>.

If you have any questions or have updated your information in SAM, please let your Grants Management Specialist (GMS) know as soon as possible. This will help use to make the necessary updates and avoid any interruptions in the payment process.

*Thomas Dinanno*

THOMAS GEORGE DINANNO GPD Assistant Administrator

U.S. Department of Homeland Security  
Washington, D.C. 20472



**AGREEMENT ARTICLES**  
**Nonprofit Security Grant Program**

**GRANTEE:** Vermont Department of Public Safety  
**PROGRAM:** Nonprofit Security Grant Program  
**AGREEMENT NUMBER:** EMW-2018-UA-00044-S01

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### Article I - Summary Description of Award

The FY 2018 Nonprofit Security Grant Program (NSGP) plays an important role in the implementation of the National Preparedness System (NPS) by supporting the development and sustainment of core capabilities. Core capabilities are essential for the execution of each of the five mission areas outlined in the National Preparedness Goal. The NSGP provides funding support for statutorily eligible costs to include target hardening and other physical security enhancements and activities to nonprofit organizations that are at high risk of terrorist attack. The program seeks to integrate nonprofit preparedness activities with broader State and local preparedness efforts. It is also designed to promote coordination and collaboration in emergency preparedness activities among public and private community representatives, as well as State and local government agencies. This NSGP award is for \$143,455 for the following subrecipients and subaward amounts listed below:

NSGP-State: \$143,455

Castleton University, \$75,000

Copley Health Systems, Inc., \$45,550

Exssex Alliance Church of the Christian and Missionary Alliance, \$9,905

\*Springfield Area Parent Child Center, \$13,000; however, funding is not awarded for sun-letting shades.

### Article II - Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

DHS financial assistance recipients must complete either the OMB Standard Form) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations, Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

### Article III - DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

5. If, during the past three years, recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS FAO and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at [crcl@hq.dhs.gov](mailto:crcl@hq.dhs.gov) or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.

6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS FAO and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

#### **Article IV - Acknowledgment of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

#### **Article V - Age Discrimination Act of 1975**

Recipients must comply with the requirements of the *Age Discrimination Act of 1975* (Title 42 U.S. Code, Section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

#### **Article VI - Americans with Disabilities Act of 1990**

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. (42 U.S.C. Sections 12101- 12213).

#### **Article VII - Best Practices for Collection and Use of Personally Identifiable Information (PII)**

Recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

#### **Article VIII - Civil Rights Act of 1964 - Title VI**

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. Section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

#### **Article IX - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See 42 U.S.C. Section 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See 24 C.F.R. Section 100.201.)

#### **Article X - Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. Sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

#### **Article XI - Debarment and Suspension**

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

#### **Article XII - Drug-Free Workplace Regulations**

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101).

#### **Article XIII - Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

#### **Article XIV - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX**

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. Section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

#### **Article XV - Energy Policy and Conservation Act**

Recipients must comply with the requirements of The Energy Policy and Conservation Act (42 U.S.C. Section 6201) which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

#### **Article XVI - False Claims Act and Program Fraud Civil Remedies**

Recipients must comply with the requirements of The False Claims Act (31 U.S.C. Section 3729-3733) which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. Section 3801-3812 which details the administrative remedies for false claims and statements made.)

#### **Article XVII - Federal Debt Status**

Recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

#### **Article XVIII - Federal Leadership on Reducing Text Messaging while Driving**

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

#### **Article XIX - Fly America Act of 1974**

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. Section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. Section 40118) and the

interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B-138942.

#### **Article XX - Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, (15 U.S.C. Section 2225a), recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, (15 U.S.C. Section 2225).

#### **Article XXI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Recipients must comply with the *Title VI of the Civil Rights Act of 1964* (42 U.S.C. Section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

#### **Article XXII - Lobbying Prohibitions**

Recipients must comply with 31 U.S.C. Section 1352, which provides that none of the funds provided under an federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

#### **Article XXIII - National Environmental Policy Act**

Recipients must comply with the requirements of the *National Environmental Policy Act* (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

#### **Article XXIV - Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

#### **Article XXV - Non-supplanting Requirement**

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

#### **Article XXVI - Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. Recipients must comply with any such requirements set forth in the program NOFO.

#### **Article XXVII - Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. Section 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. Section 401.14.

### **Article XXVIII - Procurement of Recovered Materials**

Recipients must comply with Section 6002 of the *Solid Waste Disposal Act*, as amended by the *Resource Conservation and Recovery Act*. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

### **Article XXIX - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, (29 U.S.C. Section 794), as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

### **Article XXX - Reporting Subawards and Executive Compensation**

Recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

### **Article XXXI - SAFECOM**

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

### **Article XXXII - Terrorist Financing**

Recipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

### **Article XXXIII - Trafficking Victims Protection Act of 2000**

Recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000*, (TVPA) as amended by 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15, the full text of which is incorporated here by reference.

### **Article XXXIV - Universal Identifier and System of Award Management (SAM)**

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A.

### **Article XXXV - USA Patriot Act of 2001**

Recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act)*, which amends 18 U.S.C. Sections 175-175c.

### **Article XXXVI - Use of DHS Seal, Logo and Flags**

Recipients must obtain permission from their DHS FAO, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

### **Article XXXVII - Whistleblower Protection Act**

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C Section 2409, 41 U.S.C. 4712, and 10 U.S.C. Section 2324, 41 U.S.C. Sections 4304 and 4310.

### **Article XXXVIII - Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial

assistance award, the recipient must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

**Article XXXIX - Activities Conducted Abroad**

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

**Article XL - Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov) if you have any questions.

**Article XLI - Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

**Article XLII - Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. For awards with an approved budget greater than the simplified acquisition threshold as defined at 2 C.F.R. Section 200.88 (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**BUDGET COST CATEGORIES**

Personnel	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$0.00
Contractual	\$143,455.00
Construction	\$0.00
Indirect Charges	\$0.00
Other	\$0.00

**Obligating Document for Award/Amendment**

1a. AGREEMENT NO. EMW-2018-UA-00044-S01  
 2. AMENDMENT NO. \*\*\*  
 3. RECIPIENT NO. 036000274  
 4. TYPE OF ACTION AWARD  
 5. CONTROL NO. WX03823N2018T, WX03823N2018T

6. RECIPIENT NAME AND ADDRESS  
 Vermont Department of Public Safety  
 45 State Drive  
 Waterbury, VT, 05671 - 1300  
 7. ISSUING FEMA OFFICE AND ADDRESS  
 FEMA-GPD  
 400 C Street, SW, 3rd floor  
 Washington, DC 20472-3645  
 POC: 866-927-5646  
 8. PAYMENT OFFICE AND ADDRESS  
 FEMA Finance Center  
 430 Market Street  
 Winchester, VA 22603

9. NAME OF RECIPIENT PROJECT OFFICER  
 Natalie Elvidge  
 PHONE NO. 802-585-9021  
 10. NAME OF FEMA PROJECT COORDINATOR  
 Central Scheduling and Information Desk  
 Phone: 800-368-6498  
 Email: Askcsid@dhs.gov

11. EFFECTIVE DATE OF THIS ACTION  
 09/01/2018  
 12. METHOD OF PAYMENT  
 PARS  
 13. ASSISTANCE ARRANGEMENT  
 Cost Reimbursement  
 14. PERFORMANCE PERIOD  
 From: 09/01/2018  
 To: 08/31/2021  
 Budget Period  
 09/01/2018 08/31/2021

**15. DESCRIPTION OF ACTION**

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Nonprofit Security Grant Program	97.008	2018-FA-GG03-P410-4101-D	\$0.00	\$143,455.00	\$143,455.00	See Totals
Nonprofit Security Grant Program	97.008	2018-FA-GH02-P410-4101-D	\$0.00	\$0.00	\$0.00	See Totals
<b>TOTALS</b>			<b>\$0.00</b>	<b>\$143,455.00</b>	<b>\$143,455.00</b>	<b>\$0.00</b>

b. To describe changes other than funding data or financial changes, attach schedule and check here.

