



Homeland Security and Emergency Services

FY2022 Nonprofit Security Grant Program – Urban Area (NSGP-UA) and State (NSGP-S)

Request for Applications (RFA)

Application Deadline: May 31, 2022, by 5:00 P.M.

Technical Assistance for E-Grants will not be available after 5:00 P.M. on May 31, 2022

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I. Introduction

The purpose of this Request for Applications (RFA) is to solicit applications for federal grant funding made available from the U.S. Department of Homeland Security's (DHS) Fiscal Year 2022 Nonprofit Security Grant Program (NSGP). This year funding is being made available from two separate funding sources under the NSGP. Nonprofit organizations may apply for funding based upon the location of their site(s) as follows:

- 1) NSGP - Urban Area (NSGP-UA) – \$125 million is being made available nationally to support nonprofit organizations that are located within a federally designated urban area. In NYS, eligible organizations with sites **located in the NYC Urban Area which includes:** the five boroughs in New York City, Nassau County, Suffolk County and Westchester County are eligible to apply to NSGP-UA.
- 2) NSGP - State (NSGP-S) - \$125 million is being made available nationally, with New York State having a target allocation of \$3.75 million, to support nonprofit organizations that are **located outside of the federally designated urban areas**. For sites located outside of the NYC urban area, eligible organizations may apply to NSGP-S.

Each nonprofit organization may apply for up to \$150,000 per site, for up to three (3) sites, for a maximum award of \$450,000 per organization. Organizations with sites located in both Urban Areas and State Areas may apply to both programs, however, may not exceed the three (3) site maximum per organization.

II. Eligibility

To be considered for funding, eligible organizations must:

- Be described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.
- Demonstrate, through the application, that the organization is at **high risk of a terrorist attack**.
- Be prequalified, through New York State Grants Management prior to application submission <https://grantsmanagement.ny.gov/get-prequalified>.
- Provide a current and valid Unique Entity Identifier (UEI) with the application. Organizations should verify that they have a UEI number, or take the steps necessary to obtain one, as soon as possible. Applicants may request a UEI by visiting <https://sam.gov/content/duns-uei>.

- **Please note: if your organization is experiencing unexpected issues due to technical difficulties or backlogs in processing at SAM.gov resulting in a longer than anticipated timeframe in obtaining a UEI number, you will not be disallowed/disqualified from applying solely based on not having a UEI number at the time of application submission to DHSES. If your organization is selected by FEMA to receive funding, you must obtain and provide your UEI number prior to DHSES issuing your subaward (expected fall of 2022).**
- Be registered, have recently applied for registration or be exempt from registering with the NYS Attorney General's Office Charities Bureau
https://www.charitiesnys.com/charities_new.html.

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

- Identification and substantiation of current or persistent threats or attacks (from within or outside the United States) by a terrorist organization, network, or cell against the applicant based on their ideology, beliefs, or mission;
- Symbolic value of the site(s) as a highly recognized regional and/or national or historical institution(s) that renders the site a possible target of terrorism;
- Role of the applicant nonprofit organization in responding to or recovering from terrorist attacks;
- Findings from previously conducted risk assessments including threat and/or vulnerability assessments.

III. Program Objectives

The NSGP provides funding for physical security enhancements and other security-related activities to nonprofit organizations that are at high risk of a terrorist attack. The NSGP also seeks to integrate the preparedness activities of nonprofit organizations with broader State and local preparedness efforts.

IV. How to Apply

A. Issuing Agency

This RFA is issued by the Division of Homeland Security and Emergency Services (DHSES). DHSES is responsible for the requirements specified herein and will coordinate the scoring and the evaluation of all applications which will be submitted to FEMA for final approval and award decisions.

B. Filing an Application

Grant applications must be submitted via the automated DHSES E-Grants System by **5:00 p.m. on May 31, 2022**. The E-Grants system allows an organization to complete an application electronically and submit it online using a secure portal. **Please note: A separate E-Grants application must be submitted for each requested site.** If, upon reading this RFA, you are interested in completing a grant application and you have not previously been registered to use the DHSES E-Grants system, your organization will need to register and be assigned a username and password. The Registration Request Form can be found at the following link: <https://www.dhSES.ny.gov/e-grants>. Send the completed registration form to: Grant.Info@dhSES.ny.gov.

A detailed tutorial on how to use the E-Grants system can also be found at: <https://www.dhSES.ny.gov/nonprofit-programs>. It will guide you in a step-by-step process through the E-Grants application development and submission.

C. Prequalification

Prior to submitting an application in response to this RFA, all nonprofit organizations are **required** to prequalify with New York State Grants Management at: <https://grantsmanagement.ny.gov/get-prequalified>.

Prequalification is a statewide process designed to facilitate prompt contracting. Nonprofit organizations will be asked to submit commonly requested documents and answer frequently asked questions. Organizations will submit their responses online in the Grants Gateway, and all information will be stored in a virtual, secured vault. In addition, an electronic vault will permit critical documents to be submitted and stored electronically to be used by all State agencies reviewing grants. **For verification purposes, it is very important that the applying organization's name exactly matches the name of the organization that is prequalified in the Grants Gateway.** For more information on Prequalification see Exhibit C.

D. NSGP Investment Justification

As part of the FY2022 NSGP application process, applicants must develop a formal Investment Justification (IJ) that addresses each Investment being proposed for funding. The IJ must address an identified risk, including threat and vulnerability, and build or sustain a [core capability](#) identified in the National Preparedness Goal. The IJ must demonstrate the ability to provide enhancements **to an existing site** consistent with the purpose of the program and guidance provided by DHS/FEMA. **Security enhancements must be for the location(s) that the nonprofit occupies at the time of application.**

Applicants must fully answer each question in all the sections of the IJ for the form to be considered complete. In the IJ, applicants should summarize the most critically important, impactful, and salient information. The IJ should be crafted using the identified threats/risks to your organization, the results of the vulnerability assessment of a physical location/structure/building, and details of the requested projects/activities to mitigate or remediate those vulnerabilities with associated estimated costs. Applicants should describe their organization's current threat/risk. While historic risk may be included for context, the IJ should focus on current threats and risks.

Applicants must ensure that the IJ is consistent with all applicable requirements outlined in this RFA. Applicants may only submit **one IJ per site, and only one site per IJ**, with that site having a physical address (not a PO Box Number). If you have more than one site that you would like considered for funding, you must submit separate IJs for each site address. **Applicant organizations may apply for up to \$150,000 per site, for up to three (3) sites for a maximum award of \$450,000 under NSGP-UA and/or NSGP-S. Please note that a separate E-Grants application, site-specific Investment Justification and site-specific vulnerability assessment must be submitted for each requested site.**

- **Please note: Only one nonprofit can apply per building/facility/physical structure/address. However, the request and subsequent security enhancements may benefit nonprofits who cohabitate/operate in/from the same location. Multiple requests for federal assistance from the same physical address/building/facility/structure will all be deemed ineligible.**

Applicants must use the DHS/FEMA-provided fillable PDF-based FY2022 NSGP IJ template for their application submission. The FY2022 NSGP IJ template can be found at: <https://www.dhses.ny.gov/nonprofit-programs>.

Below is a checklist that includes the required contents of a complete NSGP Investment Justification:

Section I – Applicant Information

- Legal Name of the Organization/Physical Address of the Facility/County
- Year the Original Facility was Constructed
- Owning vs. Leasing/Renting and Permission to Make Enhancements
- Year the Organization Began Operating from the Facility
- Other Organizations in Facility
- Mission Statement Summary
- Organization Type
- Organization's Affiliation
- 501(c)(3) Tax-Exempt Designation
- Unique Entity Identifier (UEI) obtained/requested via the System for Award Management (replaces DUNS)
- Funding Stream / Designated high-risk urban area (if applicable)

- Federal Funding Request (total estimated cost of projects/activities)

Section II – Background

- Describe the symbolic value of your organization’s site as a highly recognized national or historical institution, or significant institution within the community that renders the site a possible target of terrorism.
- Describe any role in responding to or recovering from terrorist attacks, specifically highlighting the efforts that demonstrate integration of nonprofit preparedness with broader State and local preparedness efforts.

