SFY2019-20 Securing Communities Against Hate Crimes Grant Program
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Agenda

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II. Permissible Costs
III. Contracting Requirements
IV. E-Grants Electronic Signatures Process
V. Minority and Women Owned Business Enterprises (MWBE) Requirements
VI. Procurement: Fair and Open Competition
VII. Internal Controls/Grant Records
VIII. Monitoring vs. Auditing
IX. Modifications – Changes in Scope or Objective
X. Quarterly Reporting: Progress and Fiscal Reporting
XI. Key Points
Overview

- New York State, committed to ensuring the safety and equal treatment of all New Yorkers, is pleased to announce a round of awards under the Securing Communities Against Hate Crimes Grant Program. This funding is being provided to boost safety and security to New York’s eligible nonprofit organizations limited to the following: nonprofit nonpublic schools, nonprofit day care centers, nonprofit community centers, nonprofit cultural museums, nonprofit day camps and nonprofit residential camps, at risk of hate crimes or attacks because of their ideology, beliefs, or mission.

- This round of funding is providing nearly $43 million to facilities across the state.

- Permissible costs include interior and exterior physical security enhancements and security training as noted in the RFA.
Permissible Costs

- Hardening the organization’s facility or facilities including recreational areas adjacent to the facility through exterior and/or interior physical security enhancements; and/or

- Providing security training that will advance the knowledge of security personnel and staff.

- Additionally, the applicant/grantee is solely responsible for compliance with any and all, State and local permitting or environmental compliance requirements.
Permissible Costs Continued

- Permissible costs are focused on both internal and external facility hardening activities that mitigate vulnerabilities identified in the Vulnerability Assessment.

- Security enhancements must be for the facility or facilities that the organization physically occupies at the time of application.

- Allowable equipment consists of, but is not limited to, the following external and internal facility hardening projects:
  
  - Perimeter lighting;
  - Door hardening;
  - Alarm systems;
  - Camera-based security systems;
  - Access control systems;
  - Perimeter fencing; barriers; bollards;
  - Blast resistant film for windows/shatter resistant glass;
  - Interior door hardening/locking mechanisms;
  - Panic Button/Lock-Down systems;
  - Public Address (PA) Systems
Permissible Costs Continued

- The SCAHC Grant Program allows for costs to train security personnel and other appropriate staff to prevent and protect against acts of hate crimes.

- Allowable training topics are limited to the protection of physical security and training that will advance the knowledge of security personnel and/or staff about hate crime activity, suspicious behavior; emergency evacuation procedures and similar topics that will secure the organization.

- All training requires prior DHSES approval and must be within the United States.

Allowable training costs include but may not be limited to the following:

- Attendance fees for training;
- Costs for materials and supplies at training;
- Travel related costs to attend training.
If you have security training in your contract you must get the training curriculum approved by DHSES before you conduct the training session.

DHSES approves the curriculum, not the vendor. Make sure you follow all procurement procedures for training as you would for equipment installation.

Contact your Grants Representative to request training approval.
Contracting Requirements

- NYS DHSES will use the E-Grants System to generate and manage the contracting process.
- **All contracts are reimbursement based.**
- Your contract with New York State will have the following contract dates:
  
  **January 1, 2022 through December 31, 2023**

- Only costs incurred within that timeframe will be eligible for reimbursement.
- You cannot begin your projects until you have an executed contract with NYS DHSES.
- You must at all times, adhere to the appendices as outlined in the contract.
- All contract procurement policies must be followed, or reimbursements may be rejected.
- Any changes to the scope of the work or budgeted items require prior approval from NYS DHSES.
- Any request for changes must fall within the permissible costs of the grant program: physical security enhancements and/or security training and be outlined in your vulnerability assessment.
- You must remain prequalified with NYS Grants Management / Grants Gateway.
E-Grants Electronic Signature Process

Subject: The NYS Division of Homeland Security and Emergency Services (DHSES) E-Grants Notification for Project HC19-1002-D00, contract number: T111111. Grantee: Test Participant

The NYS Division of Homeland Security and Emergency Services (DHSES) has approved your application for funding for Project HC19-1002-D00.

Please access the DHSES E-Grants system to review the contract terms and complete your local acceptance of this grant. Due to the compressed timeframe for the grant, we are requiring you to accept the contract within two weeks. You may open the project via the link below and, after login, click on the Acceptance and Conditions tab to electronically certify the contract Appendices and Special Conditions. All appendices and conditions must be certified before the contract can be electronically signed. Once you've certified all appendices and special conditions, the button to e-sign the contract will appear at the bottom of the acceptance tab.


If you have any questions, please contact DHSES E-Grants Help at (866) 837-9133, or at grant.info@dhses.ny.gov

- When the contract is ready to be E-Signed, the Primary and Signatory contact listed in E-Grants will receive an email stating the contract is ready for signature. Signatory contact must click on the link in the email to access their contract in E-Grants.
- Contracts must be E-signed within two weeks.
There are five special conditions that you need to certify.

- Click on the blue language under Condition Item.
The screen will refresh with the Special Condition.

After you have read and acknowledged the Special Condition, click on the "Certify Condition" button.
Once you certify the condition you will be taken back to the Conditions Tab showing the signatory's name and date certified.

Continue certifying the remaining Special Conditions.
Listed under the *Acceptance* tab are the Appendices to your Contract.

Click on each Appendix, read and certify each of them.
Once you have certified all the Appendices and Special Conditions an **E-Sign** button will appear on the bottom of the Acceptance tab.

