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State and Local Implementation Grant Program 2.0(SLIGP) Recommendations

FirstNet is the single most important program for all of public safety in the last 100 years. Next Paradigm, LLC is providing this whitepaper as thought leadership in an effort to maximize the use of SLIGP 2.0 to states, tribes, locals and first responders on how