

# Governor's Office of Homeland Security



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## Fiscal Year 2008 California Port and Maritime Security Grant Program

### *Program Guidelines and Application Kit*

October 10, 2008

# **STATE OF CALIFORNIA**

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## Section One - Overview

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

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B at the November 7, 2006 general election, authorizes the issuance of nineteen billion nine hundred twenty five million (\$19,925,000,000) in general obligation bonds for specified purposes, including grants for port security projects.

### **California Ports Infrastructure, Security, and Air Quality Improvement Account**

Section 8879.23 of the California Government Code creates the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Section 8879.23 (c) directs that three billion one hundred million dollars (\$3,100,000,000) be deposited in the California Ports Infrastructure, Security, and Air Quality Improvement Account. Section 8879.23 (c)(3) directs that one hundred million dollars (\$100,000,000) be made available upon appropriation by the legislature for grant to eligible entities for eligible port and maritime security projects.

### **Senate Bill 88**

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

#### **Senate Bill 88 – Chaptered August 24, 2007**

[http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_0051-0100/sb\\_88\\_bill\\_20070822\\_enrolled.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0051-0100/sb_88_bill_20070822_enrolled.pdf)

### **California Port and Maritime Security Grant Program**

These program guidelines and application kit will provide eligible applicants with the guidance, information and documents necessary to participate in the California Port and Maritime Security Grant Program (CPMSGP) administered by the Governor's Office of Homeland Security (OHS).

The Program Guidelines *and Application Kit* for CPMSGP may be obtained at: <http://www.ohs.ca.gov>

As the administrative agency for the CPMSGP, OHS will issue program guidelines, grant management memorandums, conduct grant management workshops, training sessions, meetings and working groups. Information regarding these activities will be communicated to program participants and the public on the OHS website. A link to the OHS website is provided below. <http://www.ohs.ca.gov>

<b>Funds Available</b>	Funds appropriated for the Fiscal Year (FY) 2008 CPMSGP are fifty-seven million dollars ( <b>\$57,000,000</b> ).
<b>Eligible Recipient Agencies</b>	Eligible applicants shall be publicly owned ports, harbors, and ferryboat and ferry terminal operators.
<b>Eligible Activities</b>	<p><b>Eligible activities include, but are not limited to:</b></p> <ul style="list-style-type: none"> <li>(A) Video surveillance equipment</li> <li>(B) Explosives detection technology, including, but not limited to, X-ray devices</li> <li>(C) Cargo scanners</li> <li>(D) Radiation monitors</li> <li>(E) Thermal protective equipment</li> <li>(F) Site identification instruments capable of providing a fingerprint for a broad inventory of chemical agents</li> <li>(G) Other devices capable of detecting weapons of mass destruction using chemical, biological, or other similar substances</li> <li>(H) Other security equipment to assist in any of the following: <ul style="list-style-type: none"> <li>(i) Screening of incoming vessels, trucks, and incoming or outbound cargo</li> <li>(ii) Monitoring the physical perimeters of harbors, ports, and ferry terminals</li> <li>(iii) Providing or augmenting onsite emergency response capability</li> </ul> </li> <li>(I) Overweight cargo detection equipment, including, but not limited to, intermodal crane scales and truck weight scales</li> <li>(J) Developing disaster preparedness or emergency response plans</li> </ul>
<b>Grant Performance Period</b>	The grant performance period will commence upon grant award notification by OHS to the recipient agency. The duration of the grant performance period will be requested by the recipient agency in their investment justification, reviewed by the peer review panel and confirmed by OHS. <b>In no case will a grant performance period exceed three years.</b>

**Project Approval Process** Projects submitted for funding will be reviewed and approved in a three phase process.

**Phase 1 Investment Justifications** **Phase 1** - eligible applicants may submit Investment Justifications (IJ) on a continuous basis. OHS will convene a Peer Review Panel (PRP), comprised of Port Security Directors who participate in the Governor's California Maritime Security Council (CMSC) that will evaluate the IJs and make recommendations to OHS. OHS will internally review the recommendations of the peer review panel, determine awards and review funding decisions with the CMSC.

