

**NYS Office of Homeland Security**  
**Fiscal Year 2008**  
**Urban Area Security Initiative**  
**Nonprofit Security Grant Program**  
**Request for Applications**  
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**NYS Office of Homeland Security**  
**Homeland Security Assistance for Nonprofit Organizations**  
**Request for Proposals**

**I. Introduction**

The purpose of this Request for Proposal is to solicit applications for federal grant funding made available from the US Department of Homeland Security's Fiscal Year 2008 Urban Areas Security Initiative (UASI) Nonprofit Security Grant Program. This program provides funding support for target hardening activities to nonprofit organizations that are at high risk of international terrorist attack. While this funding is provided specifically to high-risk nonprofit organizations, 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, State and local government agencies, and Citizen Corps Councils.

**II. Eligibility**

To be considered for funding, eligible organizations must:

- Be designated as nonprofit organizations as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;
- Be registered, have recently applied for registration or be exempt from registering with the NYS Attorney General's Office, Charities Bureau;
- Be located within one of New York's five eligible urban areas:
  - 1) New York – includes New York City, City of Yonkers, Westchester County, Nassau County and Suffolk County; or
  - 2) Buffalo – includes City of Buffalo, Erie County and Niagara County,
  - 3) Albany – includes the cities of Troy and Schenectady
  - 4) Rochester
  - 5) Syracuse
- Be at **high risk of an international terrorist attack.**

Criteria for determining eligible applicants who are at high risk of terrorist attack include, but are not limited to:

- Identification and substantiation (e.g. police reports or insurance claims) of prior threats or attacks against the nonprofit organization or directly related organizations (within or outside the U.S.) by a terrorist organization, network, or cell,
- Symbolic value of the site(s) as a highly recognized national or historical institution 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 risk assessments including threat, vulnerability or consequence.

**Not all organizations are guaranteed funding. Allocation decisions will be made based on risk and how well the applicant addresses program requirements through their investment justification submissions.**

### **III. Authorized Program Expenditures:**

Allowable costs are focused on target hardening activities. Funding can 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 protection against the risk of a terrorist attack. This equipment is limited to two categories of items on the Authorized Equipment List (AEL):

- Physical Security Enhancement Equipment
- Inspection and Screening Systems

The equipment categories are listed on the web-based AEL on the Responder Knowledge Base (RKB) which is sponsored by DHS and the National Memorial Institute for the Prevention of Terrorism (MIPT) at <https://www.rkb.us/mel.cfm?filter=filter&subtypeid=549&NSGP=1>.

Nonprofit organization security personnel may use NSGP funds to attend security-related training courses and programs. Allowable training-related costs under NSGP are limited to attendance fees for the training, and related expenses, such as materials, supplies, and/or equipment. Overtime, backfill, and/or travel expenses are not allowable costs. Training conducted using NSGP funds must address a specific threat, vulnerability and/or consequence as identified in the nonprofit's Investment Justification.

**Matching Fund Requirement:** Grant recipients must meet a 75 percent Federal, 25 percent grantee soft match. Grantee contributions must be from non-federal sources. For all costs other than training, the grantee's match may be met through cash, training investments related to use of equipment purchased with the grant, or training investments related to general purpose security and emergency preparedness for staff. In the case of training projects, awardees must meet the matching requirement through cash. Regular personnel costs such as salary, overtime or other operational costs unrelated to training **cannot** be used to satisfy the matching requirement.

**National Incident Management System (NIMS) Compliance:** Successful applicants will be required to meet certain NIMS compliance requirements. This includes the requirement that all emergency preparedness, response and/or security personnel in the organization who participate in the development, implementation and/or operation of resources and/or activities awarded through this grant must complete training programs consistent with the NIMS National Standard Curriculum Development Guide. The minimum training includes IS-700 NIMS: An Introduction. Information regarding this on-line course can be found at <http://training.fema.gov/EMIWeb/IS/is700.asp>

### **IV. Non-Authorized Program Expenditure:**

Allowable equipment does not include enhancements that would otherwise have been reasonably necessary due to non-terrorist attack.

The use of grant funding for construction or renovation is generally prohibited, except when necessary to install security equipment in an approved facility.

Overtime, backfill, and/or travel expenses are not allowable costs. Training conducted using NSGP funds must address a specific threat, vulnerability and/or consequence as identified in the nonprofit's Investment Justification.

## V. Appropriation and Availability of Grant Funds

Award of funds is subject to State Budget appropriation authority and the actual award of funds to the State of New York from US Department of Homeland Security. Each nonprofit organization may submit an application for **up to \$75,000 in grant funds**.