N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Nonprofit Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)  
*[Signature]*, Commissioner

DATE  
 9/10/18

18. FEMA SIGNATORY OFFICIAL (Name and Title)  
*[Signature]*

DATE  
 Tue Aug 28 13:51:29 GMT 2018

SHENAUZ SUBRINA WONG, Assistance Officer



**The U.S. Department of Homeland Security (DHS)  
Notice of Funding Opportunity (NOFO)  
Fiscal Year (FY) 2018 Nonprofit Security Grant Program (NSGP)**

**NOTE:** If you are going to apply for this funding opportunity and have not obtained a Data Universal Numbering System (DUNS) number and/or are not currently registered in the System for Award Management (SAM), please take immediate action to obtain a DUNS Number, if applicable, and then to register immediately in SAM. It may take 4 weeks or more after you submit your SAM registration before your registration is active in SAM, then an additional 24 hours for Grants.gov to recognize your information. Information on obtaining a DUNS number and registering in SAM is available from Grants.gov at: <http://www.grants.gov/web/grants/register.html>. Detailed information regarding DUNS and SAM is also provided in Section D of this NOFO, subsection, [Content and Form of Application Submission](#).

**A. Program Description**

**Issued By**

U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD)

**Catalog of Federal Domestic Assistance (CFDA) Number**

97.008

**CFDA Title**

Nonprofit Security Grant Program (NSGP)

**Notice of Funding Opportunity Title**

Nonprofit Security Grant Program

**NOFO Number**

DHS-18-GPD-008-00-01

**Authorizing Authority for Program**

Section 2003 of the *Homeland Security Act of 2002* (Pub. L. No. 107-296, as amended) (6 U.S.C. § 604)

**Appropriation Authority for Program**

*Department of Homeland Security Appropriations Act, 2018* (Pub. L. No. 115-141)

**Program Type**

New

**Program Overview, Objectives and Priorities**

**Overview**

The FY 2018 Nonprofit Security Grant Program (NSGP) is set against the backdrop of a year in which the United States faced numerous and unprecedented homeland security challenges. These included the three major hurricanes that devastated parts of Texas, Florida, and much of Puerto Rico and the U.S. Virgin Islands, as well as massive wildfires across the State of California. In addition to these natural disasters, the Nation also responded to multiple incidents as part of the evolving threat landscape, including witnessing the first known terrorist attack executed against mass transportation on our soil; cyberattacks against critical port infrastructure; and mass casualty events involving both vehicles and active shooters.

The National Preparedness Goal (the Goal) defines what it means to be prepared for such diverse and complicated events. The National Preparedness System is the instrument the Nation employs to build, sustain, and deliver the core capabilities needed to achieve the goal of a more secure and resilient Nation. The development and sustainment of these core capabilities is not exclusive to any single level of government or organization, but rather requires the combined effort of the whole community. To that end, the FY 2018 NSGP represents one part of a comprehensive set of measures authorized by Congress and implemented by the Administration. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, the NSGP supports the goal to Strengthen National Preparedness and Resilience.

The recently released [2018-2022 FEMA Strategic Plan](#) creates a shared vision for the field of emergency management and sets an ambitious, yet achievable, path forward to unify and further professionalize emergency management across the country. The Nonprofit Security Grant Program supports the goal of Ready the Nation for Catastrophic Disasters. We invite all of our stakeholders and partners to also adopt these priorities and join us in building a stronger Agency and a more prepared and resilient Nation.

### **Objectives**

NSGP seeks to integrate the preparedness activities of nonprofit organizations that are at high risk of a terrorist attack with broader state and local preparedness efforts. In FY 2018, multiple funding allocations have been appropriated for nonprofit organizations located inside or outside of FY 2018 Urban Area Security Initiative (UASI) designated urban areas. As in previous fiscal years, the Nonprofit Security Grant Program - Urban Area (NSGP-UA) will be a competitive grant program that funds nonprofits located in UASI-designated urban areas. Under the Nonprofit Security Grant Program - State (NSGP-S), each state will receive an allocation for nonprofit organizations located outside of FY 2018 Urban Area Security Initiative (UASI)-designated urban areas.

The FY 2018 NSGP objectives are to support efforts that:

- Build and sustain core capabilities
- Strengthen governance integration between private nonprofit entities and Federal, state, and local governments
- Encourage a whole community approach to security and emergency management

Performance metrics for this program are as follows:

- Percent of NSGP funding used to build new capabilities
- Percent of NSGP funding used to sustain existing capabilities

**Priorities**

The FY 2018 NSGP provides funding support for physical security enhancements and other security activities to nonprofit organizations that are at high risk of a terrorist attack.

The FY 2018 NSGP plays an important role in the implementation of the National Preparedness System by supporting the development and sustainment of core capabilities. The core capabilities, outlined in the Goal are essential for the execution of the five mission areas—Prevention, Protection, Mitigation, Response, and Recovery—and the realization of a secure and resilient Nation. The development and sustainment of these core capabilities are not exclusive to any single organization, but rather require the combined effort of the whole community. The FY 2018 NSGP’s allowable costs support efforts to build and sustain core capabilities across mission areas. For additional details on priorities and additional costs for this program, please refer to [Appendix B – NSGP Priorities](#).

**B. Federal Award Information**

**Award Amounts, Important Dates, and Extensions**

**Available Funding for the NSGP: \$60,000,000**, of which:

**\$50,000,000** for NSGP-UA; and  
**\$10,000,000** for NSGP-S

**NSGP-UA**

Each nonprofit organization may apply for up to \$150,000 and must apply through their respective State Administrative Agency (SAA).

**NSGP-S**

The SAA may determine an award cap for individual subawards up to a maximum of \$100,000. Nonprofit organizations must apply through their respective SAA.

**Period of Performance:**

**Thirty-six (36) months**

Extensions to the period of performance are allowed. For additional information on period of performance extensions, refer to [Section H](#) of this NOFO, *Additional Information - Extensions*.

**Projected Period of Performance Start Date(s): September 1, 2018**

**Projected Period of Performance End Date(s): August 31, 2021**

**Funding Instrument:**

**Grant**

**C. Eligibility Information**

## Eligible Applicants

The SAA is the only entity eligible to apply for FY 2018 NSGP funds on behalf of eligible nonprofit organizations.

Nonprofit organizations must apply for FY 2018 NSGP through their SAA. A list of SAA points of contact is available at: <http://www.fema.gov/media-library/assets/documents/28689?id=6363>. Nonprofit organizations **may not** apply directly to DHS/FEMA for FY 2018 NSGP funds.

SAA's, in coordination with the Urban Area Working Groups (UAWG) and other state partners, are encouraged to notify and actively inform eligible nonprofit organizations of the availability of FY 2018 NSGP funding.

## Eligibility Criteria

Eligible nonprofit organizations are those organizations that are:

1. Described under section 501(c)(3) of the Internal Revenue Code of 1986 (IRC) and exempt from tax under section 501(a) of such code; refer to links below for additional information:

- <https://www.irs.gov/charities-non-profits/charitable-organizations/exemption-requirements-section-501-c-3-organizations>
- <https://www.irs.gov/publications/p557/ch03.html>
- <https://www.irs.gov/charities-non-profits>

**Note:** The Internal Revenue Service (IRS) does not require certain organizations such as churches, mosques, and synagogues to apply for and receive a recognition of exemption under section 501(c)(3) of the IRC. Such organizations are automatically exempt if they meet the requirements of section 501(c)(3). These organizations are not required to provide recognition of exemption. For organizations that the IRS requires to apply for and receive a recognition of exemption under 501(c)(3), the state may or may not require recognition of exemption, as long as the method chosen is applied consistently.

2. Determined to be at high risk of a terrorist attack by the Secretary of Homeland Security; and
3. For NSGP-UA only, located within one of the FY 2018 UASI-designated urban areas, listed in [Appendix A- FY 2018 NSGP UASI- Designated Urban Areas](#).

Eligible nonprofits located outside of FY 2018 UASI-designated urban areas may apply to the SAA to receive funding only under NSGP-S and eligible nonprofits located within FY 2018 UASI-designated urban areas may apply to the SAA to receive funding only under NSGP-UA. DHS/FEMA will verify that the nonprofit has been included in the correct program and may disqualify applications that are not included in the correct program.