**Investment Justification Template** The IJ will be submitted on a one page template provided in Appendix A. The IJ will include the following sections:

- A) Project name
- B) Project Description and deliverables
- C) Project justification
  - How project reduces identified vulnerabilities and buys down risk
  - The impact of not funding the project
  - State goals and objectives met (by number)
  - Alignment with the goals and objectives of the CMSC Strategy
  - Alignment with national priorities of National Strategy for Maritime Security (NSMS)
- D) Project cost or budget (include scalability options, if applicable)

**Phase 2 Project Funding Plan** **Phase 2** – eligible applicants recommended for funding must submit a project funding plan to the OHS that demonstrates the following items. Applicants may submit Project Funding Plan along with IJ to expedite award process.

- 1) That all funds necessary for the project are expected to be reasonably available and sufficient to complete the project
- 2) Identify the useful life of the project as consistent with bond funding
- 3) Describe how the project is consistent with the California State Homeland Security Strategy
- 4) Describe how the project is consistent with the California Maritime Security Council Strategy, its goals and objectives
- 5) Identify the following project delivery milestones, including, but not limited to, the start and completion dates for the following as applicable:
  - a. Project financing
  - b. Permits and entitlements
  - c. Environmental clearance
  - d. Land acquisition, site control, right of way, easements, etc.
  - e. Engineering and architectural design
  - f. Construction bid/award process
  - g. Procurement of equipment, contracts and services
- 6) Project management capability

**Phase 3  
Notice of Project  
Approval**      **Phase 3** - Upon final project approval, recipient agencies will receive a formal notice of approval from OHS. The notice of approval will include project milestones, audit requirements, program monitoring requirements, reporting requirements and direction to complete the OHS Financial Management Forms Workbook (FMFW).

**Payment  
Request Process**      To request reimbursement payment of FY 2008 CPMSGP funds, complete a payment request form using the OHS FMFW and return it to the appropriate Program Representative in the Grant Management Division at OHS.

**OHS Financial Management Forms Workbook**

[http://www.ohs.ca.gov/grants\\_fiscal\\_reporting.html](http://www.ohs.ca.gov/grants_fiscal_reporting.html)

**NOTE:** Payments can only be made if the grantee has an approved application, valid Governing Body Resolution and valid Grant Assurance form.

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

**State Contact  
Information**      Governor’s Office of Homeland Security      Scott Sano  
 ATTN: Grants Management Division      [scott.sano@ohs.ca.gov](mailto:scott.sano@ohs.ca.gov)  
 State Capitol      (916) 324-6119 (office)  
 Sacramento, CA 95814-4900      (916) 322-9053 (fax)  
 (916) 324-8908  
 (916) 324-5902 Fax

**OHS website**      **Governor’s Office of Homeland Security Website**  
<http://www.ohs.ca.gov/>

**Office for Domestic Preparedness (ODP) Secure Portal**  
<https://preparednessportal.dhs.gov/>

**Access to ODP  
Secure portal**      To obtain access to the ODP Secure Portal please contact **BJ Bjornson**, Secure Portal Administrator, Office of Homeland Security, Training and Exercise Program (T&E).

[Bj.bjornson@ohs.ca.gov](mailto:Bj.bjornson@ohs.ca.gov)      Phone (916) 826-4488



## Section Two - Grantee Timeline

<b>FY 2008 CPMSGP Timeline</b>	State budget is signed	September 23, 2008
	Draft Guidance issued	September 26, 2008
	Final day to submit Draft Guidance Comments	October 3, 2008
	Final guidance released	October 10, 2008
	Investment Justifications/Board Resolutions are due	December 5, 2008
	Peer Review Panel (Sacramento, CA, location TBD)	December 10-11, 2008
	Funding Determinations announced	December 19, 2008
	Identification for Funding Letters sent out	January 6-8, 2009
	Financial Management Forms Workbook (FMFW) and Grant Assurances are due	February 9, 2009
	Final Award Letters sent out	March 9-12, 2009
	Final day to request reimbursement for FY 2008 CPMSGP	March 31, 2011

### **Please note:**

- **Ports can submit Board Resolutions prior to Investment Justifications.**
- **OHS encourages Board Resolutions to be submitted with IJs. However, Board Resolutions will be accepted up until March 2, 2009.**
- **Upon receipt of Identification for Funding letter and submission of FMFW and Grant Assurances, OHS will send out Final Award Letter.**

## **Section Three – Key Changes and State Initiatives**

**Key Changes  
and State  
Initiatives**

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## Section Four- Project Funding Plan

### Required Funding Plan Components

A completed project funding plan will include all of the following components.