## VI. Required Application Submissions

To be considered for funding, eligible nonprofit organization must submit an application using the State's Electronic Grants (E-Grants) System (see Attachment B – E-Grants Instructions) which includes the following:

- Investment Justification Template (Submitted as an Attachment – see details outlined below)
- Contact Information
- Proposed Project Workplan Information
- Budget Request Information
- Certification to Accept the Assurances as noted below
- Signed Grantee Responsibility Questionnaire

**Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirement:** This certification, which is a required component of the on-line application, commits the applicant to compliance with the certification requirements under 28 CFR part 67, *Government-wide Debarment and Suspension (Non-procurement)*; 28 CFR part 69, *New Restrictions on Lobbying*; and 28 CFR part 83, *Government-wide Requirements for Drug-Free Workplace (Grants)*. All of these can be referenced at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_00/44cfrv1\\_00.html](http://www.access.gpo.gov/nara/cfr/waisidx_00/44cfrv1_00.html).

All certifications will be treated as material representations of fact on which DHS will rely in awarding grants.

### Investment Justification

Applicants are required to submit Investment Justifications Templates (see Attachment A) for funding requests that addresses the threat-oriented eligibility criteria as well as specific information on what activities will be implemented, what outcomes will be achieved, how the investment will be managed, and how the investment and related security enhancement activities are being coordinated with relevant state and local authorities.

In five pages or fewer (using 12 point Times New Roman font and double-spaced lines), applicants must:

- Describe their nonprofit organization, including:
  - o Membership and community served
  - o Symbolic value of the site(s) as a highly recognized national or historical institution that renders the site a possible target of terrorism
  - o Known critical infrastructure or key resources (CI/KR) located within close proximity to nonprofit organization facilities (see <http://www.dhs.gov/nipp> for additional information and guidance on CI/KR sectors)
  - o Any role in responding to or recovering from terrorist attacks.
- Identify prior threats or attacks (within or outside the U.S.) by a terrorist organization, network, or cell against their nonprofit organization or a closely related organization.

Explain how their nonprofit organization gained knowledge of these threats, including the source of the information, and how this understanding influenced development of this application.

- Describe findings from previously conducted risk assessment, including threat, vulnerability or consequence.
- Describe the proposed target hardening activity, including total funds requested, that addresses the identified threat, vulnerability or consequence.
- Describe the project management, including:
  - o Who will manage the project
  - o Milestones, with start and end dates
  - o Description of any challenges to the effective implementation of this project
  - o Coordination of the project with state and local homeland security partners
  - o Anticipated outcomes achieved.
- Describe how the 75-25 soft match will be met.
- Identify whether their nonprofit organization has previously received any homeland security preparedness funding through their State and/or Urban Area, including the DHS Homeland Security Grant Program (including Urban Areas Security Initiative, UASI Nonprofit Security Grant Program, State Homeland Security Program, and/or Citizen Corps Program).

## **VII. Application Review**

The following outlines the review process that will be followed for this solicitation.

### **A. NYS Office of Homeland Security (OHS) Review:**

OHS staff will conduct an initial review of each application submitted to ensure that each of the following questions have been answered positively. If any of the answers are “no,” the application will be disqualified without further review and consideration for DHS review.

1. Was the application submitted by 11:59 p.m. April 11, 2008?
2. Is the application complete? (See above section VI. Required Application Submissions)
3. Does the applicant organization currently have IRS IRC 501 (c) (3) tax-exempt status?
4. Is the applicant organization registered, has recently applied for registration or is exempt from registering with the Charities Bureau of the NYS Attorney Generals Office?
5. Is the proposed project site or facility located within one of the approved Urban Areas (New York City Metropolitan Area , Buffalo Area, Albany Area, Rochester Area or Syracuse Area)?
6. Is the applicant a responsible vendor as evidenced by the completed grantee responsibility questionnaire (Attachment C)? (Consistent with provisions of the State Comptrollers’ Bulletin G-221.)

## **B. State Administrative Agency/Urban Area Workgroup/Citizen Corps Council Review:**

The next review will be conducted by the respective Urban Area Working Group (UAWG) in coordination with the local Citizen Corps Council and OHS as the State Administrative Agency (SAA). The UAWG is responsible for coordinating the development and implementation of all preparedness activities for its respective local jurisdictions. This portion of the review will focus on:

- Background
- Risk

This review will produce a high, medium, or low score on a five point scale (see Attachment D for scoring methodology).