## **Other Eligibility Criteria**

### **National Incident Management System (NIMS) Implementation**

Prior to allocation of any Federal preparedness awards in FY 2018, recipients must ensure and maintain adoption and implementation of NIMS. DHS/FEMA describes the specific activities involved in NIMS implementation in the NIMS Implementation Objectives <https://www.fema.gov/implementation-guidance-and-reporting>.

Incident management activities require carefully managed resources (personnel, teams, facilities, equipment and/or supplies). Utilization of the standardized resource management concepts such as typing, credentialing, and inventorying promote a strong national mutual aid capability needed to support delivery of core capabilities. Recipients should manage resources purchased or supported with DHS/FEMA grant funding according to NIMS resource management guidance. Additional information on resource management and NIMS resource typing definitions and job titles/position qualifications is available on DHS/FEMA's website under <http://www.fema.gov/resource-management-mutual-aid>.

Nonprofit subrecipients are not required to maintain adoption and implementation of NIMS.

### **Cost Share or Match**

There is no cost share requirement for the FY 2018 NSGP.

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

### **Key Dates and Times**

**Date Posted to Grants.gov: May 21, 2018**

**Application Submission Deadline for the SAA: June 20, 2018, 5:00PM ET**

### **Application Submission Deadline for Nonprofit Organizations:**

SAs establish all requirements and deadlines to manage their nonprofit sub-application process in support of their submissions to DHS/FEMA. Deadlines and state requirements may vary from state to state. Contact the SAA for submission deadlines or additional information.

Nonprofit applications are due to the SAA before the application submission deadline for SAs of June 20, 2018.

All applications **must** be received by the established deadline. The Non-Disaster (ND) Grants System has a date stamp that indicates when an application is submitted. Applicants will receive an electronic message confirming receipt of the full application. **Due to the competitive nature of the NSGP, DHS/FEMA will not review applications that are not received by the deadline or consider them for funding.** DHS/FEMA may, however, extend the application deadline by request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant's

control that prevent submission of the application by the deadline, or other exigent or emergency circumstances. Applicants who experience technical issues must notify their DHS/FEMA Headquarters (HQ) Program Analyst before the application deadline. Applicants should contact the Centralized Scheduling and Information Desk (CSID) for FEMA HQ Program Analyst contact information. CSID can be reached by phone at (800) 368-6498 or by e-mail at [askcsid@fema.gov](mailto:askcsid@fema.gov), Monday through Friday, 9:00 a.m. – 5:00 p.m. ET.

**Anticipated Funding Selection Date:** August 27, 2018

**Anticipated Award Date:** No later than September 30, 2018

#### **Address to Request Application Package**

Application forms and instructions are available on [Grants.gov](http://Grants.gov) (hardcopies of the NOFO and associated application materials are not available.) To access the application package, select “Applicants” then “Apply for Grants” followed by “Get Application Package.” Enter the Funding Opportunity Number located on the first page of this NOFO. Select “Apply” and then “Create Workspace.” Follow the prompts to download the instructions and begin the application.

In addition, the following Telephone Device for the Deaf (TDD) and/or Federal Information Relay Service (FIRS) number available for this Notice is: (800) 462-7585

Initial applications will be processed through the [Grants.gov](http://Grants.gov) portal and final applications are processed through FEMA’s Non-Disaster Grants ([ND Grants](#)) System.

#### **Content and Form of Application Submission**

Applying for an award under this program is a multi-step process. To ensure that an application is submitted on time applicants are advised to start the required steps well in advance of their submission. Failure of an applicant to comply with any of the required steps before the deadline for submitting their application may disqualify their application from funding.

The steps involved in applying for an award under this program are:

1. Applying for, updating, or verifying their Data Universal Numbering System (DUNS) Number and Employer ID Number (EIN);
2. Updating or verifying their System for Award Management (SAM) Registration;
3. Establishing an Authorized Organizational Representative (AOR) in [Grants.gov](http://Grants.gov);
4. Submitting an initial application in [Grants.gov](http://Grants.gov); and
5. Submitting the final application in the [ND Grants](#) system.

#### **Unique Entity Identifier and System for Award Management (SAM)**

All applicants for this award must:

1. Be registered in SAM before submitting its application;

2. Provide a valid DUNS number in its application; and
3. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by DHS/FEMA.

DHS/FEMA may not make a federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time DHS/FEMA is ready to make a federal award, DHS/FEMA may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

### **Electronic Delivery**

DHS/FEMA is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS/FEMA requires applicants to submit their initial applications online through [Grants.gov](https://www.grants.gov) and their final applications through [ND Grants](https://www.nd.gov/ndgrants).

### **How to Register to Apply through [Grants.gov](https://www.grants.gov)**

1. *Instructions:* Read the instructions below about registering to apply for DHS/FEMA funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information:

The registration process can take up to four weeks to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required application submission deadlines.

Organizations must have a DUNS Number, active SAM registration, and Grants.gov account to apply for grants.

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

Organization applicants can find complete instructions here: <https://www.grants.gov/web/grants/applicants/organization-registration.html>

2. *Obtain a DUNS Number:* All entities applying for funding, including renewal funding, must have a DUNS number from Dun & Bradstreet (D&B). Applicants must enter the DUNS number in the data entry field labeled "Organizational DUNS" on the SF-424 form.

For more detailed instructions for obtaining a DUNS number, refer to: <https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>

3. *Register with SAM:* In addition to having a DUNS number, all organizations applying online through Grants.gov must register with the System for Award Management (SAM). Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually.

For more detailed instructions for registering with SAM, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>

4. *Create a Grants.gov Account:* The next step in the registration process is to create an account with Grants.gov. Applicants must know their organization's DUNS number to complete this process.

For more information, follow the on-screen instructions or refer to:

<https://www.grants.gov/web/grants/applicants/registration.html>

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

For more detailed instructions about creating a profile on Grants.gov, refer to:

<https://www.grants.gov/web/grants/applicants/registration/add-profile.html>

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

For more detailed instructions about creating a profile on Grants.gov, refer to:

<https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>

7. *Track Role Status:* To track your role request, refer to:  
<https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>
8. *Electronic Signature:* When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize individuals who are able to make legally binding commitments on behalf of the organization as an AOR; **this step is often missed and it is crucial for valid and timely submissions.**



### **How to Submit an Initial Application to DHS/FEMA via Grants.gov**

Grants.gov applicants apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different web forms within an application. For each NOFO, you can create individual instances of a Workspace. Initial applications in Grants.gov must be submitted no later than seven days prior to the final application deadline.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities using Workspace, refer to:

<https://www.grants.gov/web/grants/applicants/workspace-overview.html>

1. *Create a Workspace:* Creating a workspace allows you to complete it online and route it through your organization for review before submitting.
2. *Complete a Workspace:* Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission.
3. *Adobe Reader:* If you decide not to apply by filling out web forms you can download individual PDF forms in Workspace so that they will appear similar to other Standard or DHS/FEMA forms. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on [Grants.gov](https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html) to download the appropriate version of the software at: <https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

4. *Mandatory Fields in Forms:* In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.
5. *Complete SF-424 Fields First:* The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS number. To trigger this feature, an applicant must complete the SF-424 information first. Once it is completed, the information will transfer to the other forms.
6. *Submit a Workspace:* An application may be submitted through workspace by clicking the "Sign and Submit" button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least seven days prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.
7. *Track a Workspace:* After successfully submitting a workspace package, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the

tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:  
<https://www.grants.gov/web/grants/applicants/applicant-training.html>

*Applicant Support:* Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at [support@grants.gov](mailto:support@grants.gov). For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the [Grants.gov](#) Support Center and get a ticket number. The Support Center ticket number will assist the DHS/FEMA with tracking your issue and understanding background information on the issue.

### **Submitting the Final Application in Non Disaster Grants System (ND Grants)**

After submitting the initial application in [Grants.gov](#), eligible applicants will be notified by DHS/FEMA and asked to proceed with submitting their complete application package in [ND Grants](#). Applicants can register early with ND Grants and are encouraged to begin their ND Grants registration at the time of this announcement or at the latest, seven days before the application deadline. Early registration will allow applicants to have adequate time to start and complete their application.