Section III – Risk

- Threat: Describe the identification and substantiation of specific threats, incidents, or attacks against the nonprofit organization or a closely related organization, network, or cell.
- Vulnerability: Describe your organization’s susceptibility to destruction, incapacitation, or exploitation by a terrorist attack.
- Consequence: Describe potential negative effects/impacts on your organization’s assets, systems, and/or function if disrupted, damaged, or destroyed due to a terrorist attack.

Section IV – Facility Hardening

- Describe how the proposed projects/activities will harden (make safer/more secure) the facility and/or mitigate the identified risk(s) and/or vulnerabilities based on the vulnerability assessment.
- Describe how the proposed target hardening focuses on the prevention of and/or protection against the risk/threat of a terrorist attack.
- Confirm that the proposed projects are allowable in accordance with the priorities of the NSGP.
- Confirm that the proposed projects are feasible (meaning there is a reasonable expectation based on predicable planning assumptions to complete all tasks, projects and/or activities within the subaward period of performance) and proposed milestones under the NSGP.

Section V – Milestones

- Describe any key activities that will lead to milestones in the program/project and grants management over the course of the NSGP grant award period of performance.

Section VI – Project Management

- Describe the proposed management team’s roles, responsibilities, and governance structure to support the implementation of the projects/activities.
- Assess the project management plan/approach.

Section VII – Impact

- Describe the outcome and outputs of the proposed projects/activities that will indicate that the investment was successful.

Funding History

- Include past funding amounts and projects under the NSGP.

E. Vulnerability Assessment

As a requirement of the FY2022 NSGP application process, eligible applications must include a site-specific vulnerability assessment. Through identification and validation of security deficiencies, the vulnerability assessment should be used as a framework to help develop your projects and complete your IJ. **Applicants must adhere to the following requirements pertaining to vulnerability assessments, as failure to do so may affect an applicant's chances of being funded:**

- A separate site-specific vulnerability assessment must be provided for each site for which funding is requested.
- The vulnerability assessment must contain the site's **physical address**, which must match the physical address provided in the IJ and in the Workplan of your E-Grants application.
- Each and every project being requested in the IJ must be clearly linked to a security vulnerability identified in the vulnerability assessment. **Requested projects that are not reflected as vulnerabilities in the assessment will not be funded.**
- The vulnerability assessment must accurately and completely reflect the site's security vulnerabilities at the time your application is submitted. An assessment containing outdated or inaccurate information may be considered invalid.

Additionally, it is strongly recommended that the vulnerability assessment includes thorough and comprehensive identification of all security vulnerabilities and should not be limited only to projects being requested in your application.

- **Please note that inconsistencies (i.e., discrepancies with the organization name and/or site address, projects that cannot be linked to vulnerabilities, etc.) in your grant application documents may negatively affect your overall application score, which may affect your chances of being funded.**

F. Required Application Submissions

To be considered for funding, eligible nonprofit organizations must submit an application using the State's Electronic Grants (E-Grants) System (see Exhibit A: E-Grants Instructions). A complete application includes the following:

- E-Grants Application Information:
 - Contact Information
 - Please provide at least two (2) contacts from your organization
 - Proposed Project Workplan Information
 - Please use Workplan language found in the E-Grants Tutorial
 - Budget Request Information
 - All requested projects must be clearly linked to security vulnerabilities identified in the vulnerability assessment
 - Certification to Accept the Assurances
- Required Attachments to Upload to the E-Grants Application:
 - Completed site-specific Investment Justification (IJ)
 - Vulnerability Assessment specific to the site identified on the Investment Justification
 - Status History report from Grants Gateway website showing prequalification status
 - Mission Statement of the applying organization
- **Please note that for each requested site, the applicant must provide:**
 - A separate E-Grants application
 - A separate site-specific Investment Justification
 - A separate site-specific Vulnerability Assessment **to include the site's address**
- **Important Note:** Do not upload any attachments that are password-protected.

G. Authorized Program Expenditures

Equipment

Allowable costs are focused on target hardening activities and physical security enhancements. Funding shall only be used for the acquisition and installation of security equipment on real property/existing sites (including buildings and improvements) owned or leased and occupied by the nonprofit organization, specifically in prevention of and/or protection against the risk of a terrorist attack. This equipment includes select items in the following two sections of items on the Authorized Equipment List (AEL):

- Section 14: Physical Security Enhancement Equipment
- Section 15: Inspection and Screening Systems

➤ Please note that **not all items** found in Sections 14 and 15 of the AEL are allowable under the NSGP.

In addition to the select items in Sections 14 and 15, the following equipment is also allowable:

- Handheld Radios (AEL Code: 06CP-01-PORT – Radio, Portable)
- Public Warning Systems (AEL Code: 03OE-03-MEGA – System, Public Address, Handheld or Mobile)

Unless otherwise stated, equipment must meet all mandatory, statutory, and regulatory and DHS/FEMA adopted standards to be eligible for purchase using these funds, including the Americans with Disabilities Act. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

Planning

Funding may be used for security or emergency planning expenses and the materials required to conduct planning activities. Planning must be related to the protection of the site and the people within the site and should include consideration of access and functional needs considerations as well as those with limited English proficiency.

Examples of planning activities allowable under this program include:

- Development and enhancement of security plans and protocols.
- Development or further strengthening of security assessments.
- Emergency contingency plans.
- Evacuation/Shelter-in-place plans.
- Other project planning activities with prior approval from DHS/FEMA.

Exercises

Funding may be used to conduct security-related exercises. This includes costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, and documentation. Exercises afford organizations the opportunity to validate plans and procedures, evaluate capabilities, and assess progress toward meeting capability targets in a controlled, low risk setting. All shortcomings or gaps—including those identified for children and individuals with access and functional needs—should be identified in an improvement plan. Improvement plans should be dynamic documents with corrective actions continually monitored and implemented as part of improving preparedness through the exercise cycle.

The Homeland Security Exercise and Evaluation Program (HSEEP) provides a set of guiding principles for exercise programs, as well as a common approach to exercise program management, design and development, conduct, evaluation, and improvement planning. For additional information on HSEEP, refer to <https://www.fema.gov/emergency-managers/national-preparedness/exercises/hseep>. In accordance with HSEEP guidance, subrecipients are reminded of the importance of implementing corrective actions iteratively throughout the progressive exercise cycle. This link provides access to a sample After Action Report (AAR)/Improvement Plan (IP) template: <https://preptoolkit.fema.gov/web/hseep-resources/improvement-planning>. Recipients are encouraged to enter their exercise data and AAR/IP in the [Preparedness Toolkit](#).

Construction and Renovation

NSGP funding may not be used for construction and renovation projects without prior written approval from FEMA. In some cases, the installation of equipment may constitute construction and/or renovation. If you have any questions regarding whether an equipment installation project could be considered construction or renovation, please contact your Preparedness Officer. All recipients of NSGP funds must request and receive prior approval from FEMA before any NSGP funds are used for any construction or renovation. Additionally, recipients are required to submit a SF-424C Budget and budget detail citing the project costs and an SF-424D Form for standard assurances for the construction project. The total cost of any construction or renovation paid for using NSGP funds may not exceed the greater amount of \$1 million or 15% of the NSGP award.

All construction and renovation projects require Environmental Planning and Historic Preservation (EHP) review. Recipients and subrecipients are encouraged to have completed as many steps as possible for a successful EHP review in support of their proposal for funding (e.g., coordination with their State Historic Preservation Office to identify potential historic preservation issues and to discuss the potential for project effects, compliance with all state and local EHP laws and requirements). Projects for which the recipient believes an Environmental Assessment (EA) may be needed, as defined in [DHS Instruction Manual 023-01-001-01, Revision 01, FEMA Directive 108-1, and FEMA Instruction 108-1-1](#), must also be identified to the FEMA HQ Preparedness Officer within six months of the award and completed EHP review materials must be submitted no later than 12 months before the end of the period of performance. Additional information on EHP policy and EHP review can be found online at <https://www.fema.gov/media-library/assets/documents/90195>. EHP review packets should be sent to gpdehpinfo@fema.gov.