## **C. Department of Homeland Security (DHS) Review:**

Investment Justification will then be forwarded for final review/approval to DHS. DHS will review for completeness, adherence to programmatic guidelines, feasibility, and how well the proposed solution addresses the identified risk. Applications will be reviewed to leverage local knowledge and understanding of the applicant's risk for terrorist attack while also ensuring coordination and alignment with Federal, State and local preparedness efforts. Applications will be reviewed and award determinations made through a panel of evaluators from across DHS, including components within the Office of Infrastructure Protection (e.g., Risk Management Division, Office of Bombing Prevention), the Domestic Nuclear Detection Office (as applicable), and the Office of Intelligence and Analysis.

DHS evaluation criteria include such items as:

1. Identification and substantiation of prior threats or attacks (within or outside the U.S.) by a terrorist organization, network, or cell against the applicant.
2. Symbolic value of the site(s) as a highly recognized national or historical institution that renders the site a possible target of terrorism.
3. Proximity of the nonprofit organization to identified CI/KR.
4. Role of the applicant nonprofit organization in responding to terrorist attacks.
5. Findings from previously conducted threat, vulnerability and/or consequence assessments.
6. Integration of nonprofit preparedness with broader state and local preparedness efforts to include coordination with the Citizen Corps Council.
7. Complete, feasible investment justifications that address an identified risk, including threat, vulnerability or consequence.

## **VIII. Timeline**

The NYS Office of Homeland Security must receive completed grant applications, via the electronic grants management system (E-Grants) by 11:59 p.m., April 11, 2008. Supporting documentation must be received as an attachment to the application or by facsimile by the same date and time. Applications and supporting documentation received after the due date and time will not be considered. Applications will be forwarded to DHS for review and award. DHS will make funding decisions within 60 days.

## **IX. Award of Funds**

Final award determinations will be made by the US Department of Homeland Security (DHS) and funds awarded to the NYS Office of Homeland Security (OHS) for administration to the award recipients. OHS will issue award letters to successful applicants and will enter into reimbursement grant contracts with awardees. Funds will be awarded for a 24 month period from the date of award by DHS.

## **X. Administration of Grant Contracts**

The NYS Office of Homeland Security (NYSOHS) will negotiate and develop a grant contract with successful applicants. The grant contract is subject to approval by the NYS Office of the Attorney General and Office of the State Comptroller before grant funding may actually be disbursed to reimburse project expenses.

- A) Contract Period – Grant contracts supported with FFY2008 funding are generally executed for a period of two years and are subject to the continued availability of the grant funding.
- B) Contract Activities - All activities must have prior approval from NYSOHS and meet guidelines established by the State of New York and the Federal government.
- C) Contract Changes - Contracts with grantees may be executed, terminated, renewed, increased, reduced, extended, amended, or renegotiated at the discretion of the Director of NYSOHS, in light of a grantee’s performance, changes in project conditions, or otherwise.
- D) Records - Grantees must keep books, ledgers, receipts, work records, consultant agreements and inventory records pertinent to the project; and in a manner consistent with NYSOHS contractual provisions and mandated guidelines.
- E) Liability - Nothing in the contract between NYOHS and the grantee shall impose liability on the State of New York or NYSOHS for injury incurred during the performance of approved activities or caused by use of equipment purchased with grant funds.
- F) Payments - Payments to reimburse project expenses will be made pursuant to a schedule specified in a contract entered into between the State of New York and the grant award recipient.
- G) Reports - A provider agency shall submit to the NYSOHS reports in a format and time schedule specified in the grant contract, which shall include a description of the program efforts undertaken during the report period and the current status of the project.
- H) Review - The grantee’s performance in all areas mentioned above, in addition to the services contracted for, will be monitored by NYSOHS. Monitoring activities may take the form of site visits, record inspections, written and telephone communication, or other methods deemed necessary by NYSOHS.
- I) Revocation of Funds - Funds awarded to an applicant who does not implement an approved project within one year of the award date may be revoked and reallocated to another applicant at the discretion of the Director of NYSOHS.
- J) Tax Law Section 5-a Certification – In accordance with section 5 – a of the Tax Law, grantees will be required, prior to the approval of any contract awarded as a result of this RFP, to certify that it and its affiliates, subcontractors, and subcontractors’ affiliates have registered with the New York State Tax Department for the purpose of collection and remittance of sales and use taxes. In order to trigger this certification requirement, a grantee or its affiliates, subcontractor, or subcontractors’ affiliates must have made more than \$300,000 in sales of tangible personal property or taxable services to location within New York State and the contract must be valued in excess of \$15,000. Certification will take the form of a completed Tax Form ST-220 (1/05).