In [ND Grants](#) applicants will be prompted to submit all of the information contained in the following forms. Applicants should review these forms before applying to ensure they have all the information required:

- Standard Form 424A, Budget Information (Non-construction)
- Standard Form 424B, Standard Assurances (Non-construction)
- Standard Form LLL, Disclosure of Lobbying Activities

In addition applicants must submit copies of the following in ND Grants:

- Investment Justifications (IJ) from **eligible nonprofits only - one facility per IJ having a physical address not a PO Box Number**;
- Standard Form 424D, Standard Assurances (Construction) if applying for funds to use for construction;
- Standard Form 424C Budget Information (Construction) if applying for funds to use for construction;
- SAA Prioritization of Investment Justifications) in DHS/FEMA-provided template (OMB Control Number: 1660-0110/FEMA Form 089-24).
  - SAAs must submit a Prioritization of Investment Justifications for NSGP-UA and a separate Prioritization of Investment Justifications for NSGP-S
  - Each nonprofit organization must be scored and must have a **unique rank (#1 [one] being the highest ranked through the total number of applications the SAA scored)**

- States with multiple FY 2018 UASI-designated urban areas must ensure that nonprofits are individually ranked within their urban area
- Only eligible nonprofits with complete applications shall be included on the Prioritization of Investment Justifications.
- Indirect Cost Agreement if applicable.

The standard forms can be found here: <http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>

For assistance registering for the [ND Grants](#) system, please contact [ndgrants@fema.gov](mailto:ndgrants@fema.gov) or (800) 865-4076.

### **Timely Receipt Requirements and Proof of Timely Submission**

All applications must be received in [ND Grants](#) by **5:00 PM Eastern Time on June 20, 2018**. Proof of timely submission is automatically recorded by [ND Grants](#). An electronic date/time stamp is generated within the system when the application is successfully received by [ND Grants](#). The applicant with the AOR role who submitted the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from [Grants.gov](#) with the successful transmission of their initial application. This applicant with the AOR role will also receive the official date/time stamp and [Grants.gov](#) Tracking number in an email serving as proof of their timely submission.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before [Grants.gov](#) and [ND Grants](#) receive your application. Again, [Grants.gov](#) will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the AOR role. The [Grants.gov](#) Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the systems time to process the application.

Applicants needing assistance with the [ND Grants](#) system should contact [ndgrants@fema.gov](mailto:ndgrants@fema.gov) or (800) 865-4076.

### **NSGP Nonprofit Application**

As part of the FY 2018 NSGP application, each eligible nonprofit sub-applicant must submit the following three documents to the SAA:

#### **1. NSGP IJ**

Each subapplicant must develop a formal IJ that addresses each investment proposed for funding. Security enhancements must be for the locations that the nonprofit occupies at the time of application. The investments or projects described in the IJ must:

- Address an identified risk, including threat and vulnerability, and build or sustain a core capability identified in the Goal;
- Demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by DHS/FEMA;

- Be both feasible and effective at reducing the risks for which the project was designed;
- Be able to be fully completed within the three-year period of performance; and
- Be consistent with all applicable requirements outlined in the NOFO.

**2. Vulnerability/Risk Assessment**

Each sub-applicant must include its vulnerability/risk assessment on which the request in the IJ is based.

**3. Mission Statement**

Each subapplicant must include its Mission Statement and any mission implementing policies or practices that may elevate the organization's risk. Recognizing the impact an organization's ideology, beliefs, or mission may have on their risk of potential terrorist threats, SAA's will use the Mission Statement along with information provided in the applicant's IJ in order to validate the organization type. The central purpose of the organization described in the Mission Statement will be used to validate the organization type identified in the IJ as one of the following: 1) Ideology-based/Spiritual/Religious; 2) Educational; 3) Medical; or 4) Other.

The organization type is a factor when calculating the final score of the application; see [Section E. Application Review Information – Final Score](#).

The Vulnerability/Risk Assessment and the Mission Statement are **not** to be submitted in ND Grants but should be maintained by the SAA and must be made available to DHS/FEMA upon request.

Applicants will find additional information regarding the NSGP IJ template, DHS/FEMA Form 089-24 (OMB Control Number: 1660-0110), in [Appendix D –NSGP Investment Justification and Scoring Criteria](#).

**Funding Restrictions**

Federal funds made available through this award may only be used for the purpose set forth in this award and must be consistent with the statutory authority for the award. Award funds may not be used for matching funds for any other Federal award, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal Government or any other government entity.

**Environmental Planning and Historic Preservation (EHP) Compliance**

As a Federal agency, DHS/FEMA is required to consider the effects of its actions on the environment and/or historic properties to ensure that all activities and programs funded by the agency, including grant funded projects, comply with Federal EHP regulations, laws and Executive Orders as applicable. Recipients and subrecipients proposing projects that have the potential to impact the environment, including but not limited to construction of communication towers, modification or renovation of existing buildings, structures and facilities, or new construction including replacement of facilities, must participate in the DHS/FEMA EHP review process. The EHP review process involves the submission of a detailed project description along

with supporting documentation so that DHS/FEMA may determine whether the proposed project has the potential to impact environmental resources and/or historic properties. In some cases, DHS/FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise DHS/FEMA may not be able to fund the project due to non-compliance with EHP laws, executive orders, regulations, and policies.

Additionally, all recipients are required to comply with DHS/FEMA EHP Policy Guidance FEMA Policy #108-023-1. The EHP screening form is located [here](#) and further EHP guidance can be found at <https://www.fema.gov/media-library/assets/documents/85376>.

### **Emergency Communications and Resilience**

All entities using NSGP funding to support emergency communications investments are required to comply with the [SAFECOM Guidance on Emergency Communications Grants \(SAFECOM Guidance\)](#). The SAFECOM Guidance provides current information on emergency communications policies, eligible costs, best practices, and technical standards for State, local, tribal, and territorial grantees investing Federal funds in emergency communications projects. It is also designed to promote and align with the [National Emergency Communications Plan \(NECP\)](#). Conformance with the SAFECOM Guidance helps ensure that Federally-funded investments are compatible, interoperable, resilient, and support national goals and objectives for improving emergency communications.

### **Pre-award Costs**

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

### **Cost Principles**

Costs charged to this award must be consistent with the Cost Principles for Federal Awards located at 2 C.F.R. Part 200, Subpart E.

### **Direct Costs**

#### **Planning**

Planning related costs are allowed under this program only as described in this NOFO.

#### **Organization**

Organization related costs are not allowed under this program.

#### **Equipment**

Equipment related costs are allowed under this program only as described in this NOFO.

Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Large equipment

purchases must be identified and explained. For more information regarding property management standards for equipment, please reference 2 C.F.R. § 200.313, located at [http://www.ecfr.gov/cgi-bin/text-idx?SID=c836a011886f180dac489e15c059b1aa&node=sg2.1.200\\_1309.sg2&rgn=div7](http://www.ecfr.gov/cgi-bin/text-idx?SID=c836a011886f180dac489e15c059b1aa&node=sg2.1.200_1309.sg2&rgn=div7).

### **Training**

Training related costs are allowed under this program only as described in this NOFO.

### **Exercises**

Exercise related costs are allowed under this program.

### **Travel**

Travel costs are not allowed under this program.

### **Construction and Renovation**

Construction and renovation costs are allowed under this program only as described in this NOFO.

### **Operational Overtime**

Operational Overtime costs are not allowed under this program.

### **Maintenance and Sustainment**

Maintenance and Sustainment related costs, such as maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable as described in DHS/FEMA Policy FP 205-402-125-1 (<https://www.fema.gov/media-library/assets/documents/32474>).

For additional details on allowable costs under the NSGP, see [Appendix C – Funding Guidelines](#) of this NOFO.

### **Management and Administration (M&A) Costs**

M&A are costs for activities directly related to the management and administration of the award. M&A costs are allowed under this program as described below.

#### **NSGP-UA (recipient) M&A:**

The NSGP-UA is a sub-component of the UASI program and states must ensure that 100 percent (100%) of each individual NSGP-UA award is passed through to the nonprofit organizations awarded funding by DHS/FEMA.

The state may use UASI funding for M&A purposes associated with administering the NSGP-UA award. However, the state's overall M&A withholding for the NSGP-UA and UASI programs may not exceed five percent (5%) of the sum total of the state's combined UASI and NSGP-UA awards.