Click on the “**E-Sign**” button.
After you have read and acknowledged the Statement, check the box indicating you are agreeing with the E-Signature statement and click the “E-Sign” button.
Contract shows that it was electronically signed.

Click on *Draft Contract* which will create a copy of the contract that can be printed and/or saved to your computer.
When the contract is Executed, the Primary and Signatory contact listed in E-Grants will receive an email stating the contract has been executed.
Minority and Women Owned Business Enterprise (MWBE) Requirements

Pursuant to New York State Executive Law Article 15-A, the New York State Division of Homeland Security and Emergency Services (DHSES) recognizes its obligation under the law to promote opportunities for maximum participation of NYS certified minority and women-owned business enterprises and the employment of minority group members and women in the performance of DHSES contracts.

- Article 15-A was signed into law on July 19, 1988.
- Authorized the creation of an Office (now Division) of Minority and Women's Business Development (under umbrella of Empire State Development (ESD)).
- Aims to promote employment and business opportunities on state contracts for minorities and women.
- Under this statute, state agencies are charged with establishing employment and business participation goals for minorities and women.

DHSES requires that all State-funded contracts comply fully with the 30% MWBE goal:

- ✓ 15% for Minority-Owned Business Enterprises (MBE) participation
- ✓ 15% for Women-Owned Business Enterprises (WBE) participation
• Your MWBE Goal is 30% of your *award/contract* amount.
  
  Example:  $50,000 x 30% = $15,000 MWBE Goal

• The amount of your contract that is applied to your MWBE Goal is called the **Discretionary Amount**. In the example above $50,000 is your Discretionary Amount.

• As an example, NYS OGS State Contract purchases are exempt from MWBE goals and will then reduce your discretionary amount.
  
  Example:  $50,000 - $15,200 (NYS OGS State Contract purchase) = $34,800 (New Discretionary)

  $34,800 x 30% MWBE Goal = $10,440 New MWBE Goal

• Only **New York State Certified** MWBE vendors count towards your participation goal.
How to reach your 30% MWBE Compliance

In order to reach the 30% MWBE Compliance, you must put forth your best effort in reaching out to NYS Certified MWBE vendors and encouraging them to apply for your opportunity. This is done by:

- Searching the NYS Certified MWBE Vendor List for vendors that can provide the equipment and/or service you are looking for.

- Contacting them to make them aware of your advertisement. NYS Certified MWBE vendors can be found at: [https://ny.newnycontracts.com/](https://ny.newnycontracts.com/).

NOTE: You **MUST** follow proper procurement laws and the evaluation criteria and scoring methodology that was established in your RFP.

If you are choosing your vendor by lowest bid and a MWBE Vendor submits a bid and they are not the lowest bid, you cannot hire the MWBE Vendor.
Minority and Women Owned Business Enterprise (MWBE) Requirements Continued

Houses the Directory of over 8,700 Certified MWBEs

- Business Name
- Work Regions
- Industry Codes
- Geographical location
- Business Descriptions
- Contact Person
The NYS Certified MWBE Vendor List can be found at:

https://ny.newnycontracts.com/
Use the “Lookup Commodity Codes” link to find vendors that can provide the equipment and services you are looking to purchase.
You will need to search all **five** categories to find vendors.
In this example we searched security in category CSI: *Construction Specifications Institute Divisions.*
In this example we searched security in category NIGP: National Institute of Governmental Purchasing.
Click the “Add” button for the categories that match your search.
You should also add your Work District to the search. Work Districts are the following:

- Capital Region
- Central NY
- Finger Lakes
- Long Island
- Mid-Hudson
- Mohawk Valley
- North Country
- NYC
- Southern Tier
- Western NY
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Minority and Women Owned Business Enterprise (MWBE) Requirements Continued

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Location</th>
<th>Certification</th>
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</thead>
<tbody>
<tr>
<td>Mickey Mouse Security</td>
<td>New York, NY</td>
<td>MBE</td>
</tr>
<tr>
<td>Donald Duck Enterprises</td>
<td>Syracuse, NY</td>
<td>MBE</td>
</tr>
<tr>
<td>Chip and Dale Inc.</td>
<td>YONKERS, NY</td>
<td>MBE</td>
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<tr>
<td>Buzz Lightyear Inc.</td>
<td>Brooklyn, NY</td>
<td>MBE</td>
</tr>
<tr>
<td>Minnie Mouse Company</td>
<td>College Point, NY</td>
<td>MBE</td>
</tr>
<tr>
<td>Tinkerbell Sales</td>
<td>Long Island City, NY</td>
<td>MBE</td>
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<tr>
<td>Alladin Lighting Supply</td>
<td>Elmont, NY</td>
<td>MBE</td>
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<tr>
<td>Cinderella Shoe Sales</td>
<td>Leroy, NY</td>
<td>WBE</td>
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<tr>
<td>Daisy Duck Cleaning Company</td>
<td>BRONX, NY</td>
<td>MBE</td>
</tr>
<tr>
<td>Mr. Incredible LLC</td>
<td>Brooklyn, NY</td>
<td>MBE</td>
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<tr>
<td>Dumbo Trunk Sales</td>
<td>Woodside, NY</td>
<td>MBE</td>
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</tbody>
</table>

A list of MWBE vendors will be displayed that match your search criteria.

Fictitious vendor names are displayed in this example.
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Minority and Women Owned Business Enterprise (MWBE) Requirements Continued

It is recommended that you download the search results to an excel file and save the search results.
Click on the Certification link and their contact information will be displayed along with a business description.

