

**FY 2011 Transit Security Grant Program (TSGP)  
Workshop Q&A**

***TSGP Workshops May 23, 2011 through May 27, 2011***

***Washington, DC; Chicago, IL; Denton, TX; New York, NY; Atlanta, GA; San Francisco, CA; Bothell, WA***

*The below questions and answers were discussed at the seven TSGP workshops held in late May 2011. For convenience, they are arranged by the following question types: Operational Activities and Operational Packages; Remediation; Regional Collaboration; Maintenance and Sustainment; Review and Scoring; and Miscellaneous Allowability/Administrative/Application*

**Operational Activities and Operational Packages (OPacks)**

**Q: Are transit law enforcement providers eligible for grant funding?**

A: Per the 9/11 Act, grant awards can only be made to eligible transit agencies. However, law enforcement entities with sworn officers who provide security for eligible transit agencies can receive grant funding as sub-grantees. The eligible transit agency must submit the investment justification (IJ) on their behalf, and following any grant award, must comply with the post-award reporting and other requirements.

**Q: My agency is part of a city government that also has a police force. The city police are contracted with the agency to provide transit law enforcement services for specific circumstances and events. Would we be eligible to apply for “overtime” patrols? How should we write-up our requests for “overtime” patrols?**

A: In your Investment Justification (IJ), specify the circumstances and/or events under which the city police are contracted to provide transit law enforcement, and show the alignment with the specific event(s) for which you are requesting overtime patrols.

You should identify the significant events (Republican or Democratic National Conventions, Super Bowl, etc.) as well as any significant time periods (e.g., major holidays) when you may need to be on heightened alert. Write up these events/timeframes, identifying the number of officers and overtime hours you anticipate needing. You cannot just ask for a lump-sum number for events to be determined in the future, but justify your request with specific events/dates, hours, and overtime rates.

**Q: Is the 10% operational cap a restriction by agency, or nationally?**

A: The operational cap is a program-wide restriction, not agency by agency. We must ensure that no more than 10% of funds for the entire TSGP program are spent on operational activities. However, a single agency's individual award may be more than 10% (and may even be 100%) in operational activities.

**Q: Is there any way to raise the operational cap?**

A: The Secretary of DHS does have the authority to waive the operational cap, if justified. Once we receive and review all of the applications, we will see how many operational projects are recommended for funding, and present the information to the Secretary so she can determine whether to waive the cap.

**Q: How should we write-up our requests for “overtime” patrols? Should we estimate for the year what we think we will need? Usually, we have reprogrammed funding when TSA issues stakeholder awareness messages; without those messages, how should we justify our request?**

A: You should identify any significant events (Republican or Democratic National Conventions, Super Bowl, etc.) as well as any significant time periods (e.g., major holidays) when you may need to be on heightened alert. Write up these events/timeframes, identifying the number of officers and overtime hours you anticipate needing. You cannot just ask for a lump-sum number for events to be determined in the future, but justify your request with specific events/dates, hours, and overtime rates.

**Q: Are vehicles in support of OPacks (e.g., K-9 vehicles) allowable?**

A: Yes, vehicles in support of OPacks are an allowable cost.

**Q: Do OPacks need to be asset-specific, or can they be used system-wide?**

A: We expect that OPacks will be used throughout the entire system to provide visible and unpredictable deterrence, but also focus on high-density areas/stations and time frames.

**Q: Is there a limit to the number of OPack teams we can request?**

A: No, there is no limit to the number of OPack teams an agency can request.

**Q: If I apply for three K-9 teams, but the operational funding is running low, will my application be considered for one or two of the K-9 teams?**

A: If your project is scalable, then we will consider funding the project as much as possible, provided that a security benefit is still recognized. This is true for capital projects as well. If your project is scalable and/or can be conducted in phases, make that clear in your IJ.

**Q: In the past we had to have a security plan and show a commitment to operational sustainment of OPacks after the period of performance. This year, do we now need to submit these plans along with our applications?**

A: Yes. We enter into discussions with OMB, and they look for a commitment of sustainment after the initial period of performance. These grants are for building capabilities, not just maintaining existing plans/capabilities.

**Q: Will the NRP look at our sustainment plan for OPacks when reviewing our application?**

A: The short answer is yes.