#### **NSGP-S (recipient) M&A:**

The NSGP-S is a sub-component of the State Homeland Security Program and states must ensure that 100 percent (100%) of each individual NSGP-S award is passed through to the nonprofit organizations awarded funding by DHS/FEMA.

The state may use SHSP funding for M&A purposes associated with administering the NSGP-S award. However, the state's overall M&A withholding for the NSGP-S and SHSP programs may not exceed five percent (5%) of the sum total of the state's combined SHSP and NSGP-S awards.

**Note:** States must be able to separately account for M&A costs associated the NSGP-UA from NSGP-S.

**Nonprofit (subrecipient) M&A:**

Nonprofit organizations that receive a subaward under this program may use and expend up to five percent (5%) of their FY 2018 NSGP funds for M&A purposes associated with the subaward.

M&A activities are those defined as directly relating to the management and administration of NSGP funds, such as financial management and monitoring. Management and administrative expenses must be based on actual expenses or known contractual costs. Requests that are simple percentages of the award, without supporting justification, will not be allowed or considered for reimbursement.

M&A costs are not operational costs, they are the necessary costs incurred in direct support of the grant or as a consequence of the grant and should be allocated across the entire lifecycle of the grant. Examples include preparing and submitting required programmatic and financial reports, establishing and/or maintaining equipment inventory, documenting operational and equipment expenditures for financial accounting purposes; and responding to official informational requests from state and federal oversight authorities.

**Indirect (Facilities & Administrative [F&A]) Costs**

Indirect costs are allowable under this program as described in 2 C.F.R. § 200.414. With the exception of recipients who have never received a negotiated indirect cost rate as described in 2 C.F.R. § 200.414(f), recipients must have an approved indirect cost rate agreement with their cognizant Federal agency to charge indirect costs to this award. A copy of the approved rate (a fully executed, agreement negotiated with the applicant's cognizant Federal agency) is required at the time of application and must be provided to DHS/FEMA before indirect costs are charged to the award. See [Appendix C - Funding Guidelines](#) for additional details.

**E. Application Review Information**

**Application Evaluation Criteria**

Prior to making a Federal award, FEMA is required by 31 U.S.C. § 3321 and 41 U.S.C. § 2313 to review information available through any OMB-designated repositories of government-wide eligibility qualification or financial integrity information. Therefore application evaluation

criteria may include the following risk based considerations of the applicant: (1) financial stability; (2) quality of management systems and ability to meet management standards; (3) history of performance in managing Federal award; (4) reports and findings from audits; and (5) ability to effectively implement statutory, regulatory, or other requirements.

FY 2018 NSGP applications are to be submitted by nonprofit organizations to their respective SAA. FY 2018 NSGP-UA applications will be reviewed through a two-phased State and Federal review process for completeness, adherence to programmatic guidelines, feasibility, and how well the IJ (project description and justification) addresses the identified risk. FY 2018 NSGP-S applications will be reviewed by the SAA for eligibility, completeness, adherence to programmatic guidelines, feasibility, and how well the IJ (project description and justification) addresses the identified risk. The SAA will make recommendations to DHS/FEMA, and FEMA HQ Program Analysts will review the recommended IJs to ensure that proposed investments are allowable.

### **Criteria**

The following are FY 2018 NSGP evaluation criteria:

- For NSGP-UA only: State and Federal verification that the nonprofit organization is located within one of the FY 2018 UASI-designated urban areas, listed in [Appendix A – FY 2018 NSGP UASI-designated urban areas](#).
- Identification and substantiation of current or persistent threats or attacks (from within or outside the U.S.) by a terrorist organization, network, or cell against the applicant based on their ideology, beliefs, or mission
- Symbolic value of the site(s) as a highly recognized regional and/or national or historical institution(s) that renders the site a possible target of terrorism
- Role of the applicant nonprofit organization in responding to or recovering from terrorist attacks
- Findings from previously conducted threat and/or vulnerability assessments
- Integration of nonprofit preparedness with broader state and local preparedness efforts
- Complete and feasible IJ that addresses an identified risk, including the assessed threat, vulnerability, and consequence of the risk, and proposes building or sustaining a core capability identified in the Goal
- For NSGP-UA only: History of prior funding under NSGP. Not having received prior year funding is a positive factor when calculating the state score of the application; see [Section E. Application Review Information – Review and Selection Process](#) for additional information.

For complete information on the criteria used to review and score IJs at the state and Federal levels, please refer to [Appendix D – NSGP Investment Justification and Scoring Criteria](#).

Grant projects must be: 1) both feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the 3-year period of performance.

DHS/FEMA will use the information provided in the application, as well as any supporting documentation, to determine the feasibility and effectiveness of the grant project. Information that would assist in the feasibility and effectiveness determination includes the following:



- Scope of work (purpose and objectives of the project, identification of what is being protected)
- Desired outcomes, including expected long-term impact where applicable
- Summary of status of planning and design accomplished to date (e.g. included in a capital improvement plan)
- Project schedule

Recipients (and subrecipients) are expected to conform, as applicable, with accepted engineering practices, established codes, standards, modeling techniques, and best practices.

### **Review and Selection Process (NSGP-UA)**

#### **State Review**

Application packages are submitted by the nonprofit organization to the SAA and the UAWG based on the established criteria.

As part of the State Review, the SAAs must:

- Conduct an eligibility review, in coordination with the UAWG;
- Verify that the nonprofit is located within a FY 2018 UASI-designated urban area;
- Review and score all complete application packages (including mission statements and vulnerability assessments) using the NSGP Scoring Worksheet provided by DHS/FEMA; see [Appendix E – NSGP Investment Justification Scoring Worksheet](#); **Note:** A bonus point will be added to the state score for all organizations that have not received NSGP funding in previous years; this will be the final state score;
- Validate the organization type listed in the IJ by assessing the central purpose of the organization described in the Mission Statement, as either 1) Ideology-based/Spiritual/Religious; 2) Educational; 3) Medical; or 4) Other; and
- Prioritize all NSGP IJs by ranking each IJ. Each IJ will receive a **unique rank** (#1 [one] being the highest ranked through the total number of applications the SAA scored).
- Submit the scores from the state review along with the prioritized list of all NSGP projects to DHS/FEMA using the SAA Prioritization Tracker.
- Retain the mission statements and vulnerability assessments submitted by each nonprofit organization.

The SAA will base the ranking on the SAA's subject matter expertise and discretion with consideration to the following factors:

- **Need:** The relative need for the nonprofit organization compared to the other applicants; and
- **Impact:** The feasibility of the proposed project and how effectively the proposed project addresses the identified need.

#### **Federal Review (NSGP-UA)**

The highest-scoring IJs from each submitting urban area (at least one from each urban area) are reviewed by a panel made up of DHS/FEMA HQ Program Analysts and Regional Program Analysts or Grants Management Specialists. Federal staff will verify that the nonprofit is located

within a FY 2018 UASI designated urban area. Two Federal reviewers will score each IJ using the NSGP Investment Justification Scoring Worksheet.

Determining the number of applications that will advance to the Federal Review:

- 1) FEMA will organize applications in rank order (based on the state scores) from highest to lowest score.
- 2) Federal reviewers will come up with the federal review pool by reviewing the highest scored projects equal to 150% of the available funding, which is \$75 million this year. At least one IJ from each submitting urban area will be included as part of the federal review pool.

### **Final Score (NSGP-UA)**

To calculate an application's final score, the sum of the applicant's state score and the average of the two Federal reviewers' scores will be multiplied:

- By a factor of three for nonprofit groups that are at a high risk of terrorist attacks due to their ideology, beliefs, or mission;
- By a factor of two for medical and educational institutions; and
- By a factor of one for all other nonprofit organizations.

All final application scores will then be sorted in descending order, regardless of urban area, and applicants will be selected from highest to lowest until available FY 2018 NSGP funding has been exhausted. In the event of a tie during the funding determination process, priority will be given to nonprofit organizations that have not received prior year funding, then those ranked highest by their SAA.

DHS/FEMA will use the final results to make funding recommendations to the Secretary of Homeland Security. All final funding determinations will be made by the Secretary of Homeland Security, who retains the discretion to consider other factors and information in addition to DHS/FEMA's funding recommendations.