- **Completed OHS FMFW**
  - Submitted electronically via email.
- Application Cover Sheet
- Grant Management Roster
- Project Ledger
- Project Description
- Project – A thru T
  - Investment Justification – Goals and Objectives
  - Project Description
- Equipment Inventory Ledger
- Authorized Agent form with appropriate signatures

- **Governing Body Resolution – Mailed**

### Funding Plan Project Narrative

- **Project Narrative** Submit on organization letterhead.
  - 1) Certify that all funds necessary for the project are expected to be reasonably available and sufficient to complete the project.
  - 2) Identify the useful life of the project as consistent with bond funding
  - 3) Identify the following project delivery milestones, including, but not limited to, the start and completion dates for the following as applicable;
    - a. Project financing
    - b. Permits and entitlements
    - c. Environmental clearance
    - d. Land acquisition, site control, right of way, easements, etc.
    - e. Engineering and architectural design
    - f. Construction bid\award process
    - g. Procurement of equipment, contracts and services
  - 4) Project management capability project completion
- **Signed Original Grant Assurances – Mailed**
  - Available only in PDF format on the OHS website

The FMFW can be found at <http://www.ohs.ca.gov/grants.html>

**Document Submittal**      **All investment justifications, funding plans and FMFW materials are accepted on a continuous basis.** Additional information will be requested or accepted from grantees at the sole discretion of the OHS.

Completed IJs **must be submitted electronically to the ODP secure portal.** All documents requiring original signatures must be mailed to the address below.

**The mailing address for all applications is:**

Governor's Office of Homeland Security  
ATTN: Grants Management Division  
State Capitol  
Sacramento, CA 95814

ODP Secure Portal

<https://preparednessportal.dhs.gov/>

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

**NOTE:** All applicants will be required to submit a new Governing Body Resolution with their FY 2008 CPMSGP IJ. A sample Resolution can be found in Appendix A.

**Grant Assurances**      The *Grant Assurances* form lists the requirements to which the grantees will be held accountable.

**Important note:**      **Self created grant assurances forms will not be accepted.**

## Section Five- Post Award Requirements

**Post Award Modifications** Post award budget, scope and time modifications must be requested using the FMFW, by the grantee's Authorized Agent, and submitted by email to the grantees Program Representative in the Grant Management Division OHS. Upon approval by Program Representative, grantee will print out the electronic version of the FMFW and mail the hard-copy (with "wet" signature on Authorized Agent Page) to OHS.

**NOTE: Modifications can be requested once per quarter during the grant performance period.** Failure to submit modification requests, and receive written approval prior to expenditure, could result in a reduction or disallowance costs incurred by the recipient agency.

**Grantee Performance Reports** Twice a year grantees must prepare and submit performance reports to OHS, Grants Management Division for the duration of the grant performance period, or until all grant activities are completed and the grant is formally closed. The required forms are attached as Attachment C. Grantees must submit the required reports using the Office for Domestic Preparedness (ODP), Secure Portal <https://preparednessportal.dhs.gov/>.

**Due Dates** Performance reports will be due to OHS on July 31 and January 31.  
- The July 31 report covers activity from January 1 - June 30.  
- The January 31 report covers activity from July 1 - December 31.

**Final Project Report** Within six months of a project becoming operable, the recipient agency shall provide a report to OHS on the final costs of the project as compared to the approved project budget, the project duration as compared to the original project schedule as of the date of allocation, and performance outcomes derived from the project compared to those described in the original application for funding. OHS will forward the report to the Department of Finance (DOF) by means approved by DOF.

**Monitoring  
Grantee  
Performance**

OHS is currently conducting a program of grantee monitoring. The monitoring will be conducted on the grantees administrative, programmatic and fiscal management of the grant(s).

**These reviews may include, but are not limited to:**

- Eligibility of expenditures
- Comparing actual grantee activities to those approved in the grant application and subsequent modifications, if any.
- Confirming compliance with:
  - Grant Assurances.
  - Information provided on performance reports and payment requests.
  - Needs and threat assessments and strategies.

**Important  
note:**

**It is the responsibility of all grantees to monitor and audit the grant activities of their subrecipients. This requirement includes, but is not limited, to on site verification of grant activities as required.**

**Suspension or  
Termination**

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

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

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

**Closeout**

OHS will close a grantee award after:

- Receiving a grantee Performance Report indicating that all approved work has been completed, and all funds have been disbursed;
- Completing a review to confirm the accuracy of reported information; and,
- Final Performance Report reconciling actual costs to awards, modifications and payments.

If the closeout review and reconciliation indicates that the grantee:

- is owed additional funds, OHS will send the final payment automatically to the grantee.
- did not use all funds received, OHS will issue an Invoice or Grant Modification letter to recover unused funds.

In the **Grant Closeout letter**, OHS will notify the grantee of the start of the record retention period for all programmatic and financial grant related records.

**NOTE:** Failure to maintain all grant records for the required retention period could result in a reduction of eligible grant activities, and an invoice to return costs associated with the unsupported activities.

**Payment Request Process**

To request advance or reimbursement payment of FY 2008 CPMSGP funds, complete a payment request form using the FMFW and return it to the appropriate Program Representative at OHS.

**OHS Financial Management Forms Workbook**

<http://www.ohs.ca.gov/grants.html>

**NOTE:** Payments can only be made if the grantee has an approved application, valid Governing Body Resolution and valid Grant Assurance form.

# Section Six – Appendices

<b>Appendix</b>	<b>Document</b>
A	Investment Justification Template
B	Governing Body Resolution Template
C	Performance Report Template





**Appendix B**

**SAMPLE GOVERNING BODY RESOLUTION**

NOTE: Fiscal Year 2008 Resolutions for state bond funds must include the following information. Applicants may include any additional information.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN APPLICATION FOR FUNDING FROM

THE \_\_\_\_\_ AND AUTHORIZING THE  
(name of grant program)

EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS

THERE TO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF

THIS GRANT.

BE IT RESOLVED by the \_\_\_\_\_ of the  
(governing body)

\_\_\_\_\_ as follows:  
(applicant)

**SECTION 1:**

The \_\_\_\_\_ has reviewed and hereby approves application for:  
(governing body)

\_\_\_\_\_ for up to \$ \_\_\_\_\_.  
(name of grant program) (requested amount)

PROJECT A: \_\_\_\_\_  
(name) (project amount)

PROJECT B: \_\_\_\_\_  
(name) (project amount)

PROJECT C: \_\_\_\_\_  
(name) (project amount)

Add projects if necessary

**SECTION 2:**

Be it resolved that \_\_\_\_\_ or  
(authorized agent name/title)

\_\_\_\_\_ or \_\_\_\_\_  
(authorized agent name/title) (authorized agent name/title)

is hereby authorized and directed to act on the \_\_\_\_\_ behalf in all  
(applicant's)

matters pertaining to this application.

PASSED AND ADOPTED at a meeting of the \_\_\_\_\_ of the  
(governing body)

\_\_\_\_\_ held on \_\_\_\_\_.  
(applicant) (date)

OFFICIAL ATTESTING TO THIS ACTION:

ATTEST:

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Print Name: \_\_\_\_\_

## Instruction Sheet for the Governing Body Resolution

**Purpose** The purpose of the Governing Body Resolution is to inform the governing body of the intention to enter into the grant, document their understanding of the responsibilities of the grant and to appoint individuals to act on behalf of the governing body and the applicant.

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**Authorized Agent(s)** The Governing Body Resolution allows for the appointment of individuals or positions. For each person or position appointed by the governing body, submit the following information, with the resolution, to the state on the applicant's letterhead:

- |   |  |
|---|--|
| <input type="checkbox"/> Recipient Agency | <input type="checkbox"/> Telephone         |
| <input type="checkbox"/> Grant Program    | <input type="checkbox"/> Fax Number        |
| <input type="checkbox"/> Name             | <input type="checkbox"/> Cell Phone Number |
| <input type="checkbox"/> Title            | <input type="checkbox"/> E-Mail Address    |
| <input type="checkbox"/> Address          |  |
| <input type="checkbox"/> City             |  |
| <input type="checkbox"/> Zip Code         |  |
- 

- Authorized Agent Changes**
- If the Governing Body Resolution identifies Authorized Agents by position and/or title, changes can be made by submitting new Authorized Agent information to the state.
  - If the Governing Body Resolution identifies Authorized Agents by name, a new Resolution is needed when any changes are made. The information listed above must also be submitted with the new Resolution.

Appendix C  
Performance Report Template

Date:

Recipient Agency:

Project Name:

Performance Period:

Notification of Award Date:

Anticipated Completion Date:

**Milestones** – Insert milestones from award letter – detail progress made toward meeting milestone.

1)

2)

3)

4)

5)

6)

**Signature of Authorized Agent**

**Date**

Name:

Title:

Phone:

Email: