

California Governor's Office of Emergency Services



**Fiscal Year (FY) 2013-14 California Transit Security Grant Program
Intercity Passenger Rail/Commuter Rail Systems
(CTSGP-IPCR)**

Program Guidelines and Application Kit

August 19, 2013

STATE OF CALIFORNIA
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SECTION 1 – OVERVIEW

The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006 (Proposition 1B)

The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, approved by the voters as Proposition 1B (Prop 1B) at the November 7, 2006 general election, authorizes the issuance of \$19,925,000,000 in general obligation bonds for specified purposes, including grants for transit system safety, security and disaster response projects.

Transit System Safety, Security and Disaster Response Account

Section 8879.23 of the California Government Code creates the Highway Safety, Traffic Reduction, Air Quality and Port Security Fund of 2006 in the State Treasury. Section 8879.23 (h) directs that \$1,000,000,000 be deposited in the Transit System Safety, Security and Disaster Response Account.

Senate Bill 88

Senate Bill 88 (SB 88) was signed by the Governor and chaptered into law on August 24, 2007. SB 88 implements the provisions of the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006.

http://www.oes.ca.gov/EMS-HS-HazMat/Documents/Prop%201B%20documents/Additional%20Prop%201B%20docs/SB88_Chaptered_082407.pdf

FY 2013-14 California Transit Security Grant Program, Intercity Passenger Rail/Commuter Rail Systems

The Program Guidelines and Application Kit will provide eligible applicants with the guidance, information and documents necessary to participate in the Fiscal Year (FY) 2013-14 California Transit Security Grant Program (CTSGP), Intercity Passenger Rail/Commuter Rail Systems (IPCR) administered by the Governor's Office of Emergency Services (Cal OES).

The Program Guidelines may be obtained at:

<http://www.caloes.ca.gov/EMS-HS-HazMat/Pages/Proposition-1B-Grant-Documents.aspx>

NOTE: The FY 2013-14 CTSGP-IPCR Guidance is a living document and is subject to change. Changes will be announced through the issuance of a Grant Management Memorandum (GMM)

Funds Available

Funding appropriated for the FY 2013-14 CTSGP-IPCR is \$15,000,000 (projects will be subject to available bond funding).

Eligible Recipients

The eligible recipients for these funds are set forth in Section 14035 and the commuter rail systems operated by the entities specified in Section 14072 and in Section 99314.1 of the Public Utilities Code.

Eligible Expenditures

Eligible activities include the following:

- A. A capital project that provides increased protection against a security or safety threat including, but not limited to, the following:
 - a. Construction or renovation projects that are designed to enhance the security of public transit stations, tunnels, guideways, elevated structures or other transit facilities and equipment;
 - b. Explosive device mitigation and remediation equipment;
 - c. Chemical, biological, radiological and nuclear explosives search, rescue or response equipment;
 - d. Interoperable communications equipment;
 - e. Physical security enhancement equipment;
 - f. The installation of fencing, barriers, gates or related security enhancements that are designed to improve the physical security of transit stations, tunnels, guideways, elevated structures or other transit facilities and equipment; and
 - g. Other security and safety-related projects approved by the Governor's Office of Emergency Services (Cal OES).

- B. A capital project that increases the capacity of transit operators to prepare for disaster response transportation systems that can move people, goods, emergency personnel and equipment in the aftermath of a disaster.

- C. Other allowable costs under California Government Code 16727 (a) include costs directly related to construction or acquisition including, but not limited to, planning, engineering, construction management, architectural, and other design work, environmental impact reports and assessments, required mitigation expenses, appraisals, legal expenses, site acquisitions, necessary easements, and warranties.

NOTE: Management and Administration costs are not allowable for Prop 1B funds.

Grant Cycle

Entities receiving an allocation of funds shall expend those funds within three fiscal years of the fiscal year in which the funds were allocated. Funds remaining unexpended thereafter shall revert to Cal OES, as applicable, for reallocation in subsequent fiscal years. In no case will a grant performance period exceed three years.

General Provisions

Cal OES will not approve project fund allocations for any project until the recipient agency provides a project funding plan that demonstrates that the funds are expected to be reasonably available and sufficient to complete the project. Cal OES will approve funding for useable project segments only if the benefits associated with each individual segment are sufficient to meet the objectives of the program from which the individual segment is funded.

The grantee agency must:

- A. Provide for the audit of project expenditures and outcomes.
- B. Identify the useful life of the project as part of the project nomination process.
- C. Identify project delivery milestones including, but not limited to; start and completion dates for environmental clearance, land acquisition, design and construction bid award, construction completion, and project closeout, as applicable.
- D. Report, on a semiannual basis, on the activities and progress made towards the implementation of the project.
- E. If it is anticipated that project costs will exceed the approved project budget, the grantee agency shall provide a plan to Cal OES for achieving the benefits of the project by either down scoping the project to remain within budget or by identifying an alternative funding source to meet the cost overage. The administrative agency may either approve the corrective plan or direct the grantee agency to modify its plan.
- F. Within six months of the project becoming operable, the grantee agency shall provide a report on the final costs of the project as compared to the approved project budget, the project duration as compared to the original project schedule as of the date of allocation, and performance outcomes derived from the project compared to those described in the original application for funding.
- G. Entities that receive grant awards from funds allocated pursuant to subdivisions (b) or (c) of Section 8879.57 are not eligible to receive awards from the funds allocated pursuant to subdivision (a) of Section 8879.57.

Cal OES Contact Information

All application materials, related questions, comments and correspondence should be directed to the address below:

California Governor's Office of Emergency Services
Transit Security Grants Unit
Proposition 1B Program Representative
3650 Schriever Avenue
Mather, California 95655

Main Phone Line: (916) 845-8510
Fax: (916) 636-3780

The Cal OES regional program representative assignments may be located on the Regional Transit Security and Proposition 1B Assignment Map at:
<http://www.caloes.ca.gov/EMS-HS-HazMat/Documents/Prop%201B%20documents/Prop1B%20Mass%20Transit%20Assignment%20Map%2020130826.pdf>

Amber Lane, Program Representative
Email: Amber.Lane@calema.ca.gov
Direct Line: (916) 845-8660

Laurie Ballard, Program Representative
Email: Laurie.Ballard@calema.ca.gov
Direct Line: (916) 845-8127

Cal OES Website

As the administrative agency for the CTSGP-IPCR, Cal OES will issue Program Guidelines, Grant Management Memorandums, conduct grant management workshops, training sessions, meetings, working groups, and site visits. Information regarding these activities will be communicated to program participants and the public on the Cal OES website, located at:
<http://www.oes.ca.gov/Pages/default.aspx>.

SECTION 2 – GRANTEE APPLICATIONS

Project Funding Plan Approval Process

Projects submitted for funding will be reviewed and approved in two phases.

Phase I

Eligible applicants may submit an Investment Justification (IJ) by the assigned deadline. Cal OES will internally review projects, and make final funding decisions.

The IJ must be submitted on the template (Appendix B). The IJ will include the following sections:

- A. Project Name
- B. Project Description and Deliverables (must illustrate physical components of the project)
 - a. Proposed schedule for the project's completion.
- C. Project Justification
 - a. How project reduces identified vulnerabilities and buys down risk.
 - b. The impact of not funding the project.
 - c. How will this project assist emergency response or increase protection against a security threat?
- D. Project Full Cost or Budget (include scalability options, if applicable)
 - a. Identify all non bond sources of funding committed to the project.
- E. The useful life of the project shall not be less than the required useful life for capital assets specified in subdivision (a) of Section 16727.
 - a. Identify the useful life of the project.

Phase II

Cal OES shall review the information to determine all of the following:

- A. The project is consistent with the purposes described in subdivision (h) of Section 8879.23.
- B. The project is an eligible capital expenditure, as described in subdivision (a) of Section 8879.57.
- C. The project is a capital improvement that meets the requirements of paragraph (2) of subdivision (a) of 8879.57.
- D. The project or a useful component thereof, is, or will become fully funded with an allocation of funds from the Transit System Safety, Security, and Disaster Response Account.

Upon conducting the review required in subdivision (c) and determining that a proposed project meets the requirements, Cal OES shall:

- A. On a quarterly basis, provide the State Controller with a list of projects and sponsoring agencies or transit operators eligible to receive an allocation from the account.

The list of projects submitted to the State Controller for allocation shall be constrained by the total amount of funds appropriated by the Legislature for the purposes of this Section.

Upon final project approval, recipient agencies will receive a formal Notice of Project Eligibility from Cal OES. The NOPE will include project milestones, audit requirements, program monitoring requirements, reporting requirements and directions to complete the Cal OES Financial Management Forms Workbook (FMFW). This can be found at: <http://www.caloes.ca.gov/EMS-HS-HazMat/Pages/Proposition-1B-Grant-Documents.aspx>

Document Submittal

Completed IJ funding plans are accepted on a continuous basis and must be submitted by mail or electronically to Prop1B@calema.ca.gov. Additional information will be requested or accepted from the grantee at the sole discretion of Cal OES. All documents requiring original signatures must be mailed directly to Cal OES.

Notification of Project Approval

Upon final project approval, grantees shall be issued a Notice of Project Eligibility (NOPE) letter. The NOPE will include project milestones, audit requirements, program monitoring requirements, reporting requirements and directions to complete the Cal OES FMFW. Upon receipt of the NOPE the agency has up to **SIX WEEKS** to complete and submit all supporting application documents.

Required Application Components

Grantees are required to submit all supporting documents, which must include the following application components:

- A. FMFW
 - a. Application Face Sheet
 - b. Grant Management Roster
 - c. Project Descriptions
 - i. Investment Justification – Goals and Objectives
 - ii. Project Description
 - d. Project Ledger (Initial Application)
 - e. Project Ledger (Cash Advance)
 - f. Equipment Inventory Ledger
 - i. Authorized Equipment List numbers that are found on the Responder Knowledge Base website at: <https://www.rkb.us/mel.cfm?subtypeid=549>
 - g. Planning Roster, if applicable
 - h. Authorized Agent (AA) Initial Application page with appropriate signatures
 - i. AA Cash Advance page with appropriate signatures
- B. AA form (Appendix C)
- C. Certified Copy of the Governing Body Resolution (Appendix D)

D. Signed Original Grant Assurances (Appendix F)

Grantees must mail all supporting documents with appropriate wet signatures (in blue ink) to Cal OES.