### **Review and Selection Process (NSGP-S)**

#### **State Review**

Application packages are submitted by the nonprofit organization to the SAA based on the established criteria.

The SAA will review applications and recommend to FEMA/DHS which nonprofit organizations should be selected for funding. As part of the State Review, the SAAs must:

- Conduct an eligibility review;
- Review and score all **complete** application packages (including and vulnerability assessments) using the NSGP Scoring Worksheet provided by DHS/FEMA; see [Appendix E – NSGP Investment Justification Scoring Worksheet](#);
- Prioritize all NSGP IJs by ranking each IJ. Each IJ will receive a **unique rank** (#1 [one] being the highest ranked through the total number of applications the SAA scored).

- Submit to DHS/FEMA the prioritized list of recommendations using the SAA Prioritization of Investment Justification form.
- SAAs must submit IJs with a total requested funding amount of the state NSGP-S allocation plus \$300,000 or plus three additional IJs whichever is greater. This will allow DHS/FEMA to award the next prioritized IJ in instances when a significant portion of an IJ includes proposed projects that are unallowable.

For Example, <u>State Allocation</u>	<u>Submit IJs Totaling Below Amount to DHS/FEMA</u>
\$100,000	\$400,000
\$150,000	\$450,000
\$200,000	\$500,000
\$250,000	\$550,000
\$300,000	\$600,000
\$400,000	\$700,000

- Retain the vulnerability assessments submitted by each nonprofit organization.

The SAA will base its recommendations on the SAA's subject matter expertise and discretion with consideration to the following factors:

- **Need:** The relative need for the nonprofit organization compared to the other applicants; and
- **Impact:** The feasibility of the proposed project and how effectively the proposed project addresses the identified need.

#### **Federal Review (NSGP-S)**

DHS/FEMA HQ Program Analysts will review the IJs recommended by the SAA to ensure that all proposed investments are allowable. DHS/FEMA will select nonprofits for funding as prioritized by the SAA unless proposed projects are unallowable. If recommended IJs include unallowable projects, DHS/FEMA will decide to either partially fund the IJ or select the next prioritized IJ.

Should additional NSGP-S funding remain unobligated after reviewing all State submissions, FEMA will use the SAA scores, in part, to determine how the remaining balance of funds will be allocated. Submissions will be selected for funding until the remaining balance of funds is exhausted.

All final funding determinations will be made by the Secretary of Homeland Security, who retains the discretion to consider other factors and information in addition to DHS/FEMA's funding recommendations.

#### **Financial Review**

DHS/FEMA HQ Grants Management Specialists will conduct a financial risk assessment using the following criteria:

- Allowability, allocability, and financial reasonableness of the proposed budget and investment information.
- Whether the recipient meets the financial and legal requirements listed in 2 C.F.R. Part 200.

Prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, currently \$150,000, DHS/FEMA is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS).

An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM.

DHS/FEMA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.205 Federal awarding agency review of risk posed by applicants.

#### **F. Federal Award Administration Information**

##### **Notice of Award**

Notification of award approval is made through the ND Grants system through an automatic e-mail to the awardee point of contact (the "authorized official") listed in the initial application. The "award date" for NSGP will be the date that DHS/FEMA approves the award. The recipient should follow the directions in the notification to confirm acceptance of the award.

Funds will remain on hold until the recipient accepts the award through the ND Grants system and all other conditions of award have been satisfied, or the award is otherwise rescinded. Failure to accept the grant award within the 90 day timeframe may result in a loss of funds.

Recipients must accept their awards no later than 90 days from the award date. The recipient shall notify the awarding agency of its intent to accept and proceed with work under the award through the ND Grants system. Instructions on how to accept or decline an award in the ND Grants system is in the [ND Grants Grantee Training Manual](#).

##### **Administrative and National Policy Requirements**

All successful applicants for all DHS grant and cooperative agreements are required to comply with DHS Standard Administrative Terms and Conditions, which are available online at: [DHS Standard Terms and Conditions](#).

The applicable DHS Standard Administrative Terms and Conditions will be those in effect at the time the award was made.

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

### **Pass-through Funding Requirements**

Pass-through funding is required under this program.

Awards made to the SAA for the FY 2018 NSGP carry additional pass-through requirements. Pass-through is defined as an obligation on the part of the state to make subawards to selected nonprofit organizations. The SAA must provide 100 percent (100 %) of funds awarded under NSGP to successful nonprofit applicants within 45 days of receipt of the funds. A letter of intent (or equivalent) to distribute funds is not sufficient. Award subrecipients that are selected for funding under this program must be provided with funding within 45 days from the date the funds are first made available to the recipient so that they can initiate implementation of approved investments.

For the SAA to successfully meet the pass-through requirement and provide funding to the subrecipients, the SAA must meet the following four requirements:

- There must be some action by the SAA to establish a firm commitment to award the funds to the selected nonprofit organization;
- The action must be unconditional on the part of the SAA (i.e., no contingencies for availability of SAA funds);
- There must be documentary evidence of the commitment of the award of funding to the selected nonprofit organization; and
- The SAA must communicate the terms of the subaward to the selected nonprofit organization.

If a nonprofit organization is selected for a FY 2018 NSGP award and elects to decline the award, the SAA must notify their HQ Program Analyst. The SAA may not re-obligate to another subrecipient without prior approval.

### **Reporting**

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

### **Federal Financial Reporting Requirements**

#### **Federal Financial Report (FFR)**

Recipients must report obligations and expenditures on a quarterly basis through the FFR (SF-425) to DHS/FEMA. Recipients must file the FFR electronically using the [Payment and Reporting Systems \(PARS\)](#). A FFR must be submitted quarterly throughout the period of performance, including partial calendar quarters, as well as for periods where no grant award activity occurs. The final FFR is due 90 days after the end of the performance period. Future

awards and fund drawdowns may be withheld if these reports are delinquent, demonstrate lack of progress, or are insufficient in detail.

The Federal Financial Reporting Form (FFR) is available online at:

<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1>, SF-425 OMB #4040-0014.

### **Financial Reporting Periods and Due Dates**

The following reporting periods and due dates apply for the FFR:

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

### **Financial and Compliance Audit Report**

For audits of fiscal years beginning on or after December 26, 2014, recipients that expend \$750,000 or more from all Federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the requirements of Government Accountability Office's (GAO) Government Auditing Standards, located at <http://www.gao.gov/govaud/ybk01.htm>, and the requirements of Subpart F of 2 C.F.R. Part 200, located at [https://www.ecfr.gov/cgi-bin/text-idx?SID=408661e2ab32a5312f29042d33a66028&mc=true&tpl=/ecfrbrowse/Title02/2cfrv1\\_02.tpl#200](https://www.ecfr.gov/cgi-bin/text-idx?SID=408661e2ab32a5312f29042d33a66028&mc=true&tpl=/ecfrbrowse/Title02/2cfrv1_02.tpl#200).

### **Program Performance Reporting Requirements**

#### **Performance Progress Reports (PPR)**

Recipients will be required to report on progress towards implementing projects described in their application on a biannual basis.

#### **Program Performance Reporting Periods and Due Dates**

The following reporting periods and due dates apply for the PPR:

<b>Reporting Period</b>	<b>Report Due Date</b>
January 1 – June 30	July 30
July 1 – December 31	January 30

#### **Biannual Strategy Implementation Reports (BSIR)**

In addition to the quarterly financial and biannual performance progress reports, recipients are responsible for completing and submitting summer and winter BSIRs in the Grants Reporting Tool (GRT). The BSIR is due within 30 days after the end of the reporting period (July 30 for the reporting period of January 1 through June 30 (the summer BSIR report); and January 30 for the reporting period of July 1 through December 31 (winter BSIR report).

The Grants Reporting Tool (GRT) is the system in which NSGP recipients will submit their BSIR information. Recipients should go to the following link and follow the links to create a new account as needed: <https://www.reporting.odp.dhs.gov/>. This report is used to track the progress toward the completion of projects.

### **Closeout Reporting Requirements**

DHS/FEMA will close out the grant award when it determines that all applicable administrative actions and all required work of the NSGP award have been completed by the recipient. This section summarizes the actions that the recipient must take to complete the closeout process in accordance with 2 C.F.R. § 200.343 at the end of the grant's period of performance or the issuance of a Grant Amendment Notice issued to close out the grant.