<table>
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<th>Location</th>
<th>Certification</th>
</tr>
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</tbody>
</table>
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Minority and Women Owned Business Enterprise (MWBE) Requirements Continued

Business & Contact Information

<table>
<thead>
<tr>
<th>BUSINESS NAME</th>
<th>Mickey Mouse Security</th>
</tr>
</thead>
<tbody>
<tr>
<td>OWNER</td>
<td>Mr. Todd Smith</td>
</tr>
<tr>
<td>ADDRESS</td>
<td>1140 East Main St</td>
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<tr>
<td></td>
<td>Colonie, NY 12205</td>
</tr>
<tr>
<td>PHONE</td>
<td>518-996-0000</td>
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<tr>
<td>FAX</td>
<td></td>
</tr>
<tr>
<td>EMAIL</td>
<td><a href="mailto:tsmith@mmsecurity.org">tsmith@mmsecurity.org</a></td>
</tr>
<tr>
<td>WEBSITE</td>
<td><a href="http://mickeymousesecurity.org">http://mickeymousesecurity.org</a></td>
</tr>
</tbody>
</table>

Certification Information

<table>
<thead>
<tr>
<th>CERTIFYING AGENCY</th>
<th>New York State</th>
</tr>
</thead>
<tbody>
<tr>
<td>CERTIFICATION TYPE</td>
<td>MWBE - Minority Business Enterprise</td>
</tr>
<tr>
<td>CERTIFICATION DATE</td>
<td>9/18/2018</td>
</tr>
<tr>
<td>CERTIFIED BUSINESS DESC</td>
<td>Video Surveillance - Security Cameras/Systems with CCTV Access Controls - Authorized Entry via Doors using Key/Fob units Intercom - building Entry Public Address System Alarms - Residential, Business &amp; Commercial Security Alarms and Sensors Computer - Networking, Repair and Desktop Management Wiring - Cat5, Cat6, Siamese, Coaxial, telephone, alarm, intercom, audio/sound, access panel</td>
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</tbody>
</table>
MWBE Outreach Guidelines:

▪ Once your advertisement is posted, you must reach out to the MWBE vendors via email or telephone to make them aware of your RFP.

▪ Make sure that the MWBE vendors you are contacting are certified by ESD to provide the equipment or service you are looking to purchase and also work in your location.

▪ Keep copies of all the emails and any responses from MWBE vendors.

▪ If you are calling MWBE vendors, keep a list of the MWBE vendors you contacted and their response or lack thereof.

▪ Copies of all emails and phone contacts listed above are needed for your reporting requirements if applying for a waiver.

▪ If you were unable to find any MWBE vendors to solicit for your project, take screenshots of your search attempts. These will be required if you need to request a MWBE Waiver.
Minority and Women Owned Business Enterprise (MWBE) Requirements Continued

MWBE Outreach Guidelines Cont:

- Include MWBE language in your RFP (*sample below)*:

  This project is funded by grant monies from the New York State Division of Homeland Security and Emergency Services (DHSES). As part of this grant funding, the project will be subject to the requirements of New York State Executive Law Article 15-A to promote opportunities for the participation of certified minority women or minority owned business enterprises (MWBE), as well as the employment of minority group members and women in the performance of the project. The MWBE goals established for this project are 15% of the contract for MBE and 15% of the contract for WBE. MWBE vendors are encouraged to apply to this solicitation.
MWBE Reporting Requirements

- Grantees must submit the following documents:
  - DHSES MWBE Utilization Form (prior/with initial reimbursement)
  - DHSES MWBE EEO Staffing Plan Form A (prior/with initial reimbursement)
  - DHSES MWBE EEO Staffing Plan Form B (Vendor) (prior/with initial reimbursement for the vendor)

- Reimbursement cannot be made until these forms are submitted.

- Failure to follow all of the requirements as outlined in the contract will result in the reimbursement being rejected.

- MWBE Forms can be found on the DHSES website: https://www.dhses.ny.gov/minority-and-women-owned-business-enterprises-mwbe.

- Instructions for filing out the forms can also be found on our website at: https://www.dhses.ny.gov/dhses-gpa-mwbe-guidance-grantees
This form must be submitted prior to initial reimbursement and can be used as a tracking sheet of spending and MWBE goals.

Reimbursement cannot be made until this form is submitted.

You may need to submit multiple Utilization Forms as you select your vendors.
DHSES MWBE EEO Staffing Plan Form A

New York State Division of Homeland Security and Emergency Services

Local Assistance MWBE Equal Employment Opportunity Staffing Plan Form A - GRANTEE

1. Grantee (Contractor) Name: 

2. DHSES Contract Number: 

3. Federal ID Number: 

4. Grantee (Contractor) Address: 

5. This form indicates the Grantee’s (select one):
   - Work force to be utilized on this contract
   - Total work force

6. Date: 

7. RYS SF5 Number:

8. EEO Goal (Grantee): MBE (Minority) % WBE (Women) %

Enter the total number of employees for each classification in each of the EEO Job Categories identified. This portion of the form (fields 8-14), is a spreadsheet, Fields 13 and 14 will automatically calculate when using this feature.

