FY 22 EMPG and HSGP Webinar

FY 22 Emergency Management Performance Grant (EMPG)

Topics

- EMPG Updates
- Training & Exercise Requirements
- Allowable Costs
- Unallowable Costs
- Match
- Performance Reports

EMPG Updates

- The National Priorities have been updated

- National Qualification System (NQS)

- Core Capability requirement under the FMFW Project Ledger

- FEMA Independent Study training courses 240, 241, and 242 have all been updated to version "c"

EMPG Priorities

FY 2022 EMPG National Priorities:
- Equity
- Climate Resilience
- Readiness

FY 2022 EMPG State/Regional Priorities:
- Mass Care
- Economic Recovery
- Planning
- Operational Coordination

National Qualification System

- National Qualification System (NQS) Implementation
    - EMPG Subrecipients are encouraged to begin planning for NQS Implementation
    - **NQS implementation will not be required to begin until FY 2023**

*NQS helps bring organizational and jurisdictional qualification procedures, certification programs and credentialing standards in alignment with the 2017 NIMS Guideline for the National Qualification System

Core Capability

Project	Project Title	Project Description	Solution Area	Solution Area Sub-Category	Core Capabilities
A	Happy County OES Staff Salaries and Benefits.	OES staff salary and benefits to support the prevention, protection, mitigation, response and recover for all-hazard emergencies.	Organization	Staffing	Operational Coordination
A	OES Daily Operations - Communication Service	Cost for monthly OES phone service that support the OES staff to enhance communications with all stakeholders.	Organization	Day to Day Activities / Operations Supporting Emergency Management	Operational Communications

Project	Project Title	Project Description	Solution Area	Solution Area Sub-Category	Core Capabilities
A	Happy County OES Staff Salaries and Benefits.	OES staff salary and benefits to support the prevention, protection, mitigation, response and recover for all-hazard emergencies.	Organization	Staffing	Operational Coordination
B	OES Daily Operations - Communication Service	Cost for monthly OES phone service that support the OES staff to enhance communications with all stakeholders.	Organization	Day to Day Activities / Operations Supporting Emergency Management	Operational Communications

Training Requirements

NIMS Training:

- IS 100 Intro to ICS
- IS 200 Basic Incident Command System for Initial Response
- IS 700 Intro to NIMS
- IS 800 Intro to NRF

FEMA Professional Development Series (PDS)*:

- IS 120.c Intro to Exercises
- IS 230.e Fundamentals of Emergency Management
- IS 235.c Emergency Planning
- IS 240.c Leadership and Influence
- IS 241.c Decision Making and Problem Solving
- IS 242.c Effective Communication
- IS 244.b Developing and Managing Volunteers

Basic Academy may be taken in lieu of the PDS

Exercise Requirements

All EMPG-funded personnel, including M&A staff and any staff being used for match, must:

- Participate in no less than <u>two exercises </u>in the 24-month period of performance
- Must link to one of the priorities
    - Performance Report: Drop-down in the Exercise table
- Any level of participation is acceptable
- Complete exercises by June 30, 2024

EMPG Allowable Costs

To meet federal requirements and regulations, EMPG expenditures must be:

Verifiable

+

Reasonable

+

Allowable

+

Allocable

+

Necessary

=

EMPG OK
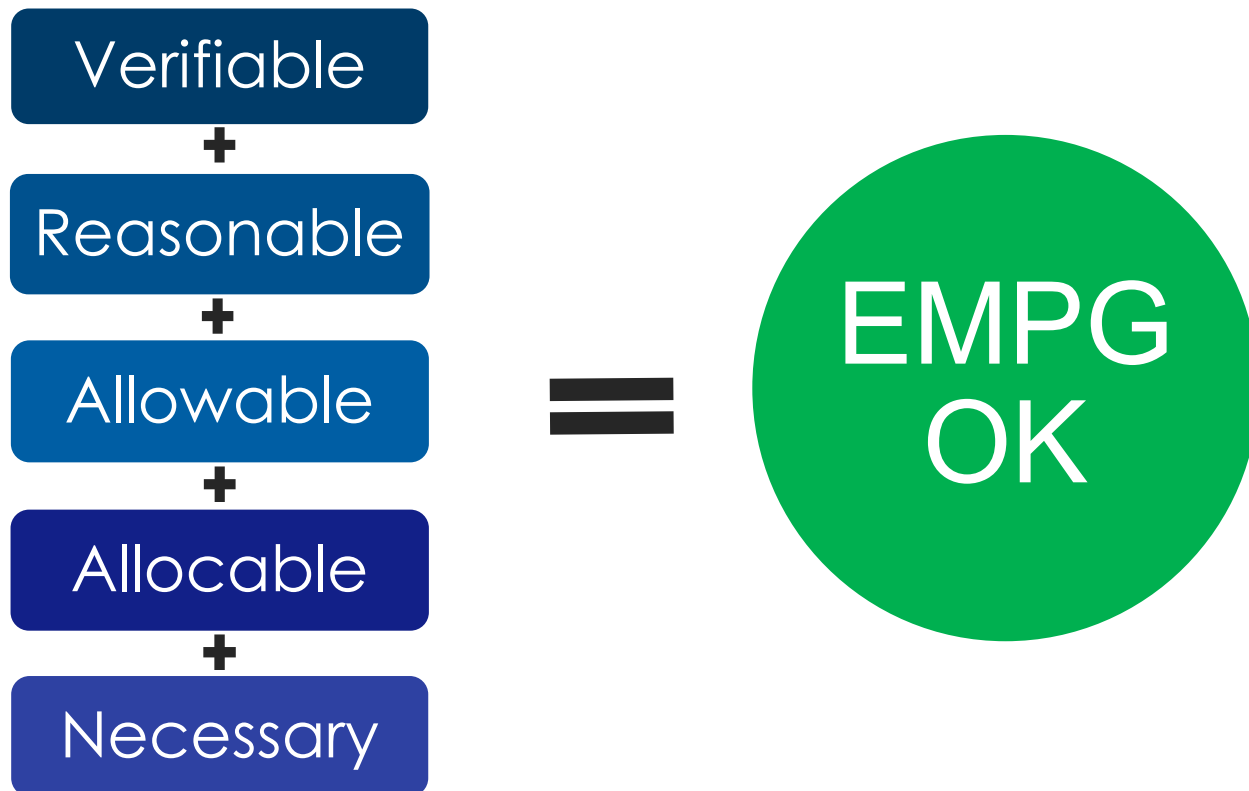
EMPG Allowable Costs

Construction & Renovation

<u>Construction</u>
New building or expanding footprint of an existing primary EOC

<u>Renovation</u>
Internal improvements to an existing primary EOC

* May consider projects outside of primary EOC with prior FEMA approval

* Both require written FEMA approval (up to a year long process)

EMPG Allowable Costs

Management & Administration (M&A)

M&A costs are necessary costs incurred in direct support of the grant.

- Activities directly relating to the management and administration of EMPG
- Financial management and reporting
- May use up to five percent (5%) of the Subaward

* Should only claim up to 5% of the total expended federal share per each reimbursement request

EMPG Allowable Costs

Training

- Tuition & Travel costs under EMPG are allowable for EMPG and local (match) funded personnel, **and** non-EMPG funded personnel provided that the purpose is to accomplish the objectives of the EMPG grant.

- All training costs require a Cal OES Feedback Number for reimbursement.
    - Required at least 30 days prior to Training
    - Submit Training Request Form to Training@caloes.ca.gov

EMPG Unallowable Costs

- Unallowable Equipment: Grant funds must comply with IB 426

  - Expenditures for firearms, ammunition, grenade launchers, bayonets, or weaponized aircraft, vessels, or vehicles of any kind with weapons installed

- Costs associated with sworn public safety officers fulfilling traditional public safety activities

- Positions or items purchased to supplant appropriated funds

- Activities and projects unrelated to the EMPG Program

Match

- A dollar-for-dollar cost match is required
- These non-Federal contributions have the same eligibility requirements as the Federal share
- Types of Match:
  - **Cash Match -** Non-federal cash spent for EMPG-eligible activities/projects
  - **In-Kind Match** - The value of something received or provided by a third-party that does not have a cost associated with it. Contributions of the value of property or services in lieu of cash which benefit the EMPG Program.

Performance Reports

- Subrecipients must submit quarterly Performance Reports on EMPG project status, training and exercise data, and other metrics that are required by FEMA.

- EMPG Priorities for the Exercise record table have been updated.

Integrated Preparedness Plan (IPP)

- Replaced the Multi-Year Training and Exercise Plan (MYTEP)

- Be updated & submitted annually

- At a minimum, cover this two-year period: **January 1, 2023 – December 31, 2024**

- Email by September 30, 2022 to:

  - EMPG Program Representative

  - IPP Point of Contact (POC) – at exercise@caloes.ca.gov

FY22 EMPG Applications Due:

December 30, 2022

Cynthia Duncan
Southern Region
Cynthia.Duncan@CalOES.ca.gov
916-845-8955

Ronak Patel
Inland Region III
Ronak.Patel@CalOES.ca.gov
916-845-8124

Lauren Swearengin
Inland Region IV & V
Lauren.Swearengin@CalOES.ca.gov
916-845-8950

Yer Yang
Coastal Region
Yer.Yang@CalOES.ca.gov
916-845-8468

QUESTIONS?

THE HOMELAND SECURITY GRANT PROGRAM

September 2022

What's on the Menu?

1. Key Changes
2. FY 2022 HSGP Application requirements
3. Program Guidance

Key Changes:

- **Law Enforcement Terrorism Prevention Activities:** Increased from 25% to 30% of the subaward
- **Investment Justifications:** Investments are updated for FY 2022

Key Changes: FY2022 National Priorities

- The FY 2022 NOFO includes the addition of a new National Priority Area: <u>enhancing community preparedness and resilience</u>

- Emerging threats has been removed as a national priority

- Additionally, the national priority area of election security has returned

Key Changes: FY2022 National Priorities

- For FY 2022, States and Urban Areas are required to designate one Investment Justification (IJ) for each of the six National Priorities

- Subrecipients must allocate a total of 30% of their SHSP and UASI awarded funds across these six priority areas

Key Changes: FY2022 National Priorities

- **Four** of the six priority-aligned IJs must equal or exceed **3%** of the applicable State or Urban Area's target allocation – totaling **12%**

- **Two** of the six priority-aligned IJs do not require a minimum spend of the applicable State, Territory, or Urban Area's target allocation

- Subrecipients will have the flexibility to allocate the remaining **18%** across any of the six national priority areas

Key Changes: FY2022 National Priorities

1. Enhancing information and intelligence sharing and cooperation with federal agencies **(3%)**
2. Enhancing the protection of soft targets/crowded places **(3%)**
3. Enhancing cybersecurity **(no minimum)**
4. <u>New</u> - Enhancing community preparedness and resilience **(3%)**
5. Combating domestic violence extremism **(3%)**
6. <u>New</u> - Enhancing election security **(no minimum)**

FY 2021   FY 2022

FY 2021		FY 2022
Enhance Intelligence and Information Sharing and Cooperation With Federal Agencies Including DHS **(National Priority)**	IJ # 1	Enhance Intelligence and Information Sharing and Cooperation With Federal Agencies Including DHS **(National Priority)**
Enhance Protection of Soft Targets / Crowded Places **(National Priority)**	IJ # 2	Enhance Protection of Soft Targets / Crowded Places **(National Priority)**
Enhance Cybersecurity **(National Priority)**	IJ # 3	Enhance Cybersecurity **(National Priority)**
Address Emerging Threats **(National Priority)**	IJ # 4	Enhance Community Preparedness and Resilience **(National Priority)**
Combat Domestic Violent Extremism Through Enhanced Intelligence Collection & Analysis, Training, and Community Resilience **(National Priority)**	IJ # 5	Combat Domestic Violent Extremism **(National Priority)**
Strengthen Communications Capabilities Through Planning, Governance, Technology, and Equipment	IJ # 6	Strengthen Communications Capabilities Through Planning, Governance, Technology, and Equipment
Enhance Medical and Public Health Preparedness	IJ # 7	Enhance Medical and Public Health Preparedness
Strengthen Information Sharing and Collaboration (non-Fusion Center)	IJ # 8	Strengthen Information Sharing and Collaboration
Enhance Community Capabilities through Multi-Jurisdictional/Inter-Jurisdictional All-Hazards Incident Planning, Response, and Recovery Coordination, including Partnerships with Volunteers and Community Based Organizations and Programs	IJ #9	Enhance Multi-Jurisdictional/Inter-Jurisdictional All Hazards/Whole Community Incident Planning, Response & Recovery Capabilities
Protect Critical Infrastructure and Key Resources (includes Food and Agriculture)	IJ #10	Protect Critical Infrastructure and Key Resources (includes Food and Agriculture)
	IJ #11	Election Security **(National Priority)**

Key Changes FY 2022 IJs

IJ # 1	Enhance Intelligence and Information Sharing and Cooperation With Federal Agencies Including DHS **(National Priority)**
IJ # 2	Enhance Protection of Soft Targets / Crowded Places **(National Priority)**
IJ # 3	Enhance Cybersecurity **(National Priority)**
IJ # 4	Enhancing Community Preparedness and Resilience **(National Priority)**
IJ # 5	Combating Domestic Violent Extremism **(National Priority**
IJ # 6	Strengthen Communications Capabilities Through Planning, Governance, Technology, and Equipment
IJ # 7	Enhance Medical and Public Health Preparedness
IJ # 8	Strengthen Information Sharing and Collaboration
IJ #9	Enhance Multi-Jurisdictional/Inter-Jurisdictional All Hazards/Whole Community Incident Planning, Response & Recovery Capabilities
IJ #10	Protect Critical Infrastructure and Key Resources (includes Food and Agriculture)
IJ #11	Election Security **(National Priority)**

FY22 Investment Justifications		State Homeland Security Strategy Goal	
1	Enhance Information and Intelligence Sharing and Cooperation with federal agencies, including DHS	1	Enhance Information Collection, Analysis, and Sharing, in Support of Public Safety Operations across California
2	Enhance the Protection of Soft Targets/Crowded Places	2	Protect Critical Infrastructure and Key Resources from All Threats and Hazards
3	Enhance Cybersecurity	3	Strengthen Security and Preparedness across Cyberspace
4	Enhancing Community Preparedness and Resilience	5	Enhance Community Preparedness
5	Combatting Domestic Violence Extremism	1	Enhance Information Collection, Analysis, and Sharing, in Support of Public Safety Operations across California
		5	Enhance Community Preparedness
		6	Enhance Multi-Jurisdictional/Inter-Jurisdictional All-Hazards Incident Catastrophic Planning, Response, and Recovery Capabilities
		10	Enhance Homeland Security Exercise, Evaluation, and Training Programs
6	Strengthen Emergency Communications Capabilities Through Planning, Governance, Technology, And Equipment	4	Strengthen Communications Capabilities through Planning, Governance, Technology, and Equipment
7	Enhance Medical and Public Health Preparedness	7	Improve Medical and Health Capabilities
8	Strengthen Information Sharing and Collaboration	1	Enhance Information Collection, Analysis, and Sharing, in Support of Public Safety Operations across California
		5	Enhance Community Preparedness
9	Enhance Multi-Jurisdictional/Inter-Jurisdictional All-Hazards/Whole Community Incident Planning, Response & Recovery Capabilities	6	Enhance Multi-Jurisdictional/Inter-Jurisdictional All-Hazards Incident Catastrophic Planning, Response, and Recovery Capabilities
		8	Enhance Incident Recovery Capabilities
		10	Enhance Homeland Security Exercise, Evaluation, and Training Programs
10	Protect Critical Infrastructure and Key Resources (including Food & Agriculture)	2	Protect Critical Infrastructure and Key Resources from All Threats and Hazards
		9	Strengthen Food and Agriculture Preparedness
11	Enhance Election Security	1	Enhance Information Collection, Analysis, and Sharing, in Support of Public Safety Operations across California
		2	Protect Critical Infrastructure and Key Resources from All Threats and Hazards
		3	Strengthen Security and Preparedness across Cyberspace

Blue field denotes National Priority Area

Key Changes: IJs - New National Priority

IJ #4: Enhancing Community Preparedness and Resilience by investing in local, community-driven capabilities (National Priority)	
Example Project Type	• Establish, train, and maintain Community Emergency Response Teams (CERT) and Teen CERT, with a focus on historically undeserved communities, including procurement of appropriate tools, equipment and training aides • Community Mapping: identify community resources and characteristics in order to identify gaps in resources, identify hazards and vulnerabilities, and inform action to promote resilience

Key Changes: New National Priority

IJ #4: Enhancing Community Preparedness and Resilience by investing in local, community-driven capabilities (National Priority)	
Core Capabilities	• Community Resilience • Planning • Public Information and Warning • Risk Management for Protection • Intelligence and Information Sharing • Long Term Vulnerability Reduction • Mass Care Services • Risk and Disaster Resilience Assessment

Key Changes: IJs - New National Priority

IJ #11: Enhancing Election Security (National Priority)	
Example Project Type	• Physical security planning support • Physical/site security measures – e.g., locks, shatter proof glass, alarms, etc. • General election security navigator support • Cyber navigator support • Cybersecurity risk assessments, training, and planning

Key Changes: New National Priority

IJ #11: Enhancing Election Security (National Priority)	
Core Capabilities	• Cybersecurity • Intelligence and information sharing • Planning • Long-term vulnerability reduction • Situational assessment • Infrastructure systems

Key Changes: National Priority Project Requirements

IJ#3 – Enhancing Cybersecurity
IJ#11 – Election Security

- Although these are National Priority IJs, SHSP and UASI applicants are not required to provide election security or cybersecurity projects in FY 2022

FY2022 National Priority Projects

- It is recommended that National Priority Projects be reviewed for effectiveness before funds are obligated or expended but it is **not required**

- Primary review is conducted by the FEMA GPD Program Analyst with assistance from agency partners when necessary

- **ALL** modifications for national priority projects which change the project scope and/or decrease the overall project budget require DHS/FEMA approval

FY2022 Project Application Evaluations

Effectiveness will be evaluated by DHS/FEMA, Cybersecurity and Infrastructure Security Agency, DHS Office of Intelligence and Analysis, DHS Countering Weapons of Mass Destruction Office, and/or other DHS components, as appropriate

FY2022 Application Evaluation	
Investment Strategy (40%):	Projects will be evaluated based on the quality and extent to which the strategy effectively demonstrates supporting the program objective of preventing, preparing for, protecting against, and responding to acts of terrorism
Impact/ Outcomes (40%):	Projects will be evaluated based on their ability to close jurisdictional capability gaps identified in Stakeholder Preparedness Review and address national priorities outlined in the FY 2022 NOFO

FY2022 Project Application Evaluations (continued)

FY2022 Application Evaluation	
Budget (20%):	Projects will be evaluated based on the extent to which a budget plan for each investment demonstrates how grant expenditures maximize cost effectiveness

FY2022 Project Evaluations

- FEMA has already completed their effectiveness review for FY2022 National Priority projects

- Our goal has been to have the federal review for effectiveness completed before funds are awarded to minimize the amount of funding on hold related to the National Priority Areas

- Utilizing our advanced application process California submitted over 500 National Priority Projects for FY2022

FY2022 Grant Award

- For the FY2022 grant award, California has only **three** holds across SHSP, UASI, and OPSG funds!

Final Application Documents

- Final Applications for FY2022 will be due December 31, 2022
- The California Supplement to the NOFO
- FY 2022 Grant Assurances

Advanced Applications

- Advanced Applications will be due January 31, 2023

- Advanced applications consist of only the project ledger tab of the FMFW

- Mirror FY2022 funding levels and national priority areas as a baseline

HSGP Grant Guidance

- National Priority Modifications
- National Cybersecurity Review
- Personnel Cap
- Semi-Annual Drawdowns
- Emergency Communications Projects

National Priority Modifications

- A new National Priority (NP) Modification Request form has been released to facilitate the process
- Certain modification requests **Do Not*** require a NP modification Request form to be completed

National Priority Modification Form

Subrecipient							
FIPS#							
FY 2020 NPA:	(IJ#4) Address Emergent Threats						
Minimum NPA Requirement:							
Current Allocation:							
Proposed Allocation:							
Current Approved Project Title	Proposed Project Title	Current Approved Allocation	Proposed Allocation	Change	Justification as to why the approved project is being modified or is no longer feasible	A detailed description of the new or revised project and how the project aligns to the core capabilities under the applicable NPA	Revised milestones to demonstrate the revised/new project activities can be completed within the existing period of performance
				$0			
				$0			
				$0			
				$0			
				$0			
Total		$0	$0	$0			

The undersigned certifies, to the best of his or her knowledge and belief that this National Priority Modification request is reasonable and necessary to successfully implement the National Priority Area objectives.

Title of Authorized Agent	
Name Of Authorized Agent	

X _____

*National Priority Modification Request Form is only used when making changes to National Priority Projects in which there is a change in project scope and/or a reduction in overall project budget. All other changes can be submitted via the normal Financial Management Forms Workbook (FMFW) Process.
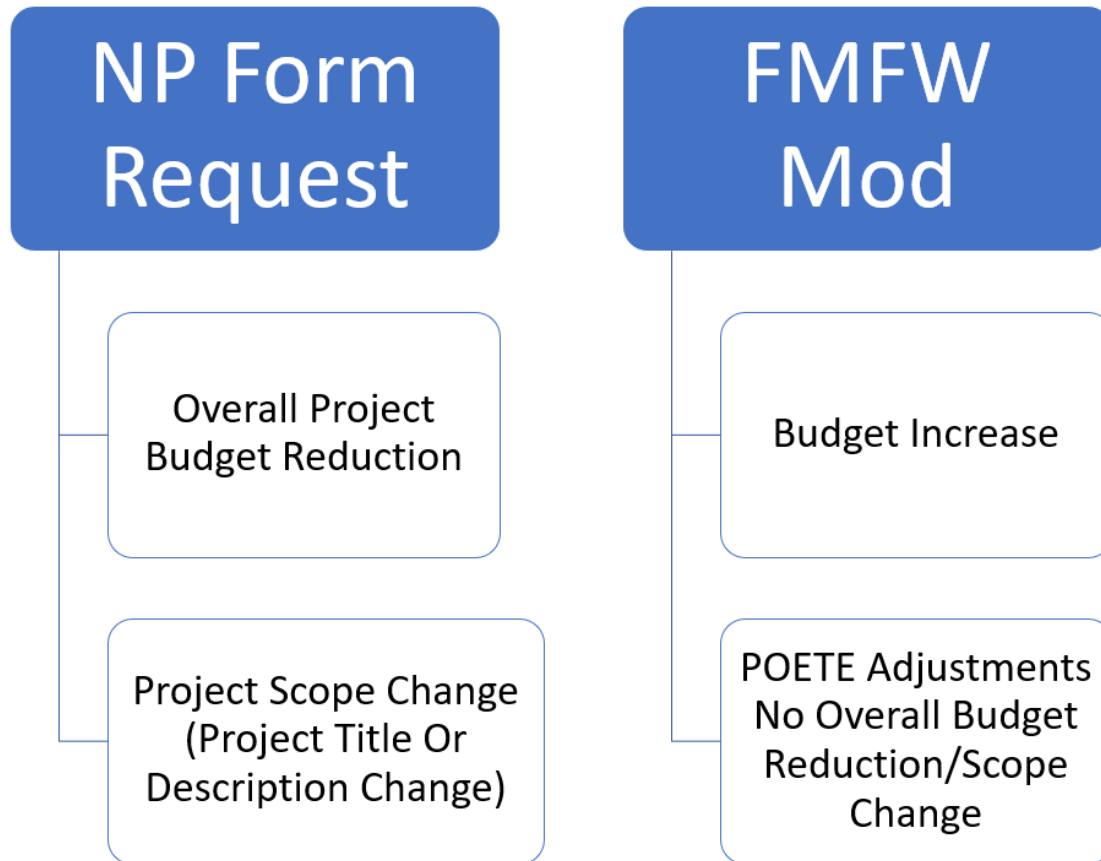
National Priority Modification Form

- Excel document with electronic signature field
- Required information includes:
  - Justification as to why the approved project is being modified or is no longer feasible
  - A detailed description of the new or revised project and how the project aligns to the core capabilities under the applicable NPA
  - Revised milestones to demonstrate the revised/new project activities can be completed within the existing period of performance

National Priority Modification Chart

NP Form Request
- Overall Project Budget Reduction
- Project Scope Change (Project Title Or Description Change)

FMFW Mod
- Budget Increase
- POETE Adjustments No Overall Budget Reduction/Scope Change

When an NP Form is Required

- Happy County is requesting to move funds between Cyber Security Equipment Project #5 and Cyber Security Training Project #6

Project	Original Allocation	Proposed
Cyber Security Equipment Project#5	$~~10,000~~	$ 11,000
Cyber Security Training Project #6	$~~10,000~~	$ 9,000

NP Form - Examples

Project	Original Allocation	Proposed
Cyber Security Equipment Project #5	$ 10,000	$ 11,000
Cyber Security Training Project #6	$ 10,000	$ 9,000

NP Form Examples

- Happy County is requesting to make a minor change on the project description of their Information Sharing Project

- Happy County is requesting to update the project description of their Soft Targets/Crowded Places Project

- **ANY** project scope change

- Our approach is very conservative, any required project title or description change is a scope change

NP Form Process

- Projects which require the National Priority Request form should not be included in regular FMFW modification requests until **After** they are approved

- National Priority Modification requests which require FEMA approval take a substantial amount of time to be processed

Regular FMFW Examples

- Happy County is requesting to increase their project budget on their Cybersecurity Project

Project	Original Allocation	Proposed
Cyber Security Equipment Project#5	$ ~~10,000~~	$ 11,000

Regular FMFW Examples

Happy County is requesting to shift funding within Solution Areas of a single project with no scope changes or overall budget reductions

Project	Original Allocation	Proposed
Cyber Security Project#5	$ ~~10,000~~	$ 10,000
Training Solution Area	$ ~~5,000~~	$ 4,000
Equipment Solution Area	$ ~~5,000~~	$ 6,000

Regular FMFW Process

- Projects which fall under the regular FMFW process should be processed like any other modification request with the FMFW

- Make sure the modification justification is accurate and abundantly clear that the modification contains **No** scope changes or overall project budget reductions

Example Modification Justifications

- Project budget increase, no scope change
- Cost reconciliation within solution areas, no scope change or overall budget reduction
- Shifting of funds within solution areas with no scope change and no overall budget reduction

Nationwide Cybersecurity Review (NCSR)

- **What:** A no-cost, anonymous, and annual self-assessment designed to measure gaps and capabilities of state, local, tribal, territorial, nonprofit, and private sector agencies' cybersecurity programs

  - IB 439 – Supplemental Guidance for Cybersecurity Investments

- **Why:** Evaluates cybersecurity maturity across the nation while providing actionable feedback and metrics directly to individual respondents in State, Local, Tribal & Territorial governments

- **Result:** DHS bi-yearly anonymous summary report delivered to Congress providing a broad picture of the cybersecurity maturity across communities

Nationwide Cybersecurity Review (NCSR)

- **Who:** Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent for **all** SHSP and UASI subrecipients and subawarded agencies
  - If there is no CIO or CISO, most senior cybersecurity professional should complete NCSR
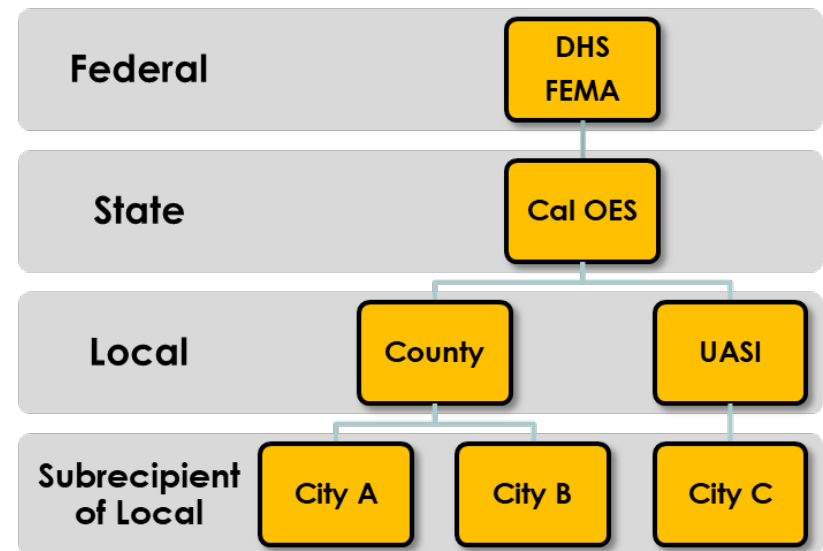
Nationwide Cybersecurity Review (NCSR)

- **When:** All Subrecipients of SHSP and UASI funding must complete the NCSR between <u>October and December</u>.

- Deadline to Cal OES – **December 16, 2022**

- **How:**

  - Registration required for portal access:

    - https://www.cisecurity.org/ms-isac/services/ncsr/

  - NCSR Portal:

    - https://grc.archer.rsa.com

  - Takes approx. 2-3 hours to complete

National Cybersecurity Review (NCSR) cont.

Required Documentation:

- Cal OES Subrecipients:
  - Submit PDF verifying own NCSR completion
  - AA must certify in writing, on behalf of Subrecipients at next tier, NCSR was completed (list Subrecipients and date completed in a spreadsheet)
- On behalf of your Subrecipients:
  - Ensure you receive certification that NCSR is complete
  - Keep records

Personnel Cap:

- SHSP and UASI funds may be used for personnel costs, totaling up to 50% of <u>each fund source</u>.
  - Subrecipient may request this requirement be waived by DHS/FEMA, via Cal OES
- Description of Personnel Costs:
  - <u>IB 421</u>, <u>421a</u>, <u>421b</u>: Clarification on the Price Act
- Personal cap waiver must be submitted if over 50%

Emergency Communications

- Projects must be compliant with SAFECOM Guidance (updated annually)
- Emergency Communication Projects will be reviewed by:
  - Statewide Interoperability Coordinator (SWIC) at Cal OES; and
  - DHS Office of Emergency Communications
- Emergency Communications Guidance
  - Preparedness Grant Manual 2.0 Appendix A-26

Emergency Communications

- Projects must align with the Statewide Communication Interoperability Plan (SCIP)

- Identify the SCIP Goal # within the Project Description

- Project Description **must** contain the words "Emergency Communications" to easily be identified

- Example:

  *Purchase (6) dual-band handheld radios for the city Police Department to enhance interoperability with other public safety agencies **Emergency Communications (SCIP Goal #3)***

California Statewide Communications Interoperability Plan (Cal-SCIP)

2020 CalSCIP Document

https://www.caloes.ca.gov/wp-content/uploads/PSC/Documents/2020CalSCIP.pdf

Questions?

General Session EMPG/HSGP

September 2022

What's on the Menu?

1. General Grant Guidance
2. Procurement

Key Changes:

- **Unique Entity Identifier:** Effective April 4, 2022, the Federal Government transitioned from using the Data Universal Numbering System or DUNS number, to a new, non-proprietary identifier known as a Unique Entity Identifier or UEI

- **Build America, Buy America Act (BABAA)**

- **Semi-Annual Drawdown Requirement**

Semi-Annual Drawdown Requirements

- All Subrecipients must be reporting expenditures and requesting funds at least semi-annually throughout the period of performance

- Semi-annual drawdowns should be occurring by March and October of each calendar year following final approval of the subaward application, except for the final cash request, which must be submitted within 20 calendar days after the end of the period of performance

Prohibitions on Telecommunications & Video Surveillance services & equipment

Effective August 13, 2020, DHS/FEMA recipients and subrecipients **may not** use any FEMA grant funds from FY 2020 or previous years to:

- Procure or obtain any equipment, system, or service that uses "covered telecommunications equipment or services" as a substantial or essential component of any system, or as critical technology of any system; or

- Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses "covered telecommunications equipment or services" as a substantial or essential component of any system, or as critical technology of any system; or

- Enter into, extend, or renew contracts with entities that use "covered telecommunications equipment or services" as a substantial or essential component of any system, or as critical technology as part of any system.

As mandated by the John S. McCain National Defense Authorization Act.

Prohibitions on Telecommunications and Video Surveillance services and equipment

- In May of 2022 FEMA Release a new policy
  - FEMA Policy #405-143-1
- New policy provides additional guidance on the grant requirements and how to meet required contract provisions

Governing Body Resolution (GBR)

- Can be good for up to three grant years provided that:
  - The resolution identifies the applicable grant program (e.g., EMPG and/or HSGP)
  - The resolution identifies the applicable grant years, (e.g., FY 2022, FY 2023, FY 2024); and
  - Adheres to necessary elements required by local protocols, rules, etc., if applicable
- Designees can be accepted when authorized by the GBR

Financial Management Forms Workbook (FMFW) Updates

- FMFW has been updated for FY22 to incorporate IJ changes for HSGP

- M&A cost's compared to expenditures are tracked and calculated automatically to stay compliant with Five percent M&A Limit

- Fix Formulas button changed to Validate worksheet

FMFW M&A Tracker

For single funding source
- All fields auto-populate

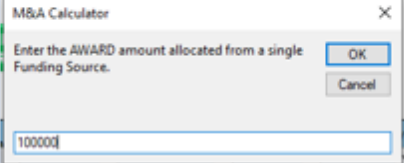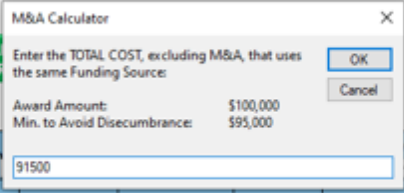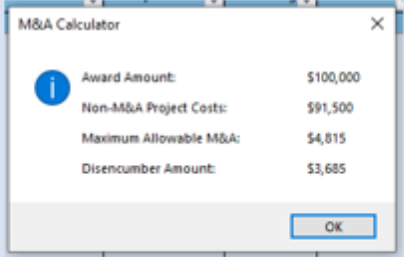| Award	M&A Expended	%M&A Exp of Total Exp
$2,398,206	$12,000	8.4%

For multiple funding sources
- Tracks M&A from each source
- Validates budgeted amount for each funding source
- Award amounts must be manually entered on initial Project Ledger tab

Funding Source	Award	Budgeted Cost	Total Expended	%M&A Exp of Total Exp
UASI	$4,678,750	$4,678,750	$204,000	1.96%
SHSP	$435,000	$435,000		

FMFW Maximum M&A Calculator

Press macro button.	**CALCULATE M&A**
Enter Award amount.	M&A Calculator ✕ Enter the AWARD amount allocated from a single Funding Source. OK Cancel 100000
Enter cost of all projects, excluding M&A.	M&A Calculator ✕ Enter the TOTAL COST, excluding M&A, that uses the same Funding Source: OK Cancel Award Amount: $100,000 Min. to Avoid Disecumbrance: $95,000 91500
Outputs Maximum M&A and amount to disencumber.	M&A Calculator ✕ ⓘ Award Amount: $100,000 Non-M&A Project Costs: $91,500 Maximum Allowable M&A: $4,815 Disencumber Amount: $3,685 OK

E-Mail Blasts

- Grants Management periodically sends out important emails to our EMPG and HSGP subrecipients

- Please add Grantsmangement@caloes.ca.gov and HSEM_GP@caloes.ca.gov email address to your contacts

Procurement

September 2022

Procurement Standards

- All procurement activities must be conducted in accordance with **documented procurement procedures** provided that they comply with the federal procurement standards found at **2 C.F.R. § 200.318 – 200.327**

- If there is any conflict between the procurement procedures used and the Federal procurement standards, you must follow the more restrictive provision

Full and Open Competition

- All procurement transactions for the acquisition of property or services **must be fully and openly competed** consistent with the standards of Part 200 of the C.F.R.

- Some common situations considered to be restrictive of competition are, but not limited to:

  - Placing unreasonable requirements for vendors to qualify
  - Specifying only a brand name product
  - Imposing a geographical preference

Methods of Procurement

Procurement Types Grouped into 3 Categories

Informal **CFR 200.320(a)**	• Micro-Purchases • Small Purchases
Formal **CFR 200.320(b)**	• Sealed Bids • Competitive Proposals
Non-Competitive **CFR 200.320(c)**	• Non-Competitive Proposals

Informal Procurement Methods

Micro-Purchases
§ 200.320(a)(1)

- Purchases below the Micro-Purchase threshold **do not** require soliciting competitive price or rate quotations
  - Reasonableness of price/rate **must be documented**

- Federal Acquisition Regulations (FAR) has set the Federal micro- purchase threshold at **$10,000**
  - If internal Micro-Purchase threshold is less, you must use that amount

Informal Procurement Methods

Micro-Purchase Threshold Increase
§ 200.320(a)(1)(iv) – (v)

- Subrecipients may **self-certify** a threshold of **up to** $50,000

OR

- Obtain **Federal approval** for a threshold **higher than** $50,000

Informal Procurement Methods

Micro-Purchase threshold up to $50,000
§ 200.320(a)(1)(iv)

- **Self-certification** required on an **annual basis** and must include:

  1. Justification for increasing the threshold
  2. The increased threshold amount
  3. Supporting documentation of any of the following:
     a) Most recent Single Audit qualifying subrecipient as a Low-risk auditee
     b) Annual internal institutional risk assessment to identify, mitigate, and manage financial risks
     c) For public institutions, a higher threshold consistent with State law

Informal Procurement Methods

Micro-Purchase threshold over $50,000
§ 200.320(a)(1)(v)

- Must obtain approval from cognizant agency for indirect costs

- Submit request with the same requirements included in your support for increasing Micro-Purchase thresholds up to $50,000

- Increased threshold is valid until there is a change in status in which the justification was approved

Informal Procurement Methods

Small Purchases
§ 200.320(a)(2)

- **Greater than** Micro-Purchase threshold and **less than or equal to** the Simplified Acquisition Threshold (SAT)

- SAT set at $250,000, per FAR
  - Internal threshold cannot exceed amount set by FAR

- Price/Rate quotations must be obtained from an adequate number of qualified sources

Formal Procurement Methods

Sealed Bids § 200.320(b)(1)	Proposals § 200.320(b)(2)
• Greater than SAT $250,000	• Greater than SAT $250,000
• Scope of Work is definite	• Scope of Work is less definitive
• RFBs must be publicized	• RFPs must be publicized
• Bids solicited from 2 or more bidders/offerors	• Proposals solicited from 2 or more proposers/offerors
• Public opening of bids at set date and time	• Proposals scored based on established evaluation criteria
• Fixed-Price contract awarded to lowest price bidder	• Fixed-Price or Cost-Reimbursement contract awarded to proposal that is most advantageous

Non-Competitive Procurements

§ 200.320(c)(1) – (5)

- Non-competitive procurements are only allowable under one or more of the following circumstances:

  1. Amount does not exceed the Micro-Purchase Threshold
  2. Single Source
  3. Public Exigency or Emergency
  4. Inadequate Competition
  5. With Federal Awarding Agency or Pass-Through entity Authorization

NOTE: Cal OES will only authorize if one of the first four circumstances apply

Non-Competitive Procurement Authorizations

- All noncompetitive procurements in **excess of the SAT ($250,000)** require **prior approval** from Cal OES
  - No retroactive approvals will be granted

- Cal OES prior approval is also required for all HSGP-funded **non-competitive procurements of training**, **regardless of the dollar amount**

- For [CSTI/DHS Pre-Vetted Single Source Homeland Security Trainings](#), prior approval from Cal OES is still required

Non-Competitive Procurement Authorizations

- What must be submitted to Cal OES for non-competitive procurement approval?

  1. Non-Competitive Procurement Authorization (NCPA) form
  2. CSTI Tracking Number for training courses
  3. A Cost or Price Analysis
  4. Prior Approval documentation, if applicable

- Profit **must be negotiated** for procurements in which there is no price competition

Cost or Price Analysis

§ 200.324(a)

- **Objective**: To ensure a fair and reasonable price

- Must perform a Cost Analysis or Price Analysis analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold ($250,000) including contract modifications

Cost or Price Analysis

- A Price Analysis is a method for evaluating similar products

- A Cost Analysis is a method to evaluate the fair market value of a product without comparing it to another

- **As a starting point**, it is **_REQUIRED_** that an independent price/cost estimate be made and documented before receiving any bids or proposals

Price Analysis

- Price Analysis is the most commonly used method to determine a fair and reasonable price

- Typically used when acquiring items or services that are **on the open market** and that have competing alternatives with **relatively similar benefits**

- A Price Analysis would include a detailed review of the benefits of each offering relative to the quoted prices

Price Analysis

- Techniques include, but are not limited to:

    - Comparing proposed prices with independently developed price estimates prepared prior to receiving bids/proposals
    - Comparing proposed prices received in response to a solicitation
    - Comparing prior (historical) proposed/contract prices with current proposed prices for the same or similar goods or services
    - Comparing offers with competitively published catalog prices, published market prices, or similar indices

Cost Analysis

- Typically used when there are **no comparable products or services**

- A Cost Analysis involves the review of separate cost elements or line items and proposed profit to determine a fair and reasonable price

- **Must negotiate profit** as a separate element of the price when there is no price competition and in all cases where a Cost Analysis is performed

Cost or Price Analysis

	Price Analysis	Cost Analysis
Level of Analysis	Simple	Detailed
Competition	Adequate	Inadequate
Method	Price Comparison	Cost Breakdown

Contract Provisions

§ 200.327

- All contracts must contain the applicable provisions described in Appendix II to Part 200

- [FEMA Contract Provisions Guide](#)

Procurement Records

- Maintain all procurement records

- Procurement records confirm compliance with the Federal standards at 2 C.F.R 200.318 – 200.327

- Lack of documentation is a common OIG finding

- Records must be maintained for at least 3 years from date of grant closeout

Procurement Records

- Procurement records include, but are not limited to:
  - Pre-solicitation documents (e.g. advanced authorizations)
  - Rationale for method of procurement
  - Independent price/cost estimates
  - Copy of solicitations
  - List of sources solicited to
  - Bids/Proposals/Quotes
  - Rationale for contractor selection
  - Determination that price is fair and reasonable, including an analysis of the cost and price data
  - Copy of contracts/purchase orders and any amendments

Resources

- [Code of Federal Regulations | eCFR.gov](#)

- [PDAT Homepage & Training Schedule | FEMA](#)

- [2021 Contract Provisions Guide | FEMA](#)

- [California Specialized Training Institute (CSTI) | Cal OES](#)