Within 90 days after the end of the period of performance, or after an amendment has been issued to close out a grant, whichever comes first, recipients must submit a final FFR and final progress report detailing all accomplishments and a qualitative summary of the impact of those accomplishments throughout the period of performance, as well as the following documentation:

- 1) Final request for payment, if applicable;
- 2) SF-425 – Final Federal Financial Report;
- 3) Final Performance Progress Report;
- 4) A qualitative summary of the impact of accomplishments throughout the entire period of performance. This summary is submitted to the respective FEMA HQ Program Analyst in a Word document; and
- 5) Other documents required by program guidance or terms and conditions of the award.

Additionally, the recipient must liquidate all obligations incurred under the NSGP award no later than 90 calendar days after the end date of the period of performance or issuance of a Grant Amendment Notice that closes out the award, whichever comes first. If recipients fails to liquidate their obligations within this time period, DHS/FEMA may disallow the costs associated with those unliquidated obligations disallowed. Recipients also are responsible for promptly returning to DHS/FEMA the balance of any funds that have been drawn down, but remain unliquidated.

After final reports have been reviewed and approved by DHS/FEMA, a closeout notice will be completed. The notice will indicate the period of performance as closed, list any remaining funds the recipient has not drawn down that will be deobligated, and address requirements for record retention, and disposition and reporting requirements for any equipment or real property purchased using NSGP funding.

In addition, NSGP state-level recipients are responsible for closing out all subawards made to individual nonprofits as described in 2 C.F.R. § 200.343. Recipients must ensure that they complete the closeout of these subawards in time to submit all necessary documentation and information to DHS/FEMA during the closeout of their own grant award.

### **Disclosing Information Per 2 C.F.R. § 180.335**

This reporting requirement pertains to disclosing information related to government-wide

suspension and debarment requirements. Before a recipient enters into a grant award with FEMA, the recipient must notify FEMA if it knows if any of the recipient's principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335. At any time after accepting the award, if the recipient learns that any of its principals falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to FEMA in accordance with 2 C.F.R. § 180.350.

**G. DHS/FEMA Awarding Agency Contact Information  
Contact and Resource Information**

**Centralized Scheduling and Information Desk (CSID)**

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

**GPD Grant Operations Division**

GPD's Grant Operations Division Business Office provides support regarding financial matters and budgetary technical assistance. Additional guidance and information can be obtained by contacting the DHS/FEMA Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@fema.gov](mailto:ASK-GMD@fema.gov).

**FEMA Regional Offices**

DHS/FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance such as conducting cash analysis, financial monitoring, and audit resolution to the grant programs included in this solicitation. GPD will provide programmatic support and technical assistance. FEMA Regional Office contact information is available [here](#).

**GPD Environmental Planning and Historic Preservation (GPD EHP)**

The FEMA GPD EHP Team provides guidance and information about the EHP review process to recipients and subrecipients. All inquiries and communications about GPD projects or the EHP review process, should be sent to [gpdehpinfo@fema.gov](mailto:gpdehpinfo@fema.gov). EHP Technical Assistance, including the EHP Screening Form, can be found [online](#).

**Systems Information**

**Grants.gov**

For technical assistance with [Grants.gov](#), please call the [Grants.gov](#) customer support hotline at (800) 518-4726.

**Non-Disaster (ND) Grants**

For technical assistance with the ND Grants system, please contact [ndgrants@fema.gov](mailto:ndgrants@fema.gov) or (800) 865-4076, Monday through Friday 9:00 a.m. to 6:00 p.m. ET.



### **Payment and Reporting System**

DHS/FEMA utilizes the DHS/FEMA [Payment and Reporting System \(PARS\)](#) for financial reporting, invoicing and tracking payments.

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

## **H. Additional Information**

### **National Preparedness**

DHS/FEMA coordinates with local, state, tribal, and territorial governments as well as the private and nonprofit sectors to facilitate whole community, risk driven, and capabilities-based approach to preparedness. This approach is grounded in the identification and assessment of risk through the Threat and Hazard Identification and Risk Assessment (THIRA). For additional information on THIRA, please refer to the following website: <http://www.fema.gov/threat-and-hazard-identification-and-risk-assessment>. Urban Areas and States must maintain and update their THIRAs, and States their Stakeholder Preparedness Review, annually to ensure that the community's shared understanding of risk evolves to account for changes in the risk landscape, including successful mitigation efforts, emerging threats, hazards, and associated consequences. Information on the National Preparedness System can be found at <https://www.fema.gov/national-preparedness-system>. Additional details regarding how the National Preparedness System is supported by the NSGP can be found in [Appendix B – NSGP Priorities - Program Specific Priorities](#).

### **Active Shooter Preparedness**

DHS aims to enhance national preparedness through a whole community approach by providing the necessary products, tools, and resources to help all stakeholders prepare for and respond to an active shooter incident. To that end, DHS has developed a comprehensive “Active Shooter Preparedness” website, which includes a variety of informational resources. The website address is: <https://www.dhs.gov/active-shooter-preparedness>.

In addition, within the Homeland Security Information Network (HSIN), the Joint DHS and FBI Countering Violent Extremism (CVE) and Active Shooter Web Portal provides a restricted-access forum to share Unclassified For Official Use Only (FOUO), Sensitive but Unclassified (SBU), and Law Enforcement Sensitive (LES) Information. The portal provides users and training practitioners with accurate, appropriate, and relevant CVE and Active Shooter training development resources, subject matter expert information, and outreach initiatives. It also has forums to provide feedback, products useful to others, and allows participants to ask questions concerning CVE or the Active Shooter Program. Persons with a job-related duty, public service interest, or who support a CVE and/or Active Shooter program can request access into this Portal. Additional information can be found on the DHS website at: <https://www.dhs.gov/cveas-portal#>.

Nonprofit organizations are encouraged to review the referenced active shooter guidance, evaluate their preparedness needs, and consider applying for NSGP funding to address any needs identified in this area (see [Appendix C – Funding Guidelines](#) for allowable costs). To address

training needs associated with active shooter incidents, DHS/FEMA's Emergency Management Institute provides a free, web-based training course entitled *IS-907: Active Shooter: What You Can Do*, available at the following website:

<https://training.fema.gov/is/courseoverview.aspx?code=IS-907>.

### **Soft Targets and Crowded Places**

There are continued and growing threats facing Soft Targets and Crowded Places (ST-CP) throughout the nation. ST-CPs are those locations or environments that are easily accessible to large numbers of people on a predictable or semi-predictable basis that have limited security or protective measures in place. These locations are vulnerable to attack using simple tactics and readily accessible weapons such as small arms, edged weapons, and vehicles as a weapon, improvised explosive devices, and unmanned aerial systems. ST-CPs can include places such as town centers, shopping malls, open-air venues, outside hard targets/venues perimeters, and other places of meeting and gathering. DHS is committed to reducing the risk of attacks against ST-CPs and the impact of attacks if they do occur. However, the protection and security of ST-CPs is a shared responsibility among whole community partners including: the public, ST-CP owners and operators, security industry partners, the Federal Government, and State, local, tribal, and territorial (SLTT) government partners. States, territories, urban areas, and public and private sector partners are encouraged to identify security gaps and build capabilities that address security needs of ST-CP, understanding the unique challenges related to protecting locations that are open to the public. States, territories, urban areas, and public and private sector partners are also encouraged to use resources to instill a culture of awareness, vigilance, and preparedness. For more information and additional resources please see the Department of Homeland Security's (DHS's) [Hometown Security Program](#).

### **Protecting Houses of Worship and Public Venues**

Across the United States, Americans congregate in faith-based venues to worship, learn, play, and bond as a community. However, public gatherings are vulnerable, and adversaries may perceive houses of worship as attractive targets where they can inflict mass casualties, cause substantial psychological impacts, and draw extensive media coverage. The Department of Homeland Security Center for Faith-Based & Neighborhood Partnerships (DHS Center) partners with interagency and whole community partners to offers numerous resources to assist faith-based and community organizations with their efforts to prepare for all types of hazards, whether natural or man-made. Technical assistance is provided through presentations, workshops, training, webinars, tabletop exercises, and training. Access to these free resources can be found at [www.fema.gov/faith-resources](http://www.fema.gov/faith-resources).

### **Monitoring and Evaluation**

Recipients will be monitored on an annual and as needed basis by DHS/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.

Monitoring may be accomplished through either a desk-based review or on-site monitoring visits, or both. Monitoring will involve the review and analysis of the financial, programmatic, performance, compliance and administrative processes, policies, activities, and other attributes of

each Federal assistance award and will identify areas where technical assistance, corrective actions, and other support may be needed.

As part of its grant oversight responsibility, FEMA is conducting a series of grant effectiveness case studies jointly with grant recipients to highlight how states and urban areas have used federal grants to improve preparedness. The purpose of the project is to better understand the factors that grant recipients consider when determining which grant projects to fund, understand how recipients measure grant effectiveness, and document key findings and success stories that will help both grant recipients and FEMA more effectively communicate the importance of Federal grant programs to policymakers and the public. Although not mandatory, recipients are encouraged to participate given the mutual benefits to be gained from this collaborative effort.

#### **Conflicts of Interest in the Administration of Federal Awards or Subawards**

For conflicts of interest under grant-funded procurements and contracts, please refer to the [Section H](#) on Procurement Integrity in this NOFO and 2 C.F.R. §§ 200.317 – 200.326.

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

The recipient or pass-through entity must disclose to DHS/FEMA, in writing, any real or potential conflict of interest as defined by the Federal, state, local, or tribal statutes or regulations or their own existing policies that may arise during the administration of the Federal award. Recipients and pass-through entities must disclose any real or potential conflicts to Program Analyst within five days of learning of the conflict of interest. Similarly, subrecipients must disclose any real or potential conflict of interest to the pass-through entity as required by the recipient's conflict of interest policies, or any applicable state, local, or tribal statutes or regulations.

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

#### **Investment Modifications**

NSGP is competitive, with applications recommended for funding based on the threat, vulnerability, and consequence to a specific facility/location. As a result, any change in scope of the grant-funded activity after the award is made has the potential to negatively impact the competitive process used to recommend NSGP awards. DHS/FEMA will generally not approve FY 2018 NSGP change of scope requests resulting from the following situations:

- Subrecipients that relocate their facilities after submitting their application who are requesting a change of scope to allow them to use NSGP funds towards projects at the new facility; or

- Subrecipients that renovate their facilities after submitting their application in cases where the subsequent renovations would affect the vulnerability/risk assessment upon which the IJ is based.

Furthermore, FY 2018 NSGP project funding is based on the ability of the proposed project to mitigate the risk factors identified in the IJ. For this reason, DHS/FEMA may reject requests to significantly change the physical security enhancements that are purchased with FY 2018 NSGP funding where DHS/FEMA believes approval of the request would change or exceed the scope of the originally approved project. DHS/FEMA will consider all requests to deviate from the security project as originally proposed on a case by case basis.

## **Extensions**

### **Period of Performance Extensions**

Extensions to this program are allowed. Extensions to the initial period of performance identified in the award will only be considered through formal, written requests to the recipient's FEMA HQ Program Analyst and must contain specific and compelling justifications as to why an extension is required. SAAs are advised to coordinate with the FEMA HQ Program Analyst as needed, when preparing an extension request. All extension requests must address the following:

- 1) Grant program, fiscal year, and award number;
- 2) Reason for delay – this must include details of the legal, policy, or operational challenges being experienced that prevent the final outlay of awarded funds by the applicable deadline;
- 3) Current status of the activity/activities;
- 4) Approved period of performance termination date and new project completion date;
- 5) Amount of funds drawn down to date;
- 6) Remaining available funds, both Federal and non-Federal;
- 7) Budget outlining how remaining Federal and non-Federal funds will be expended;
- 8) Plan for completion, including milestones and timeframes for achieving each milestone and the position/person responsible for implementing the plan for completion; and
- 9) Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work, as described in the investment justification and approved by DHS/FEMA.

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

- Contractual commitments by the grant sub-recipient with vendors or sub-recipients prevent completion of the project within the existing period of performance;
- The project must undergo a complex environmental review that cannot be completed within the existing Period of Performance;
- Projects are long-term by design and therefore acceleration would compromise core programmatic goals; and

- Where other special circumstances exist.

Recipients must submit all proposed extension requests to DHS/FEMA for review and approval no later than 120 days prior to the end of the period of performance. In accordance with GPD policy, extensions are typically granted for no more than a six month time period.

### **Procurement Integrity**

Through audits conducted by DHS Office of Inspector General (OIG) and FEMA grant monitoring, findings have shown that some FEMA recipients have not fully adhered to the proper procurement requirements when spending grant funds. Anything less than full compliance with Federal procurement policies jeopardizes the integrity of the grant as well as the grant program. Noncompliance with the Federal procurement rules may result in FEMA imposing specific conditions as described in 2 C.F.R. § 200.207 or other remedies for noncompliance under 2 C.F.R. § 200.338.

The below highlights the Federal procurement requirements for FEMA recipients when procuring goods and services with Federal grant funds. DHS will include a review of recipients' procurement practices as part of the normal monitoring activities. All procurement activity must be conducted in accordance with Federal Procurement Standards at 2 C.F.R. §§ 200.317 – 200.326. Select requirements under these standards are listed below. The recipient must comply with all requirements, even if they are not listed below.

Under 2 C.F.R. § 200.317, when procuring property and services under a Federal award, states must follow the same policies and procedures they use for procurements from their non-Federal funds; additionally, states must follow 2 C.F.R. § 200.322 regarding procurement of recovered materials, and 2 C.F.R. § 200.326 regarding required contract provisions.

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

### **Competition and Conflicts of Interest**

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

Under this prohibition, unless the non-Federal entity solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.326,

Federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of such specifications. This rule applies to all contracts funded with Federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees. For more information on grant writer and grant management costs, see Section D.

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

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

Pursuant to 2 C.F.R. § 200.319(b), non-Federal entities other than states must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Pursuant to 2 C.F.R. § 200.318(c)(1), non-Federal entities other than states are required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

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

### **Supply Schedules**

Generally, a non-Federal entity may seek to procure goods or services from a Federal supply schedule, state supply schedule, or group purchasing agreement. State and local governments may procure goods and services from a General Services Administration (GSA) schedule. Information about GSA programs for state and local governments can be found at <https://www.gsa.gov/resources-for/programs-for-state-and-local-governments>. For local governments that purchase off a GSA schedule, this will satisfy the Federal requirements for full and open competition provided that the recipient follows the GSA ordering procedures; however, local governments will still need to follow the other rules under 2 C.F.R. §§ 200.317 – 200.326, such as contract cost and price (§ 200.323) and solicitation of minority, women-owned, or small businesses (§ 200.321).

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

- The procurement of the original contract or purchasing schedule and its use by the recipient complies with state and local law, regulations, and written procurement procedures.
- The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the recipient and other similar types of entities.
- The contract or purchasing schedule specifically allows for such use, and the work to be performed for the non-Federal entity falls within the scope of work under the contract as to type, amount, and geography.
- The procurement of the original contract or purchasing schedule complied with all of the procurement standards applicable to a non-Federal entities other than states under 2 C.F.R. §§ 200.317 – 200.326.
- With respect to the use of a purchasing schedule, the recipient must follow ordering procedures that adhere to state and local laws and regulations and the minimum requirements of full and open competition under 2 C.F.R. Part 200.

If a non-Federal entity other than a state seeks to use such a state supply schedule, cooperative purchasing program, or other similar type of arrangement, it is recommended that recipients discuss their procurement plans with the FEMA Grant Programs Directorate.

### **Documentation**

Non-Federal entities are required to maintain and retain the following:

- Backup documentation, such as bids and quotes.
- Cost/price analyses on file for review by Federal personnel, if applicable.
- Other documents required by Federal regulations applicable at the time a grant is awarded to a recipient.

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

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

Non-Federal entities should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of purchasing documentation along with copies of cancelled checks for verification.

Non-Federal entities who fail to fully document all purchases will find their expenditures questioned and subsequently disallowed.