Late or Incomplete Applications

All projects with incomplete applications will have the award revert back to the Transit System, Safety, and Disaster Response Account. Agencies will have the opportunity to reapply for the FY 2013-14 awards during the following year's grant cycle. The performance period for unused FY 2013-14 funds will not change, and will end March 31, 2014.

Governing Body Resolution

The Governing Body Resolution appoints agents authorized to execute any actions necessary for each application.

NOTE: All applicants will be required to submit a certified copy of a new Governing Body Resolution for the FY 2013-14 CTSGP-IPCR. A sample can be found on Cal OES's website or Appendix D. <http://www.caloes.ca.gov/EMS-HS-HazMat/Pages/Proposition-1B-Grant-Documents.aspx>

Grant Assurances

The Grant Assurances list the requirements to which the grantee will be held accountable. All applicants will be required to submit new Grant Assurances.

NOTE: Self-created assurance forms will not be accepted. The Grant Assurances can be found on Cal OES's website or Appendix F. <http://www.caloes.ca.gov/EMS-HS-HazMat/Pages/Proposition-1B-Grant-Documents.aspx>

SECTION 3 – POST AWARD REQUIREMENTS

Post Award Modifications

Post-award budget modifications must be requested using the FMFW, signed by the grantee's AA, and submitted to the grantee's program representative. The grantee may implement the modifications, and incur associated expenses, only after receiving written final approval of the modification from Cal OES.

Failure to submit modification requests, and receive written approval, prior to the expenditure of funds could result in a reduction or disallowance of a cost incurred by the grantee agency. The modification request form can be obtained on Cal OES's website or Appendix G:

<http://www.caloes.ca.gov/EMS-HS-HazMat/Pages/Proposition-1B-Grant-Documents.aspx>

NOTE: The Prop 1B Program is currently funded by General Obligated and Buy America Bonds, which restrict modifications to the project's scope. All projects scheduled for bond allocation may not be eligible. Contact your program representative if you have any questions.

Payment Request Process

To request reimbursement payment of FY 2013-14 CTSGP-IPCR funds, complete a payment request form using the Cal OES FMFW and return it to the appropriate program representative.

Note: Payments can only be made if the grantee has a completed and approved application.

Grantee Performance Reports

Twice a year, grantees must prepare and submit performance reports to the Transit Security Grants Unit, for the duration of the grantee's grant cycle, or until all grant activities are completed and the grant is formally closed. The required forms are attached as Appendix H. The grant cycle from October 1st through March 31st will have a report due on **April 30th** and the grant cycle from April 1st through September 30th will have a report due on **October 31st**. The performance report template may be found on Cal OES's website or Appendix H:

<http://www.caloes.ca.gov/EMS-HS-HazMat/Pages/Proposition-1B-Grant-Documents.aspx>

Failure to Submit Required Reports

Periodic reporting is required by the grant. Grantees who miss a single reporting deadline may receive a letter informing them of the failure to report and a "hold" may be placed on any future reimbursements.

Monitoring Grantee Performance

The State conducts regular monitoring. The monitoring will be conducted on the grantee's administrative, programmatic and fiscal management of the grants.

NOTE: It is the responsibility of all grantees to monitor and audit the grant activities of their subgrantees, including onsite verification of grant activities as required.

These reviews may include, but are not limited to, the following:

- A. Eligibility of expenditures.
- B. Comparing actual activities to those approved in the IJ application and subsequent modifications, if any.
- C. Confirming compliance with:
 - a. Grant assurances.
 - b. Information provided on performance reports and payment requests.
 - c. Needs and threat assessments and strategies.

Suspension and Termination

The State may suspend or terminate funding, in whole or in part, or other measures may be imposed for any of the following reasons:

- A. Failing to expend funds in a timely manner consistent with the milestones, guidance and assurances;
- B. Failing to comply with the requirements or statutory objectives of federal or state law;
- C. Failing to make satisfactory progress toward the goals or objectives of federal or state law;
- D. Failing to make satisfactory progress toward the goals or objectives set forth in the application;
- E. Failing to follow agreement requirements or special conditions;
- F. Proposing or implementing substantial plan changes to the extent that, if originally submitted, the proposed project would not have been approved for funding;
- G. Failing to submit required reports;
- H. Filing a false certification in the application or other report or document; and
- I. Failing to adequately manage, monitor or direct the funding activities of their subgrantees.

Before taking action, the State will provide the grantee reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

Final Project Report

Within six months of a project becoming operable, grantees shall provide a report to Cal OES comparing the final cost of the project to the approved project budget, the project duration as compared to the original project schedule from the date of allocation, and performance outcomes derived from the project compared to those described in the original application for funding. Cal OES will forward the report to the Department of Finance (DOF) by means approved by the DOF.

Closeout

The State will close a subgrantee award after:

- A. Receiving a Final Project Report (Appendix J) indicating that all approved work has been completed, and all funds have been disbursed;
- B. Completing a review to confirm the accuracy of reported information; and
- C. Reconciling actual costs to awards, modifications and payments.