NSGP recipients using funds for construction projects must comply with the *Davis-Bacon Act* (codified as amended at 40 U.S.C. §§ 3141 *et seq.*). See 6 U.S.C. § 609(b)(4)(B) (cross-

referencing 42 U.S.C. § 5196(j)(9), which cross-references *Davis-Bacon*). Grant recipients must ensure that their contractors or subcontractors for construction projects pay workers no less than the prevailing wages for laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the state in which the work is to be performed. Additional information regarding compliance with the *Davis-Bacon Act*, including Department of Labor (DOL) wage determinations, is available from the following website:

<https://www.dol.gov/whd/govcontracts/dbra.htm>.

Training

Nonprofit organizations may use NSGP funds for the following training related costs:

- Employed or volunteer security staff to attend security related training within the United States;
- Employed or volunteer staff to attend security-related training within the United States with the intent of training other employees or member/congregants upon completing the training (i.e., “train-the-trainer” type courses);
- Nonprofit organization’s employees, or members/congregants to receive on-site security training.

Allowable training-related costs under the NSGP are limited to attendance fees for training, and related expenses, such as materials, supplies, and/or equipment.

Overtime, backfill, and/or travel expenses are not allowable costs.

Allowable training topics are limited to the protection of critical infrastructure key resources, including physical and cyber security, target hardening, and terrorism awareness/employee preparedness including programs such as Community Emergency Response Team (CERT) training, Active Shooter training, and emergency first aid training. Additional examples of allowable training courses include: “Stop The Bleed” training, kits/equipment, and training aids; First Aid and other novice level “you are the help until help arrives” training, kits/equipment, and training aids; and Automatic External Defibrillator (AED) and AED/Basic Life Support training, kits/equipment, and training aids.

Training conducted using NSGP funds must address a specific threat and/or vulnerability, as identified in the nonprofit’s Investment Justification. Training should provide the opportunity to demonstrate and validate skills learned, as well as to identify any gaps in these skills.

Proposed attendance at training courses and all associated costs leveraging the NSGP must be included in the nonprofit organization’s Investment Justification. Any training attendance, to include curricula, requires prior approval by DHS.

Contracted Security Personnel

Hiring of contracted security personnel is allowed under this program. NSGP funds may not be used to purchase equipment for contracted security. The sub-recipient must be able to sustain this capability in future years without NSGP funding and a sustainment plan will be required as part of the closeout package for any award funding this capability. Contracted security costs described in the IJ should include the hourly/daily rate, the number of personnel, and anticipated number of hours/days the personnel will work over the course of the period of performance. These costs should be classified as organization costs. Subrecipients may not use NSGP funding to hire full or part-time employees that will be placed on a nonprofit's payroll.

The Homeland Security Act of 2002, as amended by the PRICE of Homeland Security Act limits the use of no more than 50 percent of an award for personnel activities unless a waiver is approved by FEMA. Nonprofit organizations that apply for and are awarded NSGP funds for contracted security personnel must count such costs towards the nonprofit organization's 50% personnel cap. FEMA will review an applicant's contracted security costs prior to award and if approved, will waive the 50 percent personnel cap as a term and condition of the award.

Management and Administration (M&A)

M&A Activities are those costs defined as directly relating to the management and administration of NSGP funds, such as financial management and monitoring. Sub-recipients may use up to five percent (5%) of the FY2022 NSGP funds awarded to them by the State to be used solely for Management and Administration purposes associated with the award. M&A activities are those defined as directly relating to the management and administration of NSGP funds, such as financial management and monitoring. M&A expenses must be based on actual expenses or known contractual costs. Requests that are simple percentages of the award, without supporting justification, will not be allowed or considered for reimbursement. M&A costs are not operational costs, they are the necessary costs incurred in direct support of the grant or as a consequence of the grant and should be allocated across the entire lifecycle of the grant. Examples include preparing and submitting required programmatic and financial reports, establishing and/or maintaining equipment inventory, documenting operational and equipment expenditures for financial accounting purposes; and responding to official informational requests from State and federal oversight authorities.

M&A costs include the following categories of activities:

- Hiring of full-time or part-time staff or contractors/consultants responsible for activities relating to the management and administration of NSGP funds;
- Meeting-related expenses directly related to M&A of NSGP funds

Maintenance and Sustainment

The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Preparedness grant funds may be used to purchase maintenance contracts or agreements, warranty coverage, licenses, and user fees. These contracts may exceed the period of performance if they are purchased incidental to the original purchase of the system or equipment as long as the original purchase of the system or equipment is consistent with that which is typically provided for, or available through, these types of agreements, warranties, or contracts. When purchasing a stand-alone warranty or extending an existing maintenance contract on an already-owned piece of equipment system, coverage purchased may not exceed the period of performance of the award used to purchase the maintenance agreement or warranty. As with warranties and maintenance agreements, this extends to licenses and user fees as well.

Grant funds are intended to support the National Preparedness Goal (the Goal) and fund projects that build and sustain the core capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation. In order to provide recipients the ability to meet this objective, the policy set forth in [IB 379: Guidance to State Administrative Agencies to Expedite the Expenditure of Certain DHS/FEMA Grant Funding](#) allows for the expansion of eligible maintenance and sustainment costs that must be in (1) direct support of existing capabilities, (2) must be an otherwise allowable expenditure under the applicable grant program, and (3) be tied to one of the core capabilities in the five mission areas outlined in the Goal. Additionally, eligible costs may also support equipment, training, and critical resources that have previously been purchased with either federal grant or any other source of funding other than FEMA preparedness grant program dollars.

Unallowable Costs

The following projects are considered **ineligible** for award considerations. Please note, this is not an all-inclusive list:

- Organizational operating/salaries
- General-use expenditures
- Purchase of equipment for contracted security personnel
- Hiring of public safety personnel
- Overtime
- License Plate Reader (LPR) systems
- Facial recognition software
- Knox boxes
- Landscaping

- Sexual Predator Screening Database
- Guns/weapons or weapons training
- Development of risk/vulnerability assessment models
- Reimbursement of pre-award security expenses

H. Additional Resources

Please see below for links to key resources for nonprofit organizations.

- DHS Cybersecurity and Infrastructure Security Agency (CISA) Security Self-Assessment Tool: <https://www.cisa.gov/houses-of-worship>.
- CISA's Mitigating Attacks on Houses of Worship Security Guide: <https://www.cisa.gov/mitigating-attacks-houses-worship-security-guide>.
- DHS Hometown Security – Protection of Soft Targets/Crowded Places: <https://www.cisa.gov/hometown-security>.
- Active Shooter Resources: <https://www.cisa.gov/active-shooter-preparedness>.
- DHS Center for Faith-Based and Neighborhood Partnerships: <https://www.fema.gov/about/offices/faith>.

A complete Federal Resource Links guide has also been posted with the FY2022 NSGP application documents, available here: <https://www.dhses.ny.gov/nonprofit-programs>.

V. Application Review

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

A. DHSES Review:

DHSES staff will conduct an initial review of each application submitted to determine if applications are complete and received by the deadline by an eligible, prequalified nonprofit organization. Applications that receive a “No” for any of the items below may be disqualified without further review or consideration for DHS review.

1. Was the application submitted by **May 31, 2022**?
2. Is the application complete?
3. Is the applicant prequalified in NYS Grants Management?
4. Is the applicant recognized as an IRS 501(c)(3) tax-exempt status organization?
5. Has the applicant obtained and provided a current and valid Unique Entity Identifier (UEI) Number, or requested a UEI Number via SAM.gov?
 - **Please note: if your organization is experiencing unexpected issues due to technical difficulties or backlogs in processing at SAM.gov resulting in a longer than anticipated timeframe in obtaining a UEI number, you will not be disallowed/disqualified from applying solely based on not having a UEI number at the time of application submission to DHSES. If your organization is selected**

by FEMA to receive funding, you must obtain and provide your UEI number prior to DHSES issuing your subaward (expected fall of 2022).