**Q: On the Friday teleconference there was mention of predefined events for overtime directed patrols. Is the list pre-defined? What is the threshold for special events?**

A: There is not a “pre-defined” list of events or timeframes. Our suggestion would be to apply for the overtime for the periods/events that you feel are justified, recognizing that not every event qualifies as a major event. You should identify any significant events (Republican or Democratic National Conventions, Super Bowl, etc.) as well as any significant time periods (e.g., major holidays) when you may need to be on heightened alert. Write up these events/timeframes, identifying the number of officers and overtime hours you anticipate needing. You cannot just ask for a lump-sum number for events to be determined in the future, but justify your request with specific events/dates, hours, and overtime rates.

**Q: Have FEMA lawyers reviewed the language on regional partners and those eligible for operational activities on overtime and back fill?**

A: Yes.

**Q: My agency receives law enforcement support from several police forces from Local County, city, and municipal governments. The agreements for transit law enforcement services for specific circumstances and events are different (e.g. contracts, memorandums of understanding [MOU]). Would we be eligible to apply for “overtime” patrols that would cover all of our law enforcement partners? How should we write-up our requests for “overtime” patrols?**

A: In your Investment Justification (IJ), you should specify: 1) each of the law enforcement entities providing transit law enforcement for your agency; 2) the type of agreement your agency has with them (e.g. contract, MOU), and; 3) the circumstances and/or events under which the each law enforcement entity provides transit law enforcement. Lastly, show the alignment with the specific event(s) for which you are requesting overtime patrols.

You should identify the significant events (Republican or Democratic National Conventions, Super Bowl, etc.) as well as any significant time periods (e.g., major holidays) when you may need to be on heightened alert. Write up these events/timeframes, identifying the number of officers and overtime hours you anticipate needing for each specific law enforcement provider. Make sure the costs for each agency are clearly documented in the budget details and note whether the project(s) are scalable; if the project could proceed if the National Review Panel recommended funding for some, but not all, of the law enforcement entities.

You cannot just ask for a lump-sum number for events to be determined in the future, but justify your request with specific events/dates, hours, and overtime rates.

### **Remediation**

**Q: Our security plan is almost three years old and we are scheduled to have an update to our security plan completed in September. Are we still eligible for grants? What if the update is not complete until a month after the three-year mark?**

A: Yes, as long as the update is in progress and scheduled to be completed, you are eligible to apply for other project types.

**Q: My agency is currently undergoing a Baseline for Security Enhancement (BASE) review, but it is not done yet. We have seen preliminary results, and know what we want to focus on. How should we reflect this in our application?**

A: Explain in your Investment Justification (IJ) that the BASE Review is almost complete, and that you are submitting projects that align with preliminary results and discussions from the BASE review.

**Q: How do you recommend we identify ways to buy down risk?**

A: Start by looking at your BASE review and/or other vulnerability assessments. This year we are starting to drive towards BASE so we have harmony between DHS efforts. Look first to see if your BASE review identifies any deficiencies in projects that are eligible under Priority A, as that is our top priority for funding and are also cost effective projects that can be implemented quickly.

**Q: How do you define a “complete” remediation plan?**

A: The plan must address the entirety of the asset, not just a portion. It must identify vulnerabilities for the entire asset, and identify corrective/mitigation actions with projected costs and timelines. Also, you must be in process with EHP documentation, so that mitigation efforts can begin soon after the grant is awarded. There is also a “Remediation Plan Guide” beginning on page 44 of the TSGP Guidance and Application Kit to help you determine if your plan is complete.

**Q: What if I submit a remediation plan and it is deemed incomplete?**

A: After the application period, TSA will reach back out to you and discuss why the plan was deemed incomplete, and work with you to make the necessary corrections/updates to make the plan complete.

**Q: Can you describe what you consider critical infrastructure vulnerabilities against an asset?**

A: Each asset will have unique critical vulnerabilities. We also realize there are changes in risk, as well as new technologies that may come out in the future. However, we face the constant issue of pouring money into regions without an end game. We need to be able to fully remediate assets, show progress, and get stuff done.

**Q: Would it be acceptable if we did a vulnerability assessment and used the assessment and security plan as the remediation plan?**

A: We expect that you have an actual remediation plan that includes costs, timelines, and EHP documentation so that you will be able to break ground soon after you are awarded funding (e.g. “shovel-ready”). If you don’t have a remediation plan we are able to fund you to get a plan. In the first year we expect there will be more applications for designs than for actual remediation. We tried to stay away from a “standard” vulnerability remediation list as each asset has different needs, vulnerabilities, and issues. In the next cycle we hope to have a book of remediation plans for critical assets. That will help us to show appropriators what funding is needed to fully remediate those critical assets. It will show them what specifically can be achieved with the money, and not just a general idea on what is being improved.

**Q: Is a project for chemical or biological sensors in tunnels considered a hardening project?**

A: Yes, those are the kind of things that could be included as remediation actions. As for the biological sensors, those are still considered prototypes but we expect technology to work within the next three years for remediating this threat. Include that in your remediation plan as a prototype and not a final capability.

**Q: If “shovel ready” projects, are those that can be implemented within six months, what is the expected start date for that window? Is it the start of the Period of Performance, or when our agency has access to the TSGP funds?**

A: For a “shovel ready” project, it is expected that within six months of having access to the funds, your agency would be ready to start the project. Transit agencies are reminded to refer to the remediation plan guide in the grant guidance to assist them in completing their IJs with the elements of a “shovel-ready” project.

**Q: In light of recent events in Pakistan and the information that was released in the past couple weeks will right of way (ROW) projects be included on the TTAL?**

A: Prior to recent events we are always looking at our programs to keep ahead of the terrorists. There is nothing that came out of Pakistan that was a surprise, but it is forcing us to take a closer look at sabotage and certain ROWs, bridges, and curves, as well as re-think the priority of those ROWs. If you think something should be on TTAL submit it. Recent information would be a good reason for new assets to be considered for the list. We will continue to look at new intelligence and if our priorities are aligned with current risk.

**Q: Is prior EHP approval required for a project to be considered “shovel-ready”?**

A: “Shovel-ready” projects are those that can be implemented within six months, so it is expected that EHP documentation would be included with the application. There is a remediation plan guide in the grant guidance beginning on page 44 to assist transit agencies in completing their IJs with the elements of a “shovel-ready” project. If the NRP determines that a project is not “shovel ready” it will be reviewed as either a TTAL Remediation Plan project (Priority D), or if for a transit asset not on the Top Transit Asset List, as a design project in Priority E.

**Regional Collaboration**

**Q: You talk about regional collaboration, but this is now a competitive program. How is it that regional collaboration will impact a project’s score when we are in a competitive process? How could you include that since it is a competitive process?**

A: Regional collaboration has always been a scoring component for the historically Tier II competitive program, and we have seen agencies successfully collaborate on regional projects. We would like to see regional collaboration for an asset that is multi-user, as well as when you develop a security plan in order to remediate that asset. For operational deterrence projects, if you deploy work to your colleagues, include that aspect in your project IJ as that would give it a higher collaboration score.

**Q: We could be conflicting ourselves out, but since you require regional collaboration we would end up showing our cards.**

A: We do not require regional collaboration; it is only an opportunity for you to work regionally and earn extra scoring consideration. Also, everyone was showing their cards in the Regional Transit Security Working Group (RTSWG) previously, including training collaboration that was done on the asset. There is a win-win situation to have regional collaboration for hardening a multi-use critical asset that is used by multiple regional partners.

## **Maintenance & Sustainment (M&S)**

**Q: Are M&S costs allowable?**

A: Yes, M&S costs are allowable, provided that the original equipment was purchased with TSGP funding.

With any M&S project, agencies should make sure: 1) the budget details are clearly documented, especially if multiple M&S projects are included; 2) the IJ clearly lists the prior year TSGP projects the M&S will be used to maintain; and, 3) whether the project(s) are scalable.

**Q: If my agency wants to submit M&S requests for more than one equipment type/project, is it better to submit one or multiple IJs?**

A: That decision is up to the agency. Since the National Review Panel (NRP) can score M&S projects up to the same score as the original project, agencies may want to separate the M&S projects based on those that may be eligible for a higher score based on the original project priority. Grouping several M&S projects with varying prior year scores will not result in the IJ receiving the higher score; rather the NRP will assign the funding priority score based on the majority of the IJ request.

**Q: My agency has a prior year project with multiple funding sources, including TSGP. If we wanted to submit an M&S project for warranty extensions or similar, is the entire M&S cost eligible, or only a portion based on the other funding sources?**

A: Whether the entire M&S cost would be eligible for TSGP funding would depend on how original funding sources were applied to the project costs. In this situation, be as specific as possible on the breakdown of the original project funding so the National Review Panel (NRP) can evaluate whether the full M&S costs would be eligible, or a portion based on the original funding breakdown.

With any M&S project, agencies should make sure: 1) the budget details are clearly documented; 2) the IJ clearly lists the prior year TSGP projects the M&S will be used to maintain; and, 3) whether the project(s) are scalable.

## **Review and Scoring**

**Q: Based on the FY 2011 TSGP project scoring methodology, and the fully competitive program, is there a target range, or cut-off, of project scores that agencies can expect to be funded?**

A: No, there is no target scoring range or cut-off. We expect in FY 2011, as in prior years, we will receive TSGP applications in excess of the funding available. However, prior to receipt and National Review Panel (NRP) review of all the grant submissions, there is no way to predict the projects that will

be recommended for award, and what the scoring ranges may be for funded and unfunded projects. Transit agencies should submit grant applications for their security needs, based on the FY 2011 project priorities.

**Q: Based on the FY 2011 TSGP funding priorities, project scoring methodology, and the fully competitive program, is it expected there will be funding available for Priority E projects?**

A: We expect in FY 2011, as in prior years, we will receive TSGP applications in excess of the funding available. However, prior to receipt and National Review Panel (NRP) review of all the grant submissions, there is no way to predict the projects that will be recommended for award, and how the funding will be distributed across the funding priorities. Transit agencies should submit grant applications for their security needs, based on the FY 2011 project priorities. However, historically Priority E projects have been funded in each of the prior years.

**Q: Will “shovel-ready” projects be given priority consideration?**

A: Yes, “shovel-ready” projects will be given extra scoring consideration for all project types.

**Q: How do I find out my transit agency risk group score?**

A: Send an email to [TSAGrants@tsa.dhs.gov](mailto:TSAGrants@tsa.dhs.gov) requesting your score, and we will send it to you.

**Miscellaneous: Allowability/Administrative/Application**

**Q: Is the 11:59 PM Application deadline on July 5 Eastern Time?**

A: Yes, TSGP applications are due in ND Grants no later than 11:59 PM Eastern Daylight Time (EDT) on July 5, 2011. However, the SF-424 is due via [www.grants.gov](http://www.grants.gov) by June 27, 2011.

**Q: Is there a match requirement this year?**

A: No, there is no match requirement for the FY 2011 TSGP.

**Q: Since the IJs are being considered SSI this year, will there be an appropriately marked IJ Template available?**

A: Yes, the SSI IJ Template was sent out via email through TSAGrants, and is available on our website ([www.tsa.gov/grants](http://www.tsa.gov/grants)). Additional information on proper SSI handling procedures can be found at [www.tsa.gov/ssi](http://www.tsa.gov/ssi).

**Q: When does the FY 2011 TSGP Period of Performance start?**

A: The FY 2011 TSGP period of performance is expected to start in the August-September timeframe. This specific information will be included in the award packages from FEMA.

**Q: In the past we have had problems submitting our application through grants.gov. Later, we found out it was a system issue and not an incorrect submittal on our part. Could you have someone on-call the evening of July 5th as ND Grants is a new system, and/or provide us with an emergency number to call?**

A: ND grants help desk will be staffed well into the evening on the night of July 5th. ND grants staff is currently working extended hours. However, that said; try not to wait until the last minute to submit your application or to make sure we have everything.

**Q: In the past, we have been able to get around direct cost funding by hiring contractors. Is that still allowable?**

A: If contractors are hired to work on allowable TSGP projects, and if that has been done in the past, it has not changed in this grant cycle.

**Q: Why are computers that are purchased for anti-terrorism activities an allowable cost, but the software to run those computers is not? Microsoft Project is not part of a normal software package and is not normally allowed.**

A: Software is considered general use so it is not allowable.