<table>
<thead>
<tr>
<th>EEO Job Category</th>
<th>Total Male</th>
<th>Total Female</th>
<th>American Indian or Alaska Native (M)</th>
<th>Asian (M)</th>
<th>Black or African American (M)</th>
<th>Hispanic or Latino (M)</th>
<th>Native Hawaiian or Other Pacific Islander (M)</th>
<th>Two or More Races (M)</th>
<th>White (M)</th>
<th>Disabled (M)</th>
<th>Veteran (M)</th>
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<td>Service Workers</td>
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<td>Technicians</td>
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<td>Temporary Appointees</td>
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</table>

IMPORTANT: Employees should only be listed in only one race/ethnic identification category.

15. PREPARED BY (Signature): 
   EMAIL ADDRESS: 
   PHONE NO.: 
   DATE: 

16. MWBE Link:

FOR DHSES USE ONLY

MWBE EEO Staffing Plan Approved  MWBE EEO Staffing Plan Denied

Review Date: 
Reviewer’s Comments:
**DHSES MWBE EEO Staffing Plan Form B (Vendor)**

**SFY2019-20 Securing Communities Against Hate Crimes Grant Program**

**Minority and Women Owned Business Enterprise (MWBE) Requirement Continued**

Must be submitted for each vendor that you are seeking reimbursement for. Vendors who are on NYS Contract and MWBE Vendors do not need to submit this form.

Reimbursement cannot be made until this form is submitted.
How do I track and monitor my MWBE goals?

- You will need to be cognizant of your MWBE goal as you start the procurement process. Each procurement affects your MWBE goal and discretionary amounts.

- Consider sub-contractable opportunities. Vendors can sub-contract to a MWBE vendor.

- A waiver is needed if your MWBE goal cannot be met.

- Submit an updated Utilization Form with your Quarterly Fiscal Reports.

- Utilize your Quarterly Progress Reports as a means to track your progress in meeting your MWBE goals.
Minority and Women Owned Business Enterprise (MWBE) Requirement Continued

What happens if I am unable to meet my MWBE goal?

If you are unable to reach your MWBE goal, you will need to request a waiver. A waiver must show Good Faith Effort that you tried to reach your MWBE Goal.

Information needed in Waiver Request:

- A statement setting forth your reason for requesting the waiver. Include a detailed description of your procurement process and the steps you took to try and reach your MWBE Goal.
- Dollar amount of the procurement.
- A copy of the publication in which your RFP was published along with the dates published.
- A list of all NYS certified MWBEs you solicited for purposes of complying with your MWBE goals.
- Screen shots of your MWBE search on the NYS MWBE website.
- Communication logs with MWBE vendors.
- A listing identifying all vendors that submitted proposals, their bid price, who was selected and the reason why the vendor was selected.
- A copy of the RFP used to solicit vendors.
- Copies of all bids received.
In addition to submitting the MWBE Waiver Request letter and all related backup documentation, this MWBE Waiver form is also required.

DHSES MWBE Waiver Request Form

<table>
<thead>
<tr>
<th>IMPORTANT: Separate attachments must be included with this form, detailing the basis for a partial or total waiver request. By submitting this document, the grantee (contractor) certifies that the grantee has made a good faith effort to promote MWBE participation pursuant to the MWBE requirements set forth in the grant contract.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Grantee (Contractor) Name:</td>
</tr>
<tr>
<td>2. NYS SFS Number:</td>
</tr>
<tr>
<td>3. Federal Identification Number:</td>
</tr>
<tr>
<td>4. Contract Number:</td>
</tr>
<tr>
<td>5. Contract Amount:</td>
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<tr>
<td>6. Approved MWBE Goals:</td>
</tr>
<tr>
<td>MBE %</td>
</tr>
<tr>
<td>a. MBE Waiver</td>
</tr>
<tr>
<td>b. WBE Waiver</td>
</tr>
<tr>
<td>7. Type of MWBE Waiver Requested: Full</td>
</tr>
<tr>
<td>Telephone Number:</td>
</tr>
<tr>
<td>Email Address:</td>
</tr>
</tbody>
</table>

By signing and submitting this form, the grantee (contractor) certifies that a good faith effort has been made to promote MWBE participation pursuant to the MWBE requirements set forth under the contract. Failure to submit complete and accurate information may result in a finding of noncompliance, non-responsibility, and a suspension or termination of the contract.

Submit to: New York State Division of Homeland Security and Emergency Services Grant Program Administration (GPA) 1226 Washington Avenue Building 7A/R Floor Albany, NY 12242

FOR DHSES USE ONLY

REVIEVED BY: |
DATE: |
Waiver Granted: YES | MBE: | WBE: |
Waiver Denied: |
Total Waiver | Partial Waiver |
Conditional (Specific conditions in Comments Section) | Notice of Deficiency (NOD) Issued | NOD Date ___

Reviewer Comments:

[Homeland Security and Emergency Services Logo]
MWBE Waivers

- If the reason for the MWBE waiver is lack of MWBE vendors’ response – provide solicitation logs, in the form of email copies and/or a spreadsheet, that show all contact with NYS certified MWBE vendors. Provide copies of responses made by NYS certified MWBE vendors to your solicitations when applicable.

- If the reason for the MWBE waiver is lack of NYS certified MWBE vendors – provide screen shots of your searches from the NYS MWBE website.
As purchases are completed over a multi-year period of performance, you may find that you need to request certain components/purchases of your contract be exempted from MWBE goals. These are referred to as partial waivers reducing your discretionary.

While your MWBE goal of 30% still stays the same, you are asking for this specific purchase to be exempt from MWBE goals.

This waiver, once approved, will reduce your discretionary amount which is the amount of your contract that is applied to your MWBE goal.

Example: $50,000 contract × 30% MWBE goal = $15,000 MWBE goal

Partial waiver approved reducing discretionary to $35,000

$35,000 × 30% MWBE goal = $10,500 MWBE goal

You can still attempt to achieve the 30% goal on your original contract amount, but for right now you are asking for this portion of the project to be waived so that you can start working on this project.
Minority and Women Owned Business Enterprise (MWBE) Requirements Continued

MWBE Waiver Example #1 – MWBE Vendors Available

- XYZ Organization is requesting a partial waiver for the $15,000 purchase of an access control system. An ad was published in the ABC Sentinel from 5/14 – 5/21/2022. The organization also emailed 6 MWBE vendors about their RFP and although 2 MWBE vendors submitted bids, they were not the lowest bidder and therefore not selected. XYZ Organization is requesting a waiver to use Feel Safe Inc. whose bid was $15,000. Feel Safe Inc. was unable to subcontract to a MWBE Vendor.

- MWBE Vendors solicited via email on 5/14/2022 and 5/21/2022 (emails attached):
  Mickey’s Security (WBE)
  Bailey Electricians (MBE)
  320 Sycamore Surveillance (WBE)
  Gower Safeguard (MBE)
  Pottersville Protection (WBE)
  The Best Defense (WBE)

<table>
<thead>
<tr>
<th>MWBE Vendor Name</th>
<th>Date Contacted</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mickey’s Security</td>
<td>5/14/2022</td>
<td>Bid $21,250</td>
</tr>
<tr>
<td>Bailey Electricians</td>
<td>5/14/2022</td>
<td>Declined to bid due to current workload</td>
</tr>
<tr>
<td>320 Sycamore Surveillance</td>
<td>5/14/2022</td>
<td>Bid $16,700</td>
</tr>
<tr>
<td>Gower Safeguard</td>
<td>5/14/2022 and 5/21/2022</td>
<td>No Response</td>
</tr>
<tr>
<td>Pottersville Protection</td>
<td>5/14/2022 and 5/21/2022</td>
<td>No Response</td>
</tr>
<tr>
<td>The Best Defense</td>
<td>5/14/2022</td>
<td>Just does residential work not commerical</td>
</tr>
</tbody>
</table>

- XYZ Organization solicited bids in a fair and open environment with a local newspaper ad.
- MWBE Vendors were also solicited.
- XYZ Organization communicated with the selected vendor to determine if any subcontractors being utilized were MBWE Vendors.
XYZ Organization is requesting a partial waiver for the $15,000 purchase of a perimeter fence. An ad was published in the ABC Sentinel from 5/14 – 5/21/2022. XYZ also searched the MWBE database and was unable to find any NYS Certified MWBE vendors that could provide fencing. They obtained three other price quotes from their ad. All three were questioned about their NYS MWBE status and none of them are a certified NYS MWBE vendor so they are requesting that they can proceed with the lowest bidder which is Bedford Falls Fencing for $15,000. Bedford Falls Fencing was unable to subcontract to a MWBE vendor.

- XYZ Organization solicited bids in a fair and open environment with a local newspaper ad.
- As part of their MWBE Waiver process, XYZ Organization provided a screenshot of the lack of MWBE Vendors able to provide the services needed for their project.
- XYZ Organization communicated with the selected vendor to determine if any subcontractors being utilized were MBWE Vendors.
Minority and Women Owned Business Enterprise (MWBE) Requirements Continued

MWBE TIPS For Success

- Keep great records and documentation.
- Ask questions along the way. Do not wait until the procurement is completed!
- Consider sub-contractable opportunities – vendors can sub-contract to MWBE vendors.
- Keep in mind that MWBE vendors should always be a part of your procurement process.
- Proper procurement guidelines must always be followed.
- Stay in touch with your Grants Representative over the lifetime of your open contract.
Procurement: Fair and Open Competition

- Procurement policies and the requirements outlined in Appendix A-1 of your Contract must be followed to ensure all procurements are made in a fair and open manner. You should not engage any vendors until you have an executed contract.

- Depending on specific costs, multiple quotes shall be obtained to ensure best value.

- Do not break projects (budget line in contract) into smaller pieces to circumvent the procurement rules.

- When procuring items and/or services using the competitive bidding process the goal is to receive at least three written bids of a high-quality project completed at a fair price. In order to achieve this goal, the invitation for bids can be solicited from an adequate number of sources once the Request for Proposal (RFP) has been advertised. Do not contact vendors before an RFP has been fairly advertised.

- Vendor evaluation - all bids received must be evaluated.
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. These actions are considered to be an organizational conflict of interest. This applies to contractors that help an entity develop its grant application, project plans, or project budget.

Example: Whoever completes your risk assessment or application cannot participate in the bidding process.

Using state or local geographic preferences in evaluating bids or proposals is prohibited!

Additionally, the following situations are considered to be restrictive of competition. These situations must be avoided:

- Requiring unnecessary experience
- Using brand names
- Allowing non-competitive pricing practices
- Using only contractors that are already on retainer
- Allowing organizational conflicts of interest
- Exhibiting arbitrary actions during the procurement process
SFY2019-20 Securing Communities Against Hate Crimes Grant Program

Procurement: Fair and Open Competition Continued
State Contract Purchasing

- Under New York State Finance Law, the NYS Office of General Services (OGS) awards contracts on the basis of lowest price and/or on the basis of best value, to a responsive and responsible offer.