6. Is a copy of the Investment Justification (IJ) attached to the application in the original fillable PDF format? **Please note: a separate E-Grants application and site-specific Investment Justification must be submitted for each requested site.**
7. Is a copy of the organization's mission statement attached to the application?
8. Is a copy of a recent vulnerability assessment attached to the application? **Please note: a separate E-Grants application and vulnerability assessment to contain the site's address as listed on the IJ must be submitted for each requested site.**
9. Do all requested projects align with vulnerabilities as noted in the provided vulnerability assessment?
10. Are all requested projects allowable under the program?

B. State Administrative Agency and Urban Area Working Group Review:

A review will be conducted by the NYC Urban Area Working Group (UAWG) and/or other relevant review panel participants in coordination with DHSES as the State Administrative Agency (SAA). This portion of the review will focus on:

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

This review will produce a score of up to 40 points total (see Exhibit B for more detailed information).

Bonus Points: Due to the competitive nature of this program, preference will be given to nonprofit organizations that meet either or both of the following criteria:

- **New Recipients:** Applicant organizations that have not received NSGP funding in the past will receive fifteen (15) bonus points added to their total federal application score;
- **Underserved Communities:** To advance considerations of equity in awarding NSGP grant funding, FEMA will add additional points to the scores of organizations that are located in historically underserved or disadvantaged communities. FEMA will apply the CDC's [Social Vulnerability Index](#) tool to each applicant and will add ten (10) points to applications from organizations in communities with a "High" SVI ranking (.60 - .79) and fifteen (15) points to applications from organizations in communities with a "Very High" SVI ranking (.80 – 1.0).

NOTE: Upon award, recipients may only fund Investments that were included within the FY2022 Investment Justification that were submitted to DHS/FEMA and evaluated through the Federal review process.

VI. Timeline

- May 13, 2022 – FEMA Notice of Funding Opportunity released
- May 17, 2022 – DHSES releases Request for Applications (RFA)
- May 31, 2022 – Complete application submissions due back to DHSES
- No later than September 30, 2022 – Anticipated FEMA Award Date to DHSES

VII. Appropriation and Availability of Grant Funds

Award of funds is subject to State Budget appropriation authority and the actual award of funds to the State of New York from the U.S. Department of Homeland Security. Each eligible nonprofit organization may apply for up to \$150,000 per site, for up to three (3) sites, for a maximum award of \$450,000 per organization in NSGP-UA and/or NSGP-S grant funds.

VIII. Administration of Grant Contracts

DHSES will negotiate and develop a grant contract with the applicant based on the contents of the submitted application and intent of the grant program as outlined in this RFA. The grant contract is subject to approval by the NYS Office of the Attorney General and the Office of the State Comptroller before grant funding may actually be disbursed to reimburse project expenses.

The period of performance for contracts supported by the Nonprofit Security Grant Program funds will be determined once awards have been approved but cannot extend beyond **August 31, 2025**. Although the contract format may vary, the contract will include such standard terms and conditions included in DHSES grant contracts available for review on the DHSES website: <https://www.dhSES.ny.gov/grant-reporting-forms>.

Applicants agree to adhere to all applicable state and federal regulations.

A. Issuing Agency

This RFA is issued by DHSES, which is responsible for the requirements specified herein and for the evaluation of all applications.

B. Filing an Application

Grant applications must be submitted via the automated DHSES E-Grants System. The system allows an agency to complete an application electronically and submit it online using a secure portal. If, upon reading this RFA, you are interested in completing a grant application and you have not previously been registered to use the DHSES E-Grants system, your organization will

need to register and be assigned a username and password. The Registration Request Form can be found at the following link: <https://www.dhSES.ny.gov/e-grants>.

A detailed tutorial on how to use the E-Grants system can also be found at the following link: <https://www.dhSES.ny.gov/nonprofit-programs>. It will guide you in a step-by-step process through the E-Grants application submission.

C. Reservation of Rights

The issuance of this RFA and the submission of a response or the acceptance of such response by DHSES does not obligate DHSES in any manner. DHSES reserves the right to:

1. Reject any and all applications received in response to this RFA;
2. Withdraw the RFA at any time at DHSES' sole discretion;
3. Make an award under the RFA in whole or in part;
4. Disqualify any applicant whose conduct and/or application fails to conform to the requirements of the RFA;
5. Seek clarifications and revisions of the applications;
6. Use application information obtained through site visits, management interviews and the State's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to DHSES' request for clarifying information in the course of evaluation and/or selection under the RFA;
7. Prior to the application opening, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available;
8. Prior to the application opening, direct applicants to submit application modifications addressing subsequent RFA amendments;
9. Change any of the scheduled dates;
10. Eliminate any non-mandatory, non-material specifications that cannot be complied with by all the prospective applicants;
11. Waive any requirements that are not material;
12. Negotiate with successful applicants within the scope of the RFA in the best interests of the State;
13. Conduct contract negotiations with the next responsible applicant, should DHSES be unsuccessful in negotiating with the selected applicant;
14. Utilize any and all ideas submitted in the applications received;
15. Unless otherwise specified in the RFA, every offer is firm and not revocable for a period of 60 days from the application opening; and,
16. Communicate with any applicant at any time during the application process to clarify responses and /or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an applicant's proposal and/or to determine an applicant's compliance with the requirements of this RFA.
17. Award grants based on geographic or regional considerations to serve the best interests of the State.

18. Terminate, renew, amend or renegotiate contracts with applicants at the discretion of DHSES.
19. Periodically monitor the applicant's performance in all areas mentioned above, in addition to the activities in the contract.
20. Revoke funds awarded to an applicant, or enforce any available sanction against any applicant, who materially alters the activities or is in material noncompliance under the grant award, or who does not implement an approved project within 60 days of the final contract approval.
21. Consider all applications and documentation submitted as State agency records subject to the New York State Freedom of Information Law (Public Officers Law, Article 6). Any portion of the application that an applicant believes constitutes proprietary or critical infrastructure information entitled to confidential handling, as an exception to the Freedom of Information Law, must be clearly and specifically designated in the application.
22. Applicants funded through this program agree to provide DHSES, upon request at any time during the life of the grant contract, such cooperation and information deemed necessary by DHSES to ascertain: (1) the nature and extent of any threats or hazards that may pose a risk to the applicant; and (2) the status of any corresponding applicant or applicant plans, capabilities, or other resources for preventing, protecting against, mitigating, responding to, and recovering from such threats or hazards.
23. Require applicants to attend and participate in any DHSES-sponsored conferences, training, workshops or meetings (excluding those identified by DHSES as voluntary) that may be conducted, by and at the request of DHSES, during the life of the grant contract.
24. In its sole discretion, reserves the sole discretion to increase or decrease the total funding available for this program at any time, resulting in more or fewer applications funded under this RFA.

DHSES may exercise the foregoing rights at any time without notice and without liability to any responding applicant or any other party for its expenses incurred in preparation of responses hereto or otherwise. All costs associated with responding to this RFA will be at the sole cost and expense of the applicant.

D. Term of the Contract

Any resulting contract or agreement for more than \$50,000 from this RFA will be effective only upon approval by both the NYS Office of the Attorney General and State Comptroller. Any resulting contract for \$50,000 and under from this RFA will be effective upon signature of both parties. For grants valued at \$10,000 or less, a Purchase Order invoking a "Letter of Agreement" between DHSES and the successful applicant will be issued.