If the closeout review and reconciliation indicates that the grantee:

- A. Are owed additional funds, the State will send the final payment automatically to the grantees; and
- B. Did not use all funds received; the State will recover unused funds.

In the Grant Closeout Letter, the State will notify the grantee of the start of the three-year record retention period for all programmatic and financial grant-related records. The closeout report template may be found on Cal OES's website or Appendix J: <http://www.caloes.ca.gov/EMS-HS-HazMat/Pages/Proposition-1B-Grant-Documents.aspx>

Note: Failure to maintain all grant records could cause delays in future funding.

Record Retention

Per Grant Management Memo 2011-09, the grantees are required to keep records of Prop 1B documents for 35 years. The required documents include, but are not limited to, the following:

- Documents evidencing the granting of all bond funds, including copies of invoices, bills, draw/disbursement requests and claim schedules;
- Accounting records and reports for the bond funds accounts from which the funds were deposited; and
- Grant Agreements, award letters, Letter(s) of No Prejudice, Notice of Project Eligibility, workbooks, approved/denied Grant Award Modifications, Investment Justifications, contracts, MOUs, Governing Body Resolutions for each grant year, Grant Assurances, Monitoring/Site Visit findings letter, etc.

SECTION 4 – APPENDICES

- A. FY 2013-14 CTSGP-IPCR Timeline
- B. Investment Justification Template
- C. Authorized Agent Form
- D. Governing Body Resolution
- E. Grant Assurances
- F. Modification Request Template
- G. Performance Report Template
- H. Performance Report Instructions
- I. Closeout Report Template
- J. Closeout Report Instructions

APPENDIX A – FY 2013-14 CTSGP-IPCR TIMELINE

Heavy Rail (15%) Program

Draft Guidelines and Application Kit issued	September 2013
Final Guidelines and Application Kit issued	November 2013
Public Meeting/Application Workshop/Webinar	October 2013
Investment Justification Submittal Due	January 15, 2014
Peer Review	March 2014
Financial Management Forms Workbook submittal period begins	March 2014
FY 2013-14 Grantee grant cycle ends	March 31, 2016

APPENDIX B – Investment Justification Template

A. Investment Heading	
Date Submitted	
Grant Year Applying For	
County of Allocation	
Agency Name	
Investment Name	
Investment Phase	
Amount Requesting	\$
FIPS Number	
Number of Projects	

B. Contact Information	
Point of Contact's (POC) name and title; POC's full mailing address; POC's telephone number; POC's fax number; POC's email address;	Also include the corresponding information for the single authorizing official for your organization—i.e., the individual authorized to sign a grant award Authorized Agent (AA) name and title; AA full mailing address; AA telephone number; AA fax number; AA email address;

C. Investment Funding plan			
Investment YEAR_____	IPCR Request Total		Grand Total
	8879.58(a)(2)	8879.58(a)(3)	
Planning			
Equipment			
Construction			
Total			

****NOTE –Label each project alphabetically and provide the following questions per project:

Agency Name and FIPS _____

Letter and Project Title _____

D. Provide a brief description for this investment.

E. Describe how this investment specifically addresses capital projects or capital expenditures.

F. Describe how the investment will achieve the safety, security, or emergency response benefit.

Agency Name and FIPS _____

Letter and Project Title _____

G. Describe how this investment specifically meets the useful life for capital assets specified in subdivision (a) of Section 16727.

H. Provide a high-level timeline, milestones and dates, for the implementation of this investment. Possible areas for inclusion are: stakeholder engagement, planning, major acquisitions/purchases, training, exercises, and process/policy updates. Up to 10 milestones may be provided.

Investment Justification Instructions

A. Investment Heading:

- a. Date Submitted - Today's Date
- b. Grant Year Applying For - Example (07-08) or (08-09)
- c. County of Allocation - County in which the funds will be drawn from
- d. Agency Name - Name of grantee
- e. Investment Name - Project title
- f. Investment Phase – Example: 1, 2, 3,
- g. Amount Requesting – One year's allocation per IJ
- h. FIPS Number - FIPS is the same every year
- i. Number of Projects – Example: 1 of 4

B. Contact Information:

- a. Point of Contact's (POC) name and title;
- b. POC's full mailing address;
- c. POC's telephone number;
- d. POC's fax number;
- e. POC's email address;
- g. Also include the corresponding information for the single authorizing official for your organization—i.e., the individual authorized to sign a grant award
- h. AA name and title;
- i. AA full mailing address;
- j. AA telephone number;
- k. AA fax number; and
- l. AA email address.

***It is the agency's responsibility to keep their Cal OES program representative up to date on current POCs and AAs.

C. Investment Funding Plan:

- a. Complete the chart below to identify the amount of funding being requested for this Prop 1B investment only;
- b. Investment Year – The year in which the funds are allocated
- c. Funds should be requested by allowable cost categories (i.e., planning, equipment, and construction);
- d. Applicants must make funding requests that are reasonable and justified by direct linkages to activities outlined in this particular investment;
- e. If the applicant is requesting several agencies Section 8879.58(a)(3) funds agreement documents need to be submitted in order to request funds; and
- f. One year allocation per IJ.

