

Executive Office of Public Safety and Security Office of Grants and Research

Technical Assistance Webinar

FFY2023 Nonprofit Security Grant Program



**Commonwealth of Massachusetts
Executive Office of Public Safety
and Security**

Maura T. Healey, Governor

Kimberley Driscoll, Lt.
Governor

Terrence M. Reidy, Secretary
of Public Safety and Security

AGENDA

- Welcome

Benjamin Podsiadlo, Chief, Homeland Security Division

Sonya Schey, Division Manager

Brian Nichols, NSGP Program Coordinator

Patricia McGuirk, OGR Program Coordinator

- FFY2023 NSGP Program Overview

- Applicable Laws, Regulations, and Guidance

- NSGP Grant Award Cycle & Processes

- Resources

- Program Contacts

The purpose of this workshop is to...

- Provide an overview of the NSGP
- Explain grant award cycle & processes
- Guide sub-recipients in the successful management and administration of grant awards
- Minimize common challenges

The 5 Take-Away Messages of this Workshop are:

- (1) OGR's role and the sub-recipient's role
- (2) Deadlines and Reporting
- (3) Allowability Framework
- (4) Procurement Rules
- (5) The importance of the Environmental & Historic Preservation (EHP) review process

Roles and Responsibilities

- Sub-recipient is responsible for ensuring compliance with all federal, state and local laws and requirements for funding.
- OGR is your partner. If you have a question or concern on something – please reach out!!

Frameworks

- **LEGAL**
 - Applicable Laws, Regulations, Guidelines
- **FINANCIAL**
 - Financial Management Practices
 - Monitoring
- **PROGRAMMATIC**
 - Results and Accomplishments

Applicable Laws, Regulations, Guidance

■ EOPSS/OGR

- General Sub-recipient Grant Conditions
- Special Conditions
- OGR Programmatic Policies/Guidelines

**Familiarize yourself with the terms & conditions*

Applicable Laws Regulations, Guidance Continued: *FEDERAL*

- Authorizing Statutes
 - Stafford Act 1988
 - Homeland Security Act 2002
 - Post Katrina Emergency Management Reform Act 2006
 - Implementing Recommendations 911 Commission 2007
- 2 CFR Part 200: https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

Applicable Laws, Regulations, Guidance

Continued: *FEDERAL*

Program Guidance includes:

- Award requirements & regulations
- Allowable and unallowable costs
- Award and reporting requirements

**Information can be found in your terms & conditions*

Federal and State Grant Guidance

- FEMA website:
<https://www.fema.gov/grants>
- EOPSS/OGR website:
<https://www.mass.gov/homeland-security-initiatives>
- Allowable Equipment List:
<https://www.fema.gov/authorized-equipment-list>

Grant Cycle

- Application
- Award
- Program Implementation/Administration
 - EHP
 - Procurement
 - Quarterly Reporting
 - Monitoring
 - Tracking
- Reimbursements
- Closeout

Grant Award Package Contents

- Standard Contract
- OGR & Commonwealth Terms and Conditions
- Authorized Signatory Form
- Federal Funding Accountability and Transparency Act Compliance Form (FFATA)
- Risk Assessment Form

Subrecipient Responsibilities

1. Comply with **all** federal and state requirements
2. Contract Start Date is when OGR Executive Director Signs the contract
3. Conduct grant activities **only** during the contract period of performance
4. Timely reporting
5. Keep accurate records
6. **Reach out** to Brian Nichols, NSGP Program Coordinator with any questions or concerns

Avoid These Common Pitfalls

- Conducting grant-funded activities *before* the contract signed by both parties
- Continuing grant-funded activities *after* the contract termination date
- Proceeding with projects without EHP Approval
- Procurement policies not followed
- Unallowable expenditures

Contract Amendments

- Prior written approval from OGR & FEMA for budget changes or scope revisions for grant funded activity after the award is issued.
- Changes in scope will be considered on a case by case basis, provided the change does not negatively impact the competitive process used to recommend NSGP awards.
- Contract extensions require a written request to EOPSS 30 days prior to contract end date; and written approval from EOPSS OGR.

** All amendment requests **must** contain specific and compelling justification*

Subrecipient Files

- Application and Award letters
- Correspondence
- Contract Package
- Financial Records (procurement files, purchase orders, packing slips, invoices, consultant contracts, etc.)
- Reimbursement Records
- Reports (Financial & Programmatic)

Environmental Planning and Historic Preservation (EHP)

- EHP's refer to FEMA's review process for ensuring protection and enhancement of environmental, historic, and cultural resources, as required by Federal environmental and historic preservation laws and Executive Orders.
- EHP review requirements apply to all projects supported by federal homeland security funds.

Environmental Planning and Historic Preservation (EHP)

- Subrecipients must receive prior EHP approval from FEMA before installation of equipment or any ground disturbance
- EHP approval is also needed if conducting an outdoor training or exercise
- Note: Brian Nichols, NSGP Program Coordinator will serve as the liaison to FEMA for the EHP review process (as well as other communication with FEMA). Please send your EHP submission directly to Brian Nichols, NSGP Program Coordinator, not FEMA.

Projects that require an EHP review include, but are not limited to:

- Physical security enhancements
- New installation, construction or renovation (including to the interior of a building)
- Renovations, upgrades to structures of 45 years or older (including equipment installed inside a building)
- Ground disturbing activities
- Communications towers and related equipment and equipment shelters, including the replacement of like equipment
- Any field-base training and exercises
- Purchase of equipment that contains a notation in the Authorized Equipment List (AEL)

Projects that require an EHP review include, but are not limited to:

- Any other grant activity that has the potential to cause environmental or historical impacts, such as those affecting:
 - A historical or potentially historic property (these projects also need review and approval from the Massachusetts Historical Commission and/or local historic commission);
 - A Native American traditional cultural property/religious site;
 - A current or proposed threatened or endangered plant or animal species or their habitat; and
 - A wetland, floodplain, river, lake, coastal area, or other body of water

Project components that do not require EHP review

- Management and Administration
- Classroom-based training/table-top exercises
- Planning
- Contracted security
- Other? Check with your Program Coordinator

Massachusetts Historical Commission (MHC) Review Process

- Projects, such as renovations and/or additions to a historic or potentially historic building or structure within a historic district may require MHC review and approval
- The review is initiated through the submission of a Project Notification Form (PNF) to MHC (*PNF link at Resources page*)
- EOPSS/OGR strongly recommends that for a project that may require a historic review, the PNF be filed with the MHC prior to submitting the EHP Screening Form and that the results from MHC's review be included with the EHP submission

The EHP Review & Approval Process

- Complete an EHP Screening Form and submit it to Brian Nichols, NSGP Program Coordinator.
- After an initial review, FEMA may either return an EHP Approval for the project or request additional information.
- If a project receives an EHP approval notice, **EOPSS/OGR must still grant its full approval before the project may begin.**
- If a project requires additional information, your Program Coordinator will work to obtain the necessary information.

Allowable Cost Categories

- Planning
- Equipment
- Training & Exercises
- Contracted Security (private contracted security only)
- Maintenance & Sustainment
- Construction/Renovation (prior FEMA approval)
- Management & Administration

Costs are allowed only as approved in your Application/Investment Justification and described in the FFY2023 NSGP NOFO.

Equipment

- Must be on the Allowable Equipment List (AEL)
- Must be tracked in a computerized inventory

Common Monitoring Findings

- Procurement laws not properly followed
- Organization must have and follow a procurement policy
- Spending outside of allowable dates
- Failure to submit timely quarterly reports
- Inadequate Equipment Control

Procurement Laws & Policies

- *All procurement transactions shall be conducted in a manner so as to provide maximum open and free competition.*
- Federal
- State:
 - MGL c.7 Section 22 – State and local procurement
 - 801 CMR 21.00 – Procurement of commodities and services
- Local: MGL c. 30B, Section 1 (c) and MGL c.7, Section 22A (see: <https://www.mass.gov/how-to/get-procurement-assistance>)
- Others-Follow organizational policy & federal law

Commingling

- The mixing or blending of funds so that expenditures cannot be identified to a particular grant, project, or indirect activity
- Subrecipient records must adequately identify the source and application of funds for federally sponsored activities
- The subrecipient's financial system must provide for effective control over and accountability for all funds, property, and other assets
- Subrecipients shall safeguard all such assets and assure they are used solely for authorized purposes

Quarterly & Final Reporting

- Programmatic & Fiscal Reports are submitted to EOPSS OGR quarterly during the contract period
 - **Deadlines:**
 - January 15th (for: October 1 – December 31)
 - April 15th (for: January 1 – March 31)
 - July 15th (for: April 1 – June 30)
 - October 15th (for: July 1 – September 30)
- Final reports submitted 30 days after contract termination date
- EOPSS/OGR provides forms & instructions
- You must submit your reports even if there is no spending or activity

Monitoring Site Visit

- Review files for completeness
- Discuss programmatic performance & obstacles or challenges
- Visual inspection of equipment that accurately match the inventory log
- Provide technical assistance

Monitoring: Fiscal Site Visit

- Review Internal Control Policy
- Review accounting system and supporting documentation for approved cost categories.
- Discuss prior monitoring findings and corrective actions
- Review financial records
- Review procurement policy
- Review selected transactions and backup documentation

Monitoring: Desk Review

- Desk reviews are conducted via telephone or virtually
- Discuss programmatic performance
- Provide technical assistance

Reimbursement

- All NSGP sub-awards provided by EOPSS/OGR are reimbursement-based
- Subrecipients with contracts submit reimbursement requests to EOPSS/OGR
- Back-up procurement documentation is required (to legitimize expenses)

Reimbursement Policies for Standard Contracts

- Submit at least quarterly
- Processed by EOPSS/OGR and payment is sent within 45 days of receipt of correct documentation
- EOPSS/OGR will contact sub-recipient within 10 days to notify of a potential issue
- Subrecipient can authorize partial payment

Reimbursement Submission Requirements

Signed cover letter on letterhead

- Identify grant and reimbursement request number in the letter

Itemized List of allowable items

- Identify equipment name/number
- Items, cost per item, total cost

All invoices/proof of costs attached

EHP Approval Letter (if EHP items are involved)

Submit email of reimbursement request to NSGP
Program Coordinator Brian Nichols

Note: For full instructions **see Reimbursement Request Instructions** handout

Causes of Reimbursement Problems

- Missing or incomplete documentation
- Math errors
- Unallowable costs/non-approved expenditures
- Costs that are unidentifiable/not related to homeland security projects
- Expenditures outside contract period
- Overdue and/or incomplete quarterly reports
- Lack of EHP Approval- **EOPSS must deny these reimbursement requests**

Grant Close Out

- Final programmatic reports and reimbursement requests must be submitted within 30 days of the end date of project period.
- De-obligation report will be submitted to EOPSS/OGR to confirm expenditures and officially close out the grant.

Resources

DHS Center for Faith-Based and Neighborhood Partnerships Resources

<https://www.fema.gov/emergency-managers/individuals-communities/faith#preparedness>

-Offers DHS resources for faith-based organizations

DHS Cybersecurity & Infrastructure Security Agency (CISA)

-Community tools and resources to keep public safe and secure

<https://www.cisa.gov/hometown-security>

FEMA Preparedness Grants Manual

<https://www.fema.gov/grants/preparedness/manual>

Chapter 30B Manual

<https://www.mass.gov/how-to/get-procurement-assistance>

Massachusetts Historical Commission Project Notification Form (PNF)

<https://www.sec.state.ma.us/mhc/mhcform/formidx.htm>

Q & A