- K) Purchasing Procedures – A Grantee that is eligible to purchase an item from a governmental contract or is able to purchase such item elsewhere at an equal or lower price, may do so without competitive bids. Otherwise, competitive bids will be required before the purchase of any piece of equipment or multiples of each that have an aggregate cost in excess of \$999.
  
- L) Charities Registration Exemption – A nonprofit organization that reports it is exempt from registering with the NYS Charities Bureau, will be required to sign a Certification to that effect before a grant award contract is finalized.
  
- M) Standard Contract Provisions - Grant contracts executed as a result of this RFP process will be subject to the terms and conditions of Appendix A and Appendix A-1, which are available by request from the Office of Homeland Security.

# ATTACHMENT A

## Fiscal Year 2008 Urban Areas Security Initiative Nonprofit Security Grant Program

### Investment Justification Template

#### Instructions

To apply for the FY 2008 Urban Areas Security Initiative (UASI) Nonprofit Security Grant Program (NSGP), eligible nonprofit organizations must complete this Investment Justification and provide it to the respective State Administrative Agency (SAA) per the SAA's guidelines. For more information on NSGP requirements, see the *FY 2008 UASI NSGP Guidance and Application Kit*. This application must not exceed five pages, using 12 point Times New Roman font. Responses to each question should not exceed the specified character limitations.

#### I. Overview

Identify the following:

- Name of organization
- 501(c)3 number
- FY 2008 Urban Area
- FY 2008 UASI NSGP Funding Request
- Any previous NSGP funding received, including amount
- Any previous DHS funding received, including source\*

*\*Response should include any funding received through the respective State and/or Urban Area, including the DHS Homeland Security Grant Program (including Urban Areas Security Initiative, UASI Nonprofit Security Grant Program, State Homeland Security Grant Program, and/or the Citizen Corps Program).*

#### II. Background

In the space below, describe the nonprofit organization, including:

- Membership and community served
- Symbolic value of the site(s) as a highly recognized national or historical institution that renders the site a possible target of international terrorism
- Known critical infrastructure or key resources (CIKR) located within close proximity to nonprofit organization facilities (see <http://www.dhs.gov/nipp>) for additional information and guidance on CIKR sectors)
- Any role in responding to or recovering from international terrorist attacks
- Prior threats or attacks (within or outside the U.S.) by a terrorist organization, network, or cell against their nonprofit organization or a closely related organization. Explain how their nonprofit organization gained knowledge of these threats, including the source of the information, and how this understanding influenced development of this application.

(2,200 Char. Max)

#### III. Risk

In the space below, describe findings from previously conducted risk assessments, including (A) threats, (B) vulnerabilities, and (C) potential consequences of an attack. (2,200 Char. Max)

(A) Threats

(B) Vulnerabilities

## (C) Potential Consequences

### IV. Target Hardening

In the space below, describe the proposed target hardening activity, including total funds requested, that addresses the identified threat and vulnerability. Allowable costs are focused on target hardening activities. Thus, funding can 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 protection against the risk of a terrorist attack. This equipment is limited to two categories of items on the Authorized Equipment List (AEL):

- Physical Security Enhancement Equipment (AEL Category 14)
- Inspection and Screening Systems (AEL Category 15)

The equipment categories are listed on the web-based AEL on the Responder Knowledge Base (RKB), which is sponsored by DHS and at <https://www.rkb.us/>. **The below description must identify the respective AEL category for all requested equipment.** (2,200 Char. Max)

### V. Project Management

(A) In the space below, describe the project management, including:

- Who will manage the project
- Milestones, with start and end dates
- Description of any challenges to the effective implementation of this project
- Coordination of the project with state and local homeland security partners
- Anticipated outcomes achieved

(2,200 Char. Max)

(B) In the space below, describe how the 75-25 percent match in-kind will be met.

(2,000 Char. Max)

# ATTACHMENT B

## E-Grants Instructions

Grant applications must be submitted to the NYS Office of Homeland Security via the automated OHS E-Grants System operated by the State of New York Office of Homeland Security (OHS). The system allows an agency to complete an application electronically and submit it over the Internet. If upon reading this RFP you are interested in completing a grant application, and you have not previously been registered to use the OHS E-Grants system, your agency will need to register and be assigned a username and password. The Registration Request Form can be found at the following Internet address:

[http://www.security.state.ny.us/Grant-Guidance/grantee\\_forms\\_NFP.htm](http://www.security.state.ny.us/Grant-Guidance/grantee_forms_NFP.htm). Instructions for use of the E-Grants system by a Nonprofit organization can be found at the Internet address above. The link to E-Grants is: <https://grants.security.state.ny.us/AccessNotice.jsp>.