D. Complete Name and Project Title

- a. Provide a brief description for this investment. (Not to exceed one page)

E. Describe how this investment specifically addresses capital projects or capital expenditures. (Not to exceed ½ page)

- a. Describe how the investment addresses one or more of the following:

1. Capital Projects:

- a. Construction or renovation projects that are designed to enhance the security of public transit stations, tunnels, guideways, elevated structures or other transit facilities and equipment
- b. Explosive device mitigation and remediation equipment
- c. Chemical, biological, radiological and nuclear explosive search, rescue or response equipment
- d. Interoperable communications equipment
- e. Physical security enhancement equipment
- f. The installation of fencing, barriers, gates or related security enhancements that are designed to improve the physical security of transit stations, tunnels, guideways, elevated structures or other transit facilities and equipment

2. Capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems that can move people, goods, and emergency personnel and equipment in the aftermath of a disaster impairing the mobility of goods, people, and equipment.

F. Describe how the investment will achieve the safety, security, or emergency response benefit. (not to exceed ½ page)

- a. Outline how the investment specifically addresses the transit agency's required security or emergency response plan.

G. Describe how this investment specifically meets the useful life for capital assets specified in subdivision (a) of Section 16727. (not to exceed ½ page)

H. Describe how the investment addresses one or more of the following tangible physical properties:

- a. An expected useful life of 15 years or more.
- b. Property with an expected useful life of 10 to 15 years, but these costs may not exceed 10 percent of the bond proceeds net of all issuance costs.
- c. Include major maintenance, reconstruction, demolition for purposes of facilities, and retrofitting work that is ordinarily done no more often than once every 5 to 15 years or expenditures that continue or enhance the useful life of the capital asset.
- d. Equipment with an expected useful life of two years or more.

- I. Provide a high-level timeline, milestones and dates, for the implementation of this investment. Examples: stakeholder engagement, planning, major acquisitions/purchases, and process/policy updates. Up to 10 milestones may be provided. (not to exceed 1 page)
 - a. Only include major milestones that are critical to the success of the investment;
 - b. While up to 10 milestones may be provided, applicants should only list as many milestones as necessary;
 - c. Milestones are for this investment – those that are covered by the requested funds and will be completed over the 36-month performance period;
 - d. Milestones should be kept to high-level, major tasks that will need to occur;
 - e. Identify the planned start date associated with the identified milestone. The start date should reflect the date at which the earliest action will be taken to start achieving the milestone;
 - f. Identify the planned completion date when all actions related to the milestone will be completed and overall milestone outcome is met; and
 - g. List any relevant information that will be critical to the successful completion of the milestone (such as those examples listed in the question text above).

APPENDIX C – Authorized Agent Form

**FY 2013-14 Transit System Safety, Security and
Disaster Response Account Program**

AS THE _____
(Chief Executive Officer / Director / President / Secretary)

OF THE _____
(Name of State Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named state organization, any actions necessary for the purpose of obtaining state financial assistance provided by the Governor's Office of Emergency Services.

_____, OR
(Name or Title of Authorized Agent)

_____, OR
(Name or Title of Authorized Agent)

(Name or Title of Authorized Agent)

Signed and approved this _____ day of _____, 20_____

(Signature)

APPENDIX D – Governing Body Resolution Sample

(Submitted resolutions should be on agency letterhead)

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorizes the issuance of general obligation bonds for specified purposes, including, but not limited to, funding made available for capital projects that provide increased protection against security and safety threats, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems; and

WHEREAS, the Governor’s Office of Emergency Services (Cal OES) administers such funds deposited in the Transit System Safety, Security, and Disaster Response Account under the California Transit Security Grant Program (CTSGP); and

WHEREAS, the [Name of Applicant] is eligible to receive CTSGP funds; and

WHEREAS, the [Name of Applicant] will apply for [FY] CTSGP funds in an amount up to [Amount] for [enter project and how it supports purpose of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006]; and

WHEREAS, [Name of Applicant] recognizes that it is responsible for compliance with all Cal OES CTSGP grant assurances, and state and federal laws, including, but not limited to, laws governing the use of bond funds; and

WHEREAS, Cal OES requires [Name of Applicant] to complete and submit a Governing Body Resolution for the purposes of identifying agent(s) authorized to act on behalf of [Name of Applicant] to execute actions necessary to obtain CTSGP funds from Cal OES and ensure continued compliance with Cal OES CTSGP assurances, and state and federal laws.

THEREFORE, IT IS HEREBY RESOLVED BY THE [GOVERNING BODY] OF THE [APPLICANT] THAT [NAME AND TITLE OF AUTHORIZED AGENT], AND/OR [HIS/HER] DESIGNEE, is hereby authorized to execute for and on behalf of [Name of Applicant], a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining financial assistance provided by the Governor’s Office of Emergency Services under the CTSGP.

Passed and approved this _____ day of _____, 20_____.

Certification

I, _____, duly appointed and
(Name)

_____ of the _____
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by

the _____ of the _____ on the
(Governing body) (Name of Applicant)

_____ day of, _____, 20_____ .

(Official Position)

(Signature)

(Date)

APPENDIX E – Grant Assurances

**Transit System Safety, Security and
Disaster Response Account Program**

Name of Applicant: _____

Grant Cycle: _____ Grant Number: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: (____) _____

E-Mail Address: _____

As the duly authorized representative of the Applicant, I certify that the Applicant named above:

1. Has the legal authority to apply for CTSGP-IPCR funds, and has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the grant provided by the State of California and administered by the Governor's Office of Emergency Services (Cal OES).
2. Assures that the grant funds will only be used for allowable, fair, and reasonable costs.
3. Recognizes the importance of accountability for the use of CTSGP-IPCR funds, and will give the State of California generally, and Cal OES in particular, through any representative authorized by Cal OES, access to and the right to examine all paper and electronic records, books, and other documents related to the award.
4. Will establish and maintain a proper accounting system for CTSGP-IPCR funds, in accordance with applicable laws, generally accepted accounting standards, and Cal OES directives.
5. Will provide reports and documentation related to this grant to Cal OES, in accordance with applicable laws and Cal OES grant guidance, including but not limited to: progress reports, closeout documentation, Authorized Agent forms, Governing Body Resolutions, and other information as may be required by Cal OES.
6. Will initiate and complete approved project work within applicable timeframes, after Cal OES approves the project.
7. Will comply with Standardized Emergency Management System requirements as stated in the California Emergency Services Act (California Gov Code Section 8607 *et seq.*) and Title 19 of the California Code of Regulations, Sections 2445, 2446, 2447, and 2448.
8. Will promptly return to the State of California all funds received which exceed the actual expenditures approved by Cal OES.

9. If the approved amount of the grant is reduced, will promptly return to the State of California funds equal to the amount of this reduction.
10. Will keep CTSGP-IPCR funds in a separate interest bearing account. Any interest that is accrued must be accounted for and used for the project approved by Cal OES.
11. Agrees that equipment acquired or obtained with CTSGP-IPCR funds:
 - a. Will be made available under the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant; and
 - b. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan, the California Fire Services and Rescue Mutual Aid Plan, and the State Emergency Plan.
12. Will comply with all applicable federal, state, and local laws, executive orders, regulations, program and administrative requirements, policies, and any other requirements governing this program.
13. Understands that failure to comply with applicable state and federal laws governing general obligation, tax-exempt, and Build America bonds may result in penalties administered by the Internal Revenue Service or a loss of tax-exempt bond status.
14. Will retain records for thirty-five years after notification of grant closeout by the State, and ensure that any subcontractors, subgrantees, or entities to which project responsibilities are transferred, retain records in accordance with state, federal, and local record retention requirements.
15. Grantees and subgrantees will use their own procurement and contracting procedures, which comply with applicable state and local laws and regulations, or with the California Public Contract Code, whichever is more restrictive.
16. Will maintain and abide by procedures to minimize the time between the award of funds and the disbursement of funds.
17. Will abide by Cal OES CTSGP-IPCR guidelines.
18. Will submit to Cal OES a CTSGP-IPCR Program Investment Justification, listing all projects to be funded for the life of the bond, including the amount for each project and the year in which the funds will be requested.

19. Will submit to Cal OES a signed Authorized Agent Form designating the representative who can submit documents on behalf of the Applicant and an original, certified copy, or e-signed and verified copy, subject to approval by Cal OES, of the board resolution appointing the Authorized Agent. Should a new agent be authorized by the Applicant's governing board, the Applicant will submit to Cal OES a new, signed Authorized Agent form designating the representative who can submit documents on behalf of the Applicant, and an original, certified copy, or e-signed and verified copy, subject to approval by Cal OES, of the board resolution appointing that Authorized Agent.
20. Will ensure that CTSGP-IPCR funds will be used only for the approved capital project and that this approved project will be completed within applicable timeframes and remain in operation for its useful life, in accordance with state and federal laws, including, but not limited to applicable laws governing the CTSGP-IPCR Program, state general obligation bond laws, and federal laws governing tax-exempt and Build America bonds.
21. Will promptly notify Cal OES of pending litigation, bankruptcy proceedings, and negative audit findings related to the project.
22. Will maintain continuing control over the use of project equipment and facilities, and will maintain project equipment and facilities for the useful life of the project, in accordance with state and federal laws, including, but not limited to the laws governing the CTSGP-IPCR Program, state general obligation bond laws, and federal tax-exempt and Build America bond laws.
23. The project sponsor must notify Cal OES of any changes to the approved project and obtain Cal OES approval to these changes prior to their implementation.
24. Funds must be encumbered and liquidated within the time allowed in the applicable budget act and in accordance with grant guidelines.
25. Understands that all of Applicant's contractors and subcontractors shall comply with all applicable federal, state and local laws. Applicant assures that its contractors and subcontractors will be obligated to agree to comply with all applicable federal, state, and local laws.
26. That any project cost for which the Applicant received funds that is determined by subsequent audit to be unallowable under applicable federal, state, or local laws, are subject to repayment by the Applicant to the State of California. Should the Applicant fail to reimburse the moneys due to the State within thirty (30) days of demand, or within another time period mutually agreed to in writing between Cal OES and the Applicant, the State is authorized to withhold future payments due to the Applicant from the State.
27. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have familial, business, or other ties.

28. Will comply with all California and federal statutes relating to nondiscrimination, including, but not limited to:
- a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin; and
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; and
 - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which prohibits discrimination on the basis of disabilities; and
 - d. The Americans with Disabilities Act of 1990 (42 U.S.C. Chapter 126), as amended, which prohibits discrimination on the basis of disabilities; and
 - e. The Unruh Civil Rights Act (California Civil Code §54, *et seq.*) and California Government Code §11135, which prohibit discrimination on the basis of disabilities; and
 - f. The Age Discrimination Act of 1975, as amended (42 U.S.C. §6101-6107) which prohibits discrimination on the basis of age; and
 - g. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse; and
 - h. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; and
 - i. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §290dd-2), as amended, relating to confidentiality of alcohol and drug abuse patient records; and
 - j. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601, *et seq.*), as amended, relating to nondiscrimination in the sale, rental or financing of housing; and
 - k. Any other nondiscrimination provisions in the specific statute(s) under which application for assistance is being made; and
 - l. The requirements of any other nondiscrimination statute(s) that may apply to the application or to the Applicant.
29. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
30. Will complete required environmental documentation before requesting an allocation of CTS GP-IPCR funds. The Applicant certifies that projects approved for CTS GP-IPCR funds will comply with all applicable federal and state environmental laws. These may include, but are not limited to:
- a. California Environmental Quality Act. California Public Resources Code Sections 21080-21098. California Code of Regulations, Title 14, Chapter 3 Sections 15000-15007; and
 - b. Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO)11514; and

- c. Notification of violating facilities pursuant to EO 11738; and
- d. Protection of wetlands pursuant to EO 11990; and
- e. Evaluation of flood hazards in floodplains in accordance with EO 11988; and
- f. Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §1451 *et seq.*); and
- g. Conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §7401, *et seq.*); and
- h. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and
- i. Protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205); and
- j. Wild and Scenic Rivers Act of 1968 (16 U.S.C. §1271, *et. seq.*) related to protecting components or potential components of the national wild and scenic rivers system.
- k. Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1, *et seq.*).

31. The Applicant and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency; and
- b. Have not, within a three-year period preceding this application, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

32. Will comply with the audit requirements set forth in the Office of Management and Budget (OMB) Circular A-133, "Audit of States, Local Governments and Non-Profit Organizations."

33. Agrees that the noncompliance with these assurances, Cal OES CTSGP-IPCR Program guidelines, and applicable laws, may be taken into consideration by Cal OES when considering future allocation applications from Applicant.

34. Understands that failure to comply with any of the above assurances may result in suspension, reduction, or termination of grant funds.

As the duly authorized representative of the Applicant, I hereby certify that the Applicant will comply with the above certifications.

The undersigned represents that he/she is authorized by the above named Applicant to enter into this agreement for and on behalf of the said Applicant.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

APPENDIX F - Modification Request Template

Grantee Name: _____
Grant _____
Year _____ FIPS ID #: _____
(2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13 etc.) (xxx-xxxxxx)

Return the Transit Security Grant Modification Request to the following address:
The California Governor’s Office of Emergency Services
Homeland Security and..... Prop1B Unit
Proposition 1B Program Representative
3650 Schriever Avenue
Mather, California 95655

Modification Changes:

- Reason for Request to Modify -

- Background -

For questions regarding this modification please contact:

Subgrantee contact: _____
(Printed Name) (Title)

Phone number: _____ E-Mail: _____

Request for Approval of Modifications to Grant submitted by:

Authorized Agent: _____
(Printed Name) (Title)

Signature: _____ Date: _____

Modification Request Instructions

**** Note: No scope change.

1 Grantee Information

- A. Grantee name.
- B. Grant ID number.
- C. Seven digit FIPS number.

2 Modification Information

- A. Reason for request: A detailed explanation of the modification and why the modification is needed.
- B. Background: A detailed description of the project and the current status.

3 Grantee contact for questions regarding the modification

- A. Contact name and title.
- B. Phone number.
- C. Email address.

4 Authorized Agent's Information

- A. Authorized agent's name and title.
- B. Authorized agent's signature and date.

5 Modification Submittal

- A. Send a completed hard copy with signature to: Transit Security Grant Unit, using the address located under the header.

APPENDIX G – Performance Report Template

Grantee	FIPS	Grant Years	Project Name
Date Funds Were Received	Reporting Periods (April or October):	Geographic Location	Estimated Completion Date
Performance Reports required by GC Section 8879.50(f)(1). Refer to page 12 of the grant guidelines.			
Brief Project Description:			

B. Briefly summarize the status of the project:

- a. Description of what has been completed as described in the scope of the original project allocation request:

- b. List any equipment received:

C. Briefly describe the status of the project’s benefits/outcomes:

- a. State the progress of the benefits/outcomes as they pertain to the scope of this project (include data for measurable outcomes):

D. State what still needs to be completed before project closeout:

Agency Name and FIPS _____

E. List the completion status of the milestones that pertain to this project. Detailed answers are required:

Milestones	Percent Complete
	%
	%
	%
	%
	%
	%

F. Modification:

If a modification has been made to the original Investment Justification, note changes below and leave the changes on each performance report from this point forward.

Project Description/
Scope of Work

Original	Revised

Justification:

Agency Name and FIPS _____

G. Funding	
Total Award :	\$

H. Schedule to date	
Funds To Date :	
Interest To Date (if, applicable) :	
Funds Spent To Date :	
Interest From Previous Grant Years (if applicable) :	

PERSON PREPARING THIS REPORT (please type or print)	PHONE:	DATE:
APPROVAL AUTHORITY* (signature) Date:	TYPED NAME AND PHONE NUMBER	

Note: Please attach a current equipment inventory ledger. Failure to submit supporting documents will be treated as a failure to report

*Note: The same authority that signed the Allocation Request must sign here.

Appendix H – Performance Report Instructions

- A. Please fill in the general information boxes.
 - a. Grantee- Name of Agency
 - b. FIPS- Cal OES number assigned to each agency and stays the same year after year.
 - c. Grant Year – 2007-08, 2008-09, 2009-10, 2010-11, etc.
 - d. Project Name (s) - Name of each project listed on the Investment Justification (IJ).
 - e. Date of award letter- the date listed on the final award letter (no funds can be expended prior to this date)
 - f. Reporting Period- October or April then the year
 - g. Geographic Location- City or County where the project is occurring
 - h. Estimated Completion Date- When do you foresee finishing this project?
 - i. Brief Project Description: Short description of the project (please do not use acronyms)

- B. Briefly summarize the status of the project:
 - a. Description of what has been completed as stated in the scope of the original project allocation request.
 - b. List any equipment received.

- C. Briefly describe the status of the project’s benefits/outcomes:
 - a. State the progress of the benefits/outcomes as they pertain to the scope of this project (include data for measurable outcomes).

- D. State what still needs to be completed before project closeout.

- E. List the completion status of the milestones that pertain to this project:
 - a. Detailed answers are required (in progress is unacceptable).

- F. Modification:
 - a. If a modification has been made to the original IJ, note changes below and leave the changes on each Performance Report from this point forward.

- G. Funding:
 - a. Fill in the dollar amount for each bond sale and the dollar amount of the total allocation.

- H. Schedule to date:
 - a. Enter the dollar amount of what has been received to date, spent to date, and all interest that was accrued to date. Interest that has been accumulated from previous grant funds must be reported in the Interest From Previous Grant Years section.

Enter the name of the person that prepared the report. This report needs to be sent in with the original signature of the Authorized Agent. Attach a current bank statement and project ledger.
Contact your Cal OES program representative with any changes to contact information.

Mail completed form to:

The California Governor's Office of Emergency Services
Homeland Security and Prop1B Unit
Proposition 1B Program Representative
3650 Schriever Avenue
Mather, California 95655

Appendix I – Closeout Report Template

Prop 1B Closeout Report (Mass Transit, Heavy Rail, Waterborne)		
Fiscal Year	:	
Cal OES ID #	:	
Agency	:	
Grant Cycle	:	
Project Name (s)	:	
		Original Application
		Final Project
B. Project Scope		
-		Original Approved Project Cost
		Final Project Cost
Mass Transit 8879.58 (2)	:	
Mass Transit 8879.58 (3)	:	
Earned Interest (if applicable)	:	
Interest Used From Previous Grant Year(s) (if applicable)	:	
WETA (if applicable)	:	
Heavy Rail (if applicable)	:	
Total Project Cost	:	\$0
		Anticipated Performance Outcome
		Actual Performance Outcome
C. Performance Outcomes Description	:	
Authorized Agent Signature:		
Name and Title		Date
Note: Please attach a Bank statement and a final equipment ledger.		
Office use only:		
Program Representative Signature:		
Section Chief Signature:		Date

Appendix J - Closeout Report Instructions

A. Prop 1B Closeout Report (Mass Transit, Heavy Rail, Waterborne):

- a. Fiscal Year – Fill in the year that is being closed out
- b. Cal OES ID # – Enter your Cal OES ID (also known as FIPS # or OES ID #)
- c. Agency – Transit Name
- d. Grant Number – Grant Number
- e. Project Name(s) – Project Name(s)

B. Project Scope:

- a. Original Application – Fill in the project(s) scope that was originally listed on the Investment Justification.
- b. Final Project – Fill in the final scope of the project(s).
- c. Original Approved Project Cost
 - i. Mass Transit 8879.58 (2) – COG funds that were allocated to this project
 - ii. Mass Transit 8879.58 (3) – Agency funds allocated by SCO
 - iii. Earned Interest – Total interest earned
 - iv. Interest Used From Previous Grant Year(s) – Interest carried over from a previous grant year(s)
 - v. WETA – Total award
 - vi. Heavy Rail – Total award
 - vii. Total Project Cost – Total allocation + Interest = \$

C. Performance Outcomes Description:

- a. Anticipated Performance Outcome – List the Investment Justifications original performance outcome description.
- b. Actual Performance Outcome – List the current performance outcome description.