- If you use a NYS OGS contract, you should demonstrate price reasonableness and ensure the best value by obtaining at a minimum, three quotes/bids.

- You must save a copy of the NYS OGS contract with your grant file for auditing and monitoring purposes. You must also keep copies of the OGS Award Notification, OGS vendor listing, and price list of the vendor selected.

NYS OGS contracts may:

- Reduce or eliminate the time required to research specifications
- Enhance and simplify the purchasing process
- Minimize the time required to identify responsible vendors
- Eliminate advertising expenses

To find out if you qualify to purchase from NYS OGS, go to: https://ogs.ny.gov/procurement/ogs-procurement-services-centralized-contract-eligibility-application and complete the form. You can also visit their website at: https://ogs.ny.gov/procurement/ogs-centralized-contracts.
i. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.

ii. A Grantee may purchase any single piece of equipment, single service or multiples of each that cost up to $999 at its discretion.

iii. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between $1,000 and $4,999, a Grantee must secure at least three telephone quotes and create a record for audit of such quotes.

iv. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost of between $5,000 and $9,999, the Grantee must secure at least three written quotes on a vendor’s stationery and maintain a record of the competitive procurement process for audit purposes.

v. A Grantee spending in aggregate of $10,000 and above must use a competitive bidding process. Guidance may be obtained from DHSES. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids (can be an e-mail that is retained until the pre-determined opening date) opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.

A Grantee who proposes to purchase goods or services from a particular vendor without competitive bidding must obtain the prior written approval from DHSES. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable.
“A nonprofit organization in ____ (your City) is seeking sealed bids for the sale and installation of security related enhancements. The project includes: (in general, list the equipment you wish to have installed, i.e.) installation of Closed-Circuit Television equipment. The selection criteria will be based on (include your selection criteria, i.e.) knowledge of surveillance and security, adherence to projected work schedule, prior experience, references, and cost. Specifications and bid requirements can be obtained by contacting us at ____________@gmail.com.” (*Use a generic e-mail address so you don’t attract unwanted attention).

“All interested firms will be required to sign for the proposal documents and provide a primary contact, telephone, and email address.

Bids will be accepted until ____ on _____________ and work is to commence by ________202_ and be completed by ________202_.” (*Your specified deadlines must be reasonable).
Procurement: Fair and Open Competition Continued

What is an appropriate venue and reasonable period of time to advertise?

- **Venue**: when soliciting competitive bids or offers, you are encouraged to utilize more than one form of media to attract qualified bidders or offerors. In addition to using your local newspaper, you may advertise in other newspapers, trade journals, and notices can be posted online.

- **Reasonable period of time**: a minimum of 3 days is recommended as the intent of advertising is to promote open, fair advertisement of the opportunity to provide services.

  ✓ If a newspaper comes out once a week, that meets the 3-day requirement.

What is not appropriate?

- to special interest groups
- in religious periodicals
- in another language
- through internally generated mailings and publications

**Advertising Only:**

- Procurement: Fair and Open Competition Continued
Procurement: Fair and Open Competition Continued
Evaluating the Bids

- Awards must be made in accordance with a pre-determined process - evaluation criteria and scoring methodology must be established before the bids are opened.

- Equal provision of information to all interested parties.

- You may award the contract to the lowest responsible bidder or on the basis of best value, which may include the following elements:
  - Cost
  - Experience/Qualifications of vendor
  - References
  - Ability to conform with projected work schedule
  - Etc.

- Scoring methodology and bid evaluations must be in writing.

- Bid costs must be detailed item by item (not a lumpsum amount).
Internal Controls/Grant Records

As per Appendix A-1 of the Contract, your organization will need to establish and maintain, in paper or electronic form, internal grant procedures, complete and accurate books, documents, receipts, accounts, and other evidence directly related to its performance under the Contract (collectively, Records). Such Records may include, but are not limited to the following:

- Fiscal Cost Reports (FCR’s) and Detailed Itemization Forms (DIF’s).
- Procurement procedures and files (competitive bid documentation) - notice of invitation to bid, copies of advertisements, bidders list, methodology to score bids (selection process), MWBE search results, proposals from bidders, notice of selection of winning bid, record of phone quotes or written vendor quotes, contract, purchase orders, and cost/price analysis. For NYS OGS contract – OGS Award Notification, OGS vendor listing, and price list of the vendor selected.
- Consultant agreement and time and effort reports.
- Receiving or packing slips and invoices (to support date ordered/received on the DIF).
- Billing information and payments (invoices and copies of cancelled checks/cleared EFTs).
- Equipment property record system report by grant.
- Schematics/blueprints for alterations and renovations (if applicable).
Monitoring vs. Auditing

<table>
<thead>
<tr>
<th>Monitoring</th>
<th>Auditing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring is an ongoing review of our subrecipients’ projects and records throughout the performance period of the awards to check on progress and to ensure compliance with State regulations and DHSES contract.</td>
<td>Auditing is a periodic financial/programmatic review by an outside/independent body such as the NYS Office of the State Comptroller, pertinent State agencies, and other designated entities to ensure compliance with State guidelines.</td>
</tr>
</tbody>
</table>
Modifications – Changes in Scope or Objective

- Grantees may not proceed with implementing any of the requested changes until they have received written approval and an executed contract amendment.

- If you feel changes are necessary, please contact your Grants Representative to discuss.

- Any changes to the scope of the work or budgeted items require prior approval from DHSES.

- Any request for changes must fall within the Permissible Costs of the grant program.

What is needed to request a Modification:

- An explanation why the change of scope or objective is necessary.

- A written request must be emailed to your Grants Representative, outlining the scope or objective change, including the approved projects from the grantee’s original application, the funds and relative scope or objective significance allocated to those projects, the proposed changes, and any resulting reallocations as a result of the change of scope or objective.

- The grantee request must also address whether the proposed changes will impact their ability to complete the project within the award’s period of performance.
Quarterly Reporting: Progress and Fiscal Reporting

Fiscal and Progress Reports are required from all grantees according to the schedule below:

- Quarter 1: January 1 – March 31 is due no later than April 30th
- Quarter 2: April 1 – June 30 is due no later than July 30th
- Quarter 3: July 1 – September 30 is due no later than October 30th
- Quarter 4: October 1 – December 31 is due no later January 30th
Quarterly Reporting: Progress and Fiscal Reporting Continued

Progress Reporting

- Submitted in E-Grants.

- Directly addresses the Objectives, Tasks, and Performance Measures in the Work Plan.

- “Tell your story”.

- No activity this quarter should rarely be used. The reason for no activity should be explained in the Remarks section of the progress report.

- Be sure to check Final Report when appropriate.
Log into DHSES E-Grants system and open your project.
Click the word ‘Progress’ in the left-hand column.
Click the “New” button to open a new progress report. Previously submitted progress reports will also be listed.
Fill in the following fields:

- Reporting Period and Reporting Year (drop down fields)
- Person submitting report
- Comments - Can be left blank unless you have no activity to report. *
- Click “SAVE”

*If you have no activity to report*, check the “No Activity this Quarter” box (circled in red) and add information in the “Comments” box indicating why there was no activity. (i.e., organization was closed due to COVID).
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Quarterly Reporting: Progress and Fiscal Reporting Continued

To select the Performance Measure, click the blue #

Click on Workplan Outcomes to report on the Performance Measures.
The Project Goal, Tasks, and Performance Measures are pre-filled from your contract.
Record relevant updates and outcomes in the Outcome Indicator field. If there are any problems or delays to report, that would be documented in the Unanticipated Outcome box. Once details are input, click **Save** at the bottom of the page.

When all the information has been entered, click on the **Submit** button in the left side frame of the screen. Click the **OK** button on the dialog box to confirm that this progress report is to be submitted.

Note: Once the Progress Report is submitted, no changes can be made. If you need to make changes, please contact your grants representative.

Click on **Progress** under Reports to view the complete report that can be printed and/or saved to your computer.
Quarterly Reporting: Progress and Fiscal Reporting Continued

Fiscal Reporting

- Remember, this is a reimbursement-based contract. You must first outlay your funds prior to seeking reimbursement for your expenses.

- Down payments, as a stand-alone item, are not reimbursable UNTIL the work for which the down payment was made is completed.

- Reimbursement paperwork can be sent in as each individual project has been completed and paid for.

- You can download a copy of all the necessary forms at: https://www.dhses.ny.gov/grant-reporting-forms.

- There are three forms that MUST be submitted every time you seek reimbursement:
  1. State Aid Voucher
  2. Fiscal Cost Report (FCR)
  3. Detailed Itemization of Non-Personal Service Expenditures (DIF) - either “Equipment” or “All Other”

- Invoices, Consultant Agreements, and proof of payments (ex: cancelled checks, or EFT verification) are required, and must be submitted with the forms above.

- All required MWBE forms must be submitted before reimbursement paperwork is submitted.

- All forms must be signed and sent to your Grants Representative for submission.
Quarterly Reporting: Progress and Fiscal Reporting Continued

Electronic Payment - Statewide Financial System

As a condition of your contract, you must be signed up for electronic payment with the NYS Office of the State Comptroller.

Signing up for electronic payment is done online, through the NYS Office of the State Comptroller Statewide Financial System’s Vendor Portal. The link to sign into the portal is provided here: Vendor Self-Service Portal. Select the "Enroll in e-Payments (Direct Deposit)" link and follow the prompts to complete your enrollment.

Don't have an account? Enroll in the Vendor Self-Service Portal

Questions or help should be directed to the NYS Office of the State Comptroller Help Desk: Telephone: 855-233-8363 or 518-457-7717 Email: HelpDesk@sfs.ny.gov.
### Quarterly Reporting: Progress and Fiscal Reporting Continued – State Aid Voucher

#### Sample Voucher Form

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Identification Number or SFS Number</td>
<td>This is where you would put the employee's ID number or SFS number.</td>
</tr>
<tr>
<td>Your organization’s name and address</td>
<td>This is where you would insert your organization’s name and address.</td>
</tr>
<tr>
<td>Unique Identifier you would like to put in memo line of reimbursement (Max 20 characters)</td>
<td>This is where you would put the unique identifier.</td>
</tr>
<tr>
<td>Dollar amount you are requesting for reimbursement</td>
<td>This is where you would put the dollar amount.</td>
</tr>
</tbody>
</table>

#### Instructions

- **Put this PHRASE and insert your contract number**
- **Signature of fiscal officer, organization name and address**

---

**State of New York**

**STATE AID VOUCHER**

**Voucher No.:** [Insert Voucher Number]

**Expenses incurred per Contract # C123456**

<table>
<thead>
<tr>
<th>Date Paid</th>
<th>Description of Changes (if any)</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>$35,000.00</td>
</tr>
</tbody>
</table>

**TOTAL**: $35,000.00

---

**FOR STATE AGENCY USE ONLY**

**State Aid**

**State Aid Comptroller’s Pre-Audit**

<table>
<thead>
<tr>
<th>Line Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Expenditure**

<table>
<thead>
<tr>
<th>Dept</th>
<th>Cost Center Code</th>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Liquidation**

<table>
<thead>
<tr>
<th>Dept</th>
<th>Cost Center Code</th>
<th>Object</th>
<th>Amount</th>
<th>Org Agency Code</th>
<th>PO Contract Line</th>
<th>Exp</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**FISCAL COST REPORT**

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>Approved Project Budget</th>
<th>Previous Cumulative Expenditures</th>
<th>Expenditures for this Reporting Period</th>
<th>Current Cumulative Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. PERSONNEL</td>
<td>$20,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>B. FRINGE BENEFITS</td>
<td>$10,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>C. CONSULTANTS</td>
<td>$5,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>D. EQUIPMENT</td>
<td>$30,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>E. SUPPLIES</td>
<td>$5,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>F. TRAVEL</td>
<td>$2,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>G. RENT</td>
<td>$10,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>H. ALT &amp; RENOVATIONS</td>
<td>$8,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>I/J/K/OTHER</td>
<td>$10,000</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$100,000</strong></td>
<td><strong>$0.00</strong></td>
<td><strong>$0.00</strong></td>
<td><strong>$0.00</strong></td>
</tr>
</tbody>
</table>

**12. CASH REQUEST**

- **A. Requested**
  - $20,000

- **B. Expenditure for this Reporting Period (Total of Column C above)**
  - $39,000

- **C. Cash requested from(GRANTER + E-FIN)**
  - $20,000

- **D. Voucher Attached**
  - Yes

**13. Interest Earned-Advanced Funds**

- $0.00

**FCR APPROVED BY PROGRAM REPRESENTATIVE:**

- Signature: __________
- Date: __________

**DHSES FISCAL OFFICE:**

- Approved: _________
- Rejected: _________
- Signature: __________
- Date: __________

---

**New York State Homeland Security and Emergency Services**

**Sample**

**Needs to be signed/dated by Grantee and Fiscal Officer**

**DHSES is being submitted to DHSES**

**Total Expenditures for this reporting period (total of Column C) (Auto populates)**

**Total amount for reimbursement (Matches Standard Voucher amount) (Auto populates)**

**Column A: Approved project budget**

**Column B: Sum of cumulative expenditures from previous periods**

**Column C: Current reporting period expenditures**

**Column D: Total of Column B (cumulative) and Column C (current) (Auto populates)**

**Sequential # of this report**

**Date report is being submitted to DHSES**

**Quarterly report period for this report**

November 9, 2021
These Dates must be verifiable with Grantee’s procurement paperwork. Equipment DIF requires two signatures.

You must select the method of procurement from the drop-down list.

Include Serial Numbers for all items $5,000 and higher or your local capitalization level if it is lower than $5,000.

DHSES Contract Manager will sign this form and return upon completion of grant.

<table>
<thead>
<tr>
<th>Equipment Purchased</th>
<th>Serial No.</th>
<th>Equipment Description</th>
<th>Procurement Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Night Vision Goggles</td>
<td>NYS Utilized Inc</td>
<td>Nightscope 123456</td>
<td>DHSES DSG Contract</td>
</tr>
</tbody>
</table>

You must select the method of procurement from the drop-down list.
Equipment Detailed Itemization Form (DIF) Instructions:

In the boxes labeled:

8a. Contract line number from E-Grants budget.
8b. Provide the description of the purchased items (using the correct category of the contract budget).
8c. Total number of identical items as they appear on the invoice.
8d. Date the equipment was ordered.
8e. Date the equipment was received.
8f. Serial numbers or other unique id # as they appear on each item (required for any single item over $5,000).
8g. Check number for each purchase made. One check may be valid for more than one item or set of items.
8h. Name of the payee as it appears on each check listed.
8i. Amount charged to the grant.
8j. Not applicable to this grant program.
8k. Add NYS MWBE Certification Number (**If** applicable).
8l. You must select the method of procurement from the dropdown list.

9. and 10.- Both boxes need an original signature.
Quarterly Reporting: Progress and Fiscal Reporting Continued

Fiscal Reporting Tips

- All expenditures must be in accordance with approved budget in E-Grants.
- Any changes to the budget MUST be pre-approved through your grants representative before procurement can take place.
- All fields must be completed to ensure prompt payment.
- The Date Ordered and Date Received MUST be within the contract period and must be reflected on the Detailed Itemization Forms (DIF).
- Include Serial Numbers for all items $5,000 and higher or your local capitalization level if it is lower than $5,000. If multiple like items are being reported, simply state “see attached” in the space and attach a list of items and their serial numbers.
- Be mindful that the amount listed at the bottom of each DIF, under Total, is the same amount that is reflected on the FCR and Voucher.
- Submit MWBE reporting forms, if required.
SFY2019-20 Securing Communities Against Hate Crimes Grant Program

Key Points

• You cannot begin ANY work until your contract start date of January 1, 2022; and your contract is EXECUTED.

• No changes can be made to your approved projects without PRIOR approval from DHSES.

• Failure to follow all of the proper procurement policies as outlined in the contract will result in the reimbursement being rejected.

• Reimbursement CANNOT be made until MWBE requirements are met.

• All equipment should be ordered, installed and paid for by the contract end date of December 31, 2023; vouchers must be submitted within 30 days after the contract end date.

• You are required to provide quarterly reports in E-Grants.