Should you have difficulty in accessing or using the E-Grants system, please call 1-866-837-9133 for assistance.

# ATTACHMENT C

## Grantee Responsibility Questionnaire

### New York State Office of Homeland Security

1. GRANTEE IS:		
2. GRANTEE'S LEGAL BUSINESS NAME	3. IDENTIFICATION NUMBERS a) FEIN #	
4. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE	5. TELEPHONE NUMBER	6. FAX NUMBER
7. AUTHORIZED CONTACT FOR THIS QUESTIONNAIRE  Name Title Telephone Number e-mail  Fax Number		
8. GRANTEE'S NOT-FOR-PROFIT CORPORATION INFORMATION		
Date of Incorporation	State of Incorporation*	
	Charities Registration Number	
*If not incorporated in New York State, please provide a copy of authorization to do business in New York.		
9. PRIMARY BUSINESS ACTIVITY - (Please identify the primary business categories, products or services provided by your business)		

**Within the past five years has your firm, any affiliate, any predecessor company or entity, owner, director, officer, partner or proprietor been the subject of:**

*(DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A YES@. AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE CONTRACTING AGENCY IN MAKING A DETERMINATION OF GRANTEE RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER).*

10. An indictment, judgment, conviction or a grant of immunity, including pending actions, for any business-related conduct constituting a crime under local, state or federal law?  Yes  No
11. A federal, state or local government suspension or debarment, rejection of any bid or disapproval of any proposed subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement?  Yes  No
12. Any federal or state determination of a violation of any public works law or regulation, or labor law or regulation, or any OSHA violation deemed Aserious or willful@?  Yes  No
13. A consent order with NYS Department of Environmental Conservation, or a federal or state enforcement determination involving a construction-related violation of federal or state environmental laws?  Yes  No

14. A citation, notice, violation order, or are pending an administrative hearing or proceeding or determination for violations of:  Yes  No
1. Federal, state or local health laws, rules or regulations, including but not limited to Occupational Safety & Health Administration (OSHA) or New York State labor law;
  2. State or federal environmental laws;
  3. Unemployment insurance or workers= compensation coverage or claim requirements;
  4. Employee Retirement Income Security Act (ERISA);
  5. Federal, state or local human rights laws;
  6. Civil rights laws;
  7. Federal or state security laws;
  8. Federal Immigration and Naturalization Services (INS) and Alienage laws;
  9. State or federal anti-trust laws; or
  10. Charity or consumer laws?

***For any of the above, detail the situation(s), the date(s), the name(s), title(s), address(es) of any individuals involved and, if applicable, any contracting agency, specific details related to the situation(s) and any corrective action(s) taken by the vendor.***

15. Has the grantee in the past three (3) years, had any governmental audits that revealed material weaknesses in its system of internal controls, compliance with contractual agreements and/or laws and regulations or any material disallowances?  Yes  No

***Detail the type of material weakness found or the situation(s) that gave rise to the disallowance, any corrective action taken by the grantee and the name of the auditing agency.***

**CERTIFICATION:**

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the State of New York or its agencies or political subdivisions in making a determination regarding an award of contract or approval of a subcontract; acknowledges that the State or its agencies and political subdivisions may in its discretion, by means which it may choose, verify the truth and accuracy of all statements made herein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.35 or Section 210.45, and may also be punishable by a fine and/or imprisonment of up to five years under 18 USC Section 1001 and may result in contract termination; and state that the information submitted in this questionnaire and any attached pages is true, accurate and complete.

Name of Business:

Signature of Owner/Officer

Address

Printed Name of Signatory

City, State, Zip

Title

# ATTACHMENT D

## Scoring Methodology

### SCORE = 1

- Incomplete or unclear Investment Justification (IJ)
- Review panel cannot verify or substantiate information in Background and Risk section in IJ

### SCORE = 2

- Partially complete IJ
- Review panel cannot verify or substantiate information in Background and Risk section in IJ

### SCORE = 3

- Complete or clear IJ
- Review panel can verify or substantiate some information in Background and Risk section in IJ

### SCORE = 4

- Partially complete or clear IJ
- Review panel can verify or substantiate all information in Background and Risk section in IJ

### SCORE = 5

- Complete and clear IJ
- Review panel can verify or substantiate all information in Background and Risk section in IJ