E. Payment and Reporting Requirements of Grant Awardees

1. Standard Cost Reimbursement Contract

Each successful applicant must enter into a standard cost reimbursement contract with DHSES. Such contract will include this Request for Applications, the successful applicant's proposal, any attachments or exhibits and the standard clauses required by the NYS Attorney General for all State contracts (available upon request). The contract will be subject to approval by the Attorney General and State Comptroller. Although the contract format may vary, the contract will include such clauses, information, and rights and responsibilities as can be found on the DHSES website, including:

APPENDIX A-1 -	Agency Specific Clauses or a Letter of Agreement (Depending upon Funding Amount)
APPENDIX B -	Budget
APPENDIX C -	Payment and Reporting Schedule
APPENDIX D -	Workplan/Special Conditions

For purposes of this RFA, these terms and conditions are incorporated by reference and the applicant must agree to the inclusion of all of these terms and conditions in any resulting grant contracts as part of the application submission. Copies of the standard terms and conditions included in DHSES grant contracts are available for review on the DHSES website at <https://www.dhSES.ny.gov/grant-reporting-forms> . Payments will be made subject to proper documentation and compliance with reimbursement procedures and all other contractual requirements.

2. Compliance with State and Federal Laws and Regulations, Including Procurement and Audit Requirements

2 CFR Part 200

Applicants (also referred to herein as "Subrecipients") are responsible to become familiar with and comply with all state and federal laws and regulations applicable to these funds. Applicants are required to consult with the DHSES standard contract language (referenced above) for more information on specific requirements.

Additionally, applicants must comply with all the requirements in 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards). Applicants are required to understand and adhere to all federal requirements. You may access 2 CFR Part 200 at: <https://www.ecfr.gov/cgi-bin/text-idx?SID=1c9afe07b881b32365c2f4ce1db64860&mc=true&node=pt2.1.200&rgn=div5>

Procurements

Additionally, applicants must follow and comply with all procurement procedures under General Municipal Law 5A and 2 CFR Part 200, Subpart D (see 2 CFR §§200.317-.327), and/or any other state or federal regulations applicable to these funds and will be subject to monitoring by DHSES to ensure compliance.

All other non-federal entities, such as tribes (collectively, non-state entities), must have and use their own documented procurement procedures that reflect applicable SLTT

laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200. These standards include, but are not limited to, providing for full and open competition consistent with the standards of 2 C.F.R. § 200.319 and § 200.320.

Single Audit

Applicants that expend \$750,000 or more from all Federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the requirements of U.S. Government Accountability Office's (GAO) Government Auditing Standards, located at <http://www.gao.gov>, and the requirements of Subpart F of 2 CFR Part 200 located at: <http://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f>.

Environmental and Historic Preservation (EHP) Compliance: As a federal agency, DHS/FEMA is required to consider the effects of its actions on the environment and/or historic properties to ensure that all activities and programs funded by DHS/FEMA, including grant-funded projects, comply with Federal EHP regulations, laws and Executive Orders, as applicable. Sub-recipients proposing projects that have the potential to impact the environment, including but not limited to the modification or renovation of existing buildings, structures and facilities, or new construction including replacement of facilities, must participate in the DHS/FEMA EHP review process. The EHP review process involves the submission of a detailed project description along with supporting documentation so that DHS/FEMA may determine whether the proposed project has the potential to impact environmental resources and/or historic properties. In some cases, DHS/FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies.

Conflict of Interest

Pursuant to 2 CFR §200.112, in order to eliminate and reduce the impact of conflicts of interest in the sub-award process, applicants must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making sub-awards. Applicants are also required to follow any applicable state, local, or Tribal statutes or regulations governing conflicts of interest in the making of sub-awards.

The applicant must disclose to the respective Contract Representative, in writing, any real or potential conflict of interest as defined by the Federal, state, local, or Tribal statutes or regulations or their own existing policies, which may arise during the administration of the Federal award within five days of learning of the conflict of interest. Similarly, applicants must disclose any real or potential conflict of interest to the pass-through entity (State) as required by the applicant's conflict of interest policies, or any applicable state, local, or Tribal statutes or regulations.

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

Additionally, applicants must disclose, in writing to the Federal Awarding Agency or to the pass-through entity (State) all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in § 200.339. Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180 and 31 U.S.C. 3321).

Competition and Conflicts of Interest

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

Under this prohibition, unless the non-federal entity solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.327, federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees.

Some of the situations considered to be restrictive of competition include but are not limited to:

- Placing unreasonable requirements on firms in order for them to qualify to do business;
- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest; Preparedness Grants Manual | February 2021 37

- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

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

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

The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity. If the recipient or subrecipient (other than states) has a parent, affiliate, or subsidiary organization that is not a state, local, tribal, or territorial government, the non-federal entity must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the nonfederal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. 2 C.F.R. § 200.318(c)(2). The non-federal entity must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.

Contracting with Small and Minority Firms, Women’s Business Enterprise and Labor Surplus Area Firms

Pursuant to New York State Executive Law Article 15-A, the New York State Division of Homeland Security and Emergency Services recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of New York State Division of Homeland Security and Emergency Services contracts. Minority and women-owned business enterprises can be readily identified on the directory of certified businesses at: <https://ny.newnycontracts.com/>.

All qualified applicants shall be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Consistent with 2 CFR §200.321, non-Federal contracting entities must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

For purposes of this solicitation, applicants and subcontractors are hereby notified the State of New York has set an overall goal of **30% for MWBE participation** or more, **15% for Minority-Owned Business Enterprises ("MBE")** participation and **15% for Women-Owned Business Enterprises ("WBE")** participation, based on the current availability of qualified MBEs and WBEs for your project needs.

An applicant on any contract resulting from this procurement ("Contract") must incorporate the affirmative steps above into its grant management policies and procedures.

Further, pursuant to Article 15 of the Executive Law (the “Human Rights Law”), all other State and Federal statutory and constitutional non-discrimination provisions, the applicant and subrecipients will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Sexual Harassment Prevention

By submitting this application, Applicants are certifying that Applicant has a policy addressing sexual harassment prevention and that applicant provides sexual harassment training to all its employees on an annual basis that meets the Department of Labor’s model policy and training standards. If Applicant cannot make the certification, the Applicant may provide an explanatory statement with its bids detailing the reasons why the certification cannot be made.

Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance

Article 17-B of the Executive Law enacted in 2014 acknowledges that Service-Disabled Veteran-Owned Businesses (SDVOBs) strongly contribute to the economics of the State and the nation. As defenders of our nation and in recognition of their economic activity in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. SDVOBs can be readily identified on the directory of certified businesses at

<https://online.ogs.ny.gov/SDVOB/search>

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged to the maximum extent practical and consistent with legal requirements of applicable federal laws and regulations including 2 CFR Part 200, State Finance Law, General Municipal Law and the Executive Law to use responsible and responsive SDVOBs in purchasing and utilizing commodities, services and technology that are of equal quality and functionality to those that may be obtained from non-SDVOBs. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses consistent with current State Law. Utilizing SDVOBs in State contracts will help create more private sector jobs, rebuild New York State’s infrastructure, and maximize economic activity to the mutual benefit of the contractor and its SDVOB partners. SDVOBs will promote the contractor’s optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated public procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of SDVOBs by its contractors. The State, therefore, expects bidders and proposers to provide maximum assistance to SDVOBs in their contract performance. The potential participation by all kinds of SDVOBs will deliver great value to the State and its taxpayers.

For purposes of this solicitation, applicants and subrecipients are hereby notified the State of New York has set an overall goal of 6% for SDVOB participation or more.

Contractor will report on actual participation by each SDVOB during the term of the contract to the contracting agency/authority according to policies and procedures set by the contracting agency/authority.

Worker's Compensation and Disability Benefits Insurance Coverage

By submitting this application, Applicants are certifying that Applicant has workers' compensation and disability coverage. If Applicant cannot make the certification, the Applicant may provide an exemption statement with its bids detailing the reasons why the certification cannot be made.

3. Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By submitting a proposal in response to this RFA, or by assuming the responsibility of a Contract awarded hereunder, the applicant (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, applicants are advised that once the list is posted on the OGS website, any applicant seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should DHSES receive information that a person is in violation of the above-referenced certification, DHSES will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the

determination of such violation, then DHSES shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default. DHSES reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

4. Vendor Responsibility

State Finance Law §163(9)(f) requires a State Agency to make a determination that an applicant is responsible prior to awarding that applicant a State contract which may be based on numerous factors, including, but not limited to the applicants: (1) financial and organizational capacity; (2) legal authority to do business in this State; (3) integrity of the owners, officers, principals, members, and contract managers; and (4) past performance of the applicant on prior government contracts. Thereafter, applicants shall at all times during the Contract term remain responsible. The applicant agrees, if requested by the Commissioner of DHSES, or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity. DHSES requires that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System, see the VendRep System Instructions available at: http://www.osc.state.ny.us/vendrep/info_vrsystem.htm or go directly to the VendRep system online at <https://onlineservices.osc.state.ny.us/Enrollment/login?0>. Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at ITServiceDesk@osc.state.ny.us. Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website http://www.osc.state.ny.us/vendrep/forms_vendor.htm or may contact the Office of the State Comptroller's Help Desk for a copy of the paper form. Applicants will also be required to complete and submit a Vendor Responsibility Questionnaire prior to contracting.

a) Suspension of Work for Non-Responsibility:

The Commissioner of DHSES or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under the Contract, at any time, when he or she discovers information that calls into question the responsibility of the applicant. In the event of such suspension, the applicant will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of DHSES or his

or her designee issues a written notice authorizing the resumption of performance under the Contract.

b) Termination for Non-Responsibility:

Upon written notice to the applicant, and a reasonable opportunity to be heard by appropriate DHSES officials or staff, the Contract may be terminated by the Commissioner of DHSES or his or her designee at the applicant's expense where the applicant is determined by the Commissioner of DHSES or his or her designee to be non-responsible. In such event, the Commissioner of DHSES or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue legal or equitable remedies for breach. Applicants shall at all times during the Contract term remain responsible. The applicant agrees, if requested by the Commissioner of DHSES, or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

F. Satisfactory Progress

Satisfactory progress toward implementation includes but is not limited to; executing contracts and submitting payment requests in a timely fashion, retaining consultants, completing plans, designs, reports, or other tasks identified in the work program within the time allocated for their completion. DHSES may recapture awarded funds if satisfactory progress is not being made on the implementation of a grant project.

G. General Specifications

By submitting the application, the applicant attests that:

1. Applicant has express authority to submit on behalf of the applicant's agency.
2. Submission of an application indicates the applicant's acceptance of all conditions and terms contained in this RFA, including Appendices A-1 and C, and all other terms and conditions of the award contract.
3. The application and any resulting grant, if awarded, must adhere to, and be in full compliance with any, resulting contract(s) and relevant federal and states policies and regulations or be subject to termination.
4. Any not-for-profit subrecipients are required to be prequalified, prior to contract execution, by the State of New York upon application submission through the New York State Grants Gateway (<https://grantsgateway.ny.gov>)
5. If your organization is not currently doing business with NYS, you will need to submit a Substitute W-9 form to obtain a NYS Vendor ID. The form is available on the Office of the State Comptroller website at: <http://www.osc.state.ny.us/state-agencies/forms>.

6. Contract Changes - Contracts with applicants/subrecipients may be executed, terminated, renewed, increased, reduced, extended, amended, or renegotiated at the discretion of the Commissioner of DHSES, in light of applicants/subrecipients performance, changes in project conditions, or otherwise.
7. Records – Applicants/subrecipients must keep books, ledgers, receipts, work records, consultant agreements and inventory records pertinent to the project; and in a manner consistent with DHSES contractual provisions and mandated guidelines.
8. Liability - Nothing in the contract between DHSES and the applicant shall impose liability on the State of New York or DHSES for injury incurred during the performance of approved activities or caused by use of equipment purchased with grant funds.
9. Reports - A provider agency shall submit to the DHSES reports in a format and time schedule specified in the grant contract, which shall include a description of the program efforts undertaken during the report period and the current status of the project.
10. Tax Law Section 5-a Certification – In accordance with section 5–a of the Tax Law, sub-recipients will be required, prior to the approval of any contract awarded as a result of this RFA, to certify that it and its affiliates, subcontractors, and subcontractors’ affiliates have registered with the New York State Tax Department for the purpose of collection and remittance of sales and use taxes. In order to trigger this certification requirement, a subrecipient or its affiliates, subcontractor, or subcontractors’ affiliates must have made more than \$300,000 in sales of tangible personal property or taxable services to location within New York State and the contract must be valued in excess of \$15,000. Certification will take the form of a completed Tax Form ST-220 (1/05).
11. Standard Contract Provisions - Grant contracts executed as a result of this RFA process will be subject to the standard clauses for New York State Contracts as referenced herein and as located at:
https://online.ogs.ny.gov/purchase/biddocument/23128i_AppendixA.pdf
12. Compliance with Procurement Requirements - The applicant shall certify to DHSES that all applicable federal and contractual procurement procedures were followed and complied with for all procurements.

H. Special Conditions

New York State Emergency Management Certification and Training Program

1. Participation in, and successful completion of, the New York State Emergency Management Certification and Training Program (EMC Training Program) is a mandatory requirement under this Contract and a condition of funding. The EMC Training Program will be made available to, and required for, DHSES-specified county and city government officials in order to ensure a consistent emergency management preparedness and

response strategy across the State. Attendee substitutions, except as expressly approved by DHSES, shall not be permitted or deemed to be in compliance with this requirement.

2. To fulfill the EMC Training Program requirement of the Contract and in order to be eligible for funding under this Contract, applicants must arrange for DHSES-specified applicant employees to receive and acknowledge receipt of EMC Training no later than 180 days after execution of this Contract. Copies of the training certificates for each required participant must be submitted to DHSES upon execution of the Contract, or, in the event that training is scheduled, but not yet complete, the applicant will be required to submit a signed statement indicating the scheduled future dates of attendance, and no later than thirty (30) days after the training is complete, forward such training certificates to DHSES. Continued compliance with the EMC Training Program also requires an annual refresher training of one day per 365 day-cycle from the date of initial training for previously trained individuals if such person remains employed by the applicant and fulfilling the same functions as he or she fulfilled during the initial training. Should a new employee be designated to serve in the DHSES-specified positions, then he or she must come into compliance with the EMC Training Program requirements not later than 180 days after taking office.
3. Applicants must commit to active participation in a DHSES Annual Capabilities Assessment as a condition of funding. Active participation includes making reasonable staff, records, information, and time resources available to DHSES to perform the Annual Capabilities Assessment and meet the objectives and goals of the program. Applicants must be aware that the process of conducting a DHSES Annual Risk Assessment is an ongoing process and requires a continued commitment on the part of the applicant to ensure that it is effective.
4. All applicants funded through this program agree to provide DHSES, upon request at any time during the life of the grant contract, such cooperation and information deemed necessary by DHSES to ascertain: (1) the nature and extent of any threats or hazards that may pose a risk to the recipients or subrecipients; and (2) the status of any corresponding recipients or subrecipients plans, capabilities, or other resources for preventing, protecting against, mitigating, responding to, and recovering from such threats or hazards.
5. Additionally, pursuant to Article 26 of the NYS Executive law, DHSES is authorized to undertake periodic drills and simulations designed to assess and prepare responses to terrorist acts or threats and other natural and man-made disasters. Funded applicants agree to attend and participate in any DHSES-sponsored conferences, training, workshops or meetings (excluding those identified by DHSES as voluntary) that may be conducted, by and at the request of DHSES, during the life of the grant contract.
6. Failure to comply with any of the requirements, as listed above, may result in sanctions up to and including the immediate suspension and/or revocation of the grant award.

IX. Questions

Questions regarding the FY2022 Nonprofit Security Grant Program for should be directed to the following e-mail address: Grant.Info@dhses.ny.gov. To the degree possible, each inquiry should cite the RFA section and paragraph to which it refers. Written questions will be accepted until **noon on May 27, 2022**.

Updates and frequently asked questions will be posted on the DHSES website (*Please check the website frequently for updates*): <https://www.dhses.ny.gov/nonprofit-programs>.

All technical assistance questions **regarding the E-Grants System** should be directed to DHSES via e-mail (Grant.Info@dhses.ny.gov) or telephone (866-837-9133). **No technical assistance will be available after 5:00 P.M. on May 31, 2022**.

Exhibit A

E-Grants Instructions

Grant applications must be submitted to the NYS Division of Homeland Security and Emergency Services (DHSES) via the automated DHSES E-Grants System. The system allows an agency to complete an application electronically and submit it online. If upon reading this RFA you are interested in completing a grant application, and you have not previously been registered to use the DHSES E-Grants system, your agency will need to register and be assigned a username and password. The Registration Request Form can be found at: <https://www.dhses.ny.gov/e-grants>. Send the completed registration form to: Grant.Info@dhses.ny.gov.

Organizations should use their **full legal name** in the E-Grants system as the Grantee under the “Participant” tab. **This should match the organization name used in all areas of the application process, including the Investment Justification form.**

Instructions for use of the E-Grants system by a nonprofit organization are provided in the E-Grants Tutorial, which can be found at: <https://www.dhses.ny.gov/nonprofit-programs>.

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

Exhibit B

Application Review Information and Scoring Matrix

FY2022 NSGP Applications will be reviewed through a two-phased State and federal review process for completeness, adherence to programmatic guidelines, feasibility, and how well the Investment Justification (IJ) (project description and justification) addresses the identified risk(s).

FY2022 NSGP evaluation criteria include items such as:

- Identification and substantiation of current or persistent threats or attacks (from within or outside the U.S.) by a terrorist organization, network, or cell against the applicant based on their ideology, beliefs, or mission
- Symbolic value of the site(s) as a highly recognized regional and/or national or historical institution(s) that renders the site a possible target of terrorism
- Role of the applicant nonprofit organization in responding to terrorist attacks
- Alignment between the project activities requested within the physical vulnerabilities identified in the organization's vulnerability assessment
- Integration of nonprofit preparedness with broader State and local preparedness efforts
- Completed IJ **for each site** that addresses an identified risk **unique to that site** including the assessed threat, vulnerability, and consequence of the risk, and proposes building or sustaining a core capability identified in the National Preparedness Goal
- Demonstration that the nonprofit organization is located within an underserved or disadvantaged community
- History of prior funding under the NSGP. Not having received prior NSGP funding is a positive factor when calculating the State score of the application.

Application Selection Process: Applications will be reviewed in two phases to leverage local knowledge and understanding of the applicant's risk of a terrorist attack, while also ensuring coordination and alignment with federal, State and local preparedness efforts.

State Review: Applications, to include the organization's Mission Statement and Vulnerability Assessment, must be submitted by the nonprofit organization to the NYS Division of Homeland Security and Emergency Services (DHSES) via the DHSES E-Grants system by **5:00 P.M. on May 31, 2022**, to ensure adequate time for a State review of nonprofit applications.

DHSES will conduct an initial review of all submitted applications from nonprofit organizations to first determine eligibility based on the established criteria. Once eligibility has been determined, the SAA, in coordination with the UAWG, will review and score compliant IJs using the NSGP Scoring Worksheet (see below: *Investment Justification Scoring Worksheet*). Recognizing the impact an organization's ideology, beliefs, or mission may have on their risk of potential terrorist threats, DHSES must use the provided Mission Statement along with

information provided in the applicant's Investment Justification in order to validate the organization type when preparing the SAA Prioritization Tracker.

DHSES is required to provide the scores from the State review along with a prioritized list of NSGP projects to DHS/FEMA. Each application will receive a unique rank. Rankings will be based on subject matter expertise and discretion with consideration of the following factors:

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

Federal Review: The highest-scoring IJs are reviewed by a panel made up of DHS/FEMA Preparedness Officers, FEMA Regional staff, and/or Grants Management Specialists. FEMA typically reviews IJs totaling up to 150% of the available funding.

In determining the number of applications that will advance to the federal review, FEMA will:

- Organize applications in rank order (based on the state scores) from highest to lowest score; then
- Select the highest scored projects for a federal review.

Federal reviewers will score each IJ using the NSGP Investment Justification Scoring Worksheet.

Final Score: To calculate an application's final score, the sum of the applicant's SAA score and the average of the federal reviewers' scores will be multiplied:

- By a factor of three for ideology-based/spiritual/religious entities;
- By a factor of two for medical and educational institutions; and
- By a factor of one for all other nonprofit organizations.

Applicants that have never received an NSGP award will have 15 points added to their score.

To advance considerations of equity in awarding NSGP grant funding, FEMA will add additional points to the scores of organizations that are located in historically underserved or disadvantaged communities. FEMA will apply the CDC's [Social Vulnerability Index tool](#) to each applicant and will add 10 points to applications from organizations in communities with a "High" SVI ranking (.60 - .79) and 15 points to applications from organizations in communities with a "Very High" SVI ranking (.80 – 1.0).

Applicants will be selected from highest to lowest scored until the available target allocation has been exhausted. In the event of a tie during the funding determination process, priority will be given to nonprofit organizations that are located in historically underserved or disadvantaged communities, then those that have not received prior year funding, and then

those prioritized highest by their SAA. Should additional NSGP funding remain unobligated after reviewing all submissions, FEMA will use the final scores, in part, to determine how the remaining balance of funds will be allocated. Submissions will be selected for funding until the remaining balance of funds is exhausted.

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

FY2022 NSGP Scoring Matrix

I – Applicant Information				
Question	Criteria	Score	Explanations	
1	Did the applicant provide all the required information in the Applicant Information Section?	Yes	The applicant did provide all the required information.	
		No	The applicant did not provide all the required information.	
II - Background				
Question	Criteria	Score	Explanations	
2	Did the applicant provide a description of their nonprofit organization to include symbolic value of the site as a highly recognized national or historical institution or significant institution within the community that renders the site as a possible target of terrorism?	0	The applicant did not provide a description of the organization including the symbolic value of the site as a highly recognized institution that renders the site a possible target of terrorism.	
		1	The applicant provided a poor description of the organization including the symbolic value of the site as a highly recognized institution that renders the site a possible target of terrorism.	
		2	The applicant provided an adequate description of the organization including the symbolic value of the site as a highly recognized institution that renders the site a possible target of terrorism.	
		3	The applicant provided a full, clear, and effective description of the organization including the symbolic value of the site as a highly recognized institution that renders the site a possible target of terrorism.	
3	Did the applicant provide a description of their nonprofit organization to include any role in responding to or recovering from events that integrate nonprofit preparedness with broader state/local preparedness efforts?	0	The applicant did not provide a description of the organization that included any role in responding to or recovering from events that integrate nonprofit preparedness with broader state/local efforts.	
		1	The applicant provided some description of the organization that included any role in responding to or recovering from events that integrate nonprofit preparedness with broader state/local efforts.	
		2	The applicant provided a full, clear, and effective description of the organization that included any role in responding to or recovering from events that integrate nonprofit preparedness with broader state/local efforts.	
III - Risk				
Question	Criteria	Score	Explanations	
4	Did the applicant discuss specific threats or attacks against the nonprofit organization or closely related organization?	0	The applicant did not discuss specific threats or attacks against the organization or a closely related organization.	
		1	The applicant provided minimal discussion of threats or attacks against the organization or a closely related organization.	
		2	The applicant provided poor discussion of threats or attacks against the organization or a closely related organization.	
		3	The applicant provided adequate discussion of threats or attacks against the organization or a closely related organization.	
		4	The applicant provided good discussion of threats or attacks against the organization or a closely related organization.	
		5	The applicant provided multiple, detailed, and specific threats or attacks against the organization or a closely related organization.	
5	In considering vulnerabilities, how well did the applicant describe the organization's susceptibility to destruction, incapacitation, or exploitation by a terrorist attack?	0	The applicant did not discuss or describe the organization's susceptibility to attack.	
		1	The applicant provided minimal description of the organization's susceptibility to attack.	
		2	The applicant provided poor description of the organization's susceptibility to attack.	
		3	The applicant provided adequate description of the organization's susceptibility to attack.	
		4	The applicant provided good description of the organization's susceptibility to attack.	
		5	The applicant provided clear, relevant, and compelling description of the organization's susceptibility.	
6	In considering potential consequences, how well did the applicant address potential negative effects on the organization's asset, system, and/or network if damaged, destroyed, or disrupted by a terrorist attack?	0	The applicant did not discuss or describe the potential negative consequences the organization may face.	
		1	The applicant provided minimal description of the potential negative consequences the organization may face.	
		2	The applicant provided poor description of the potential negative consequences the organization may face.	
		3	The applicant provided adequate description of the potential negative consequences the organization may face.	
		4	The applicant provided good description of the potential negative consequences the organization may face.	
		5	The applicant provided a clear, relevant, and compelling description of the potential negative consequences the organization may face.	

IV – Facility Hardening				
Question	Criteria	Score	Explanations	
7	How well does the applicant describe the proposed facility hardening activities, projects, and/or equipment and relate their proposals to the vulnerabilities described in Question 6?	In narrative form in Section IV-A, applicants must clearly explain what the proposed activities, projects, and/or equipment are, identify their estimated cost, and describe how they will mitigate or address vulnerabilities identified in the vulnerability assessment in Section III (Question 6).	0	The applicant did not propose facility hardening or the proposals do not mitigate identified risk(s) and/or vulnerabilities.
			1	Proposed activities, projects, or equipment may provide minimal facility hardening or are only minimally related to some of the identified risk(s) and/or vulnerabilities.
			2	Proposed facility hardening activities, projects, or equipment would likely mitigate identified risk(s) and/or vulnerabilities.
			3	Proposed facility hardening activities, projects, or equipment are clearly aligned with and effectively mitigate the identified risk(s) and/or vulnerabilities.
8	Did the applicant's proposed facility hardening activity focus on the prevention of and/or protection against the risk of a terrorist attack?	The proposed activities, projects, and equipment should directly tie to the prevention of and/or protection against the risk of terrorist attack.	0	The proposed facility hardening activities do not focus on the prevention of and/or protection against the risk of terrorist attack.
			1	The proposed facility hardening activities are somewhat focused on the prevention of and/or protection against the risk of terrorist attack.
			2	The proposed facility hardening activities are adequately focused on the prevention of and/or protection against the risk of terrorist attack.
			3	The proposed facility hardening activities are clearly and effectively focused on the prevention of and/or protection against the risk of terrorist attack.
9	Are all proposed equipment, activities, and/or projects tied to a vulnerability that it could reasonably address/mitigate?	The proposed equipment, activities, and/or projects should mitigate/address the vulnerability tied to it in the Section IV-B table.	0	No vulnerabilities are listed and/or the proposed equipment, activities, or projects do not address listed vulnerabilities .
			1	The proposed equipment/activities/projects are somewhat reasonable to address the listed vulnerability.
			2	The proposed equipment/activities/projects are mostly reasonable to address the listed vulnerability.
			3	The proposed equipment/activities/projects effectively address the listed vulnerability.
V – Milestones				
Question	Criteria	Score	Explanations	
10	How well did the applicant describe the milestones and the associated key activities that lead to the milestone event over the NSGP period of performance?	The applicant should describe the milestones needed to accomplish the goals of the NSGP funding and should include the key activities that will be necessary to accomplish those milestones.	0	The applicant did not provide information on milestones and associated key activities.
			1	The applicant provided some description of milestone events and the associated key activities over the NSGP POP.
			2	The applicant provided adequate description of milestone events and the associated key activities over the NSGP POP.
			3	The applicant fully and effectively described milestone events and the associated key activities over the NSGP POP.
11	Did the applicant include milestones and associated key activities that are feasible over the NSGP period of performance?	Milestones should be realistic, potentially include the entire period of performance (36 mo.), be inclusive of all proposed activities, and consider the Environmental Planning and Historic Preservation review process. Milestones should not exceed 36 months and should not begin prior to the Period of Performance.	0	The applicant did not include milestones and key activities that are feasible over the NSGP POP.
			1	The applicant included milestones and key activities that are somewhat feasible over the NSGP POP.
			2	The applicant included milestones and key activities that are feasible over the NSGP POP.
VI – Project Management				
Question	Criteria	Score	Explanations	
12	How well did the applicant justify the effectiveness of the proposed management team's roles and responsibilities and governance structure to support the implementation of the Investment?	Brief description of the project manager(s) and level of experience.	0	The applicant did not justify the effectiveness of the proposed management team or the structure in place to support implementation.
			1	The applicant somewhat justified the effectiveness of the proposed management team and the structure in place to support implementation.
			2	The applicant fully justified the effectiveness of the proposed management team and the structure in place to support implementation.

VII – Impact				
Question		Criteria	Score	Explanations
13	How well did the applicant describe the outcomes/outputs that would indicate that the investment was successful?	Measurable outputs and outcomes should directly link to the vulnerabilities and consequences outline in Section III.	0	The applicant did not describe the outcomes and/or outputs that would indicate the investment was successful.
			1	The applicant provided minimal information on the outcomes and/or outputs that would indicate the investment was successful.
			2	The applicant provided some information on the outcomes and/or outputs that would indicate the investment was successful.
			3	The applicant provided an adequate discussion of the outcomes and/or outputs that would indicate the investment was successful.
			4	The applicant provided a full and detailed description of the outcomes and/or outputs that would indicate the investment was successful.

Exhibit C

Prequalification Requirement for Nonprofit Applicants

The State of New York has implemented a statewide prequalification process designated to facilitate prompt contracting for nonprofit organizations. Interested organizations are asked to submit commonly requested documents and answer frequently asked questions once. The application requests organizational information about the vendor's capacity, legal compliance, and integrity.

Below is a summary of the steps that must be undertaken in order for you to prequalify:

- Go to the Grants Management website at: <https://grantsmanagement.ny.gov/register-your-organization> and download a copy of the Registration Form. Please review the instructions for submission of this Form. The registration form must be signed, notarized and e-mailed to grantsreform@its.ny.gov along with a copy of your organizational chart that shows, at a minimum, the top three levels of your organization. The form also requires your 10-digit Statewide Financial System (SFS) Vendor ID Number. If your organization does not have an SFS Vendor ID Number, you must submit a completed Substitute W-9 Form along with the Registration Form. The Substitute W-9 Form can be found on the Grants Management website: <https://grantsmanagement.ny.gov/system/files/documents/2018/09/subw9.pdf>. Incomplete forms or missing documentation will hold up your registration process.
- Upon submission of your Registration Form, you will be emailed a User ID allowing you to gain access to the Grants Gateway. Log into the Gateway System and begin your prequalification application.
- Organizations that have already submitted registration materials and received their user credentials can begin to upload documents into the Document Vault and complete their online prequalification application.
- As you fill out the prequalification application, please refer to the Gateway Training Materials and resource links posted on the Grants Management website to help you navigate through the process <https://grantsmanagement.ny.gov/resources-grant-applicants>. If you still have questions, please contact the Grants Management office at grantsgateway@its.ny.gov and someone will get back to you quickly with a response.
- To learn how to obtain the status sheet from the Grants Management website verifying that you are prequalified please refer to page 63 of the E-Grants Tutorial located at: <https://www.dhses.ny.gov/nonprofit-programs>.

All nonprofit organizations **MUST** be prequalified in the Grants Gateway prior to submitting a grant application. If your organization is not prequalified at the time of application submission your application will be disqualified without further review or consideration. Statuses that are considered prequalified are: “Document Vault Prequalified”; “Document Vault Prequalified Open”; and “Document Vault Prequalified/In Review”. Make sure you check your status when you run your prequalification status report to be attached to your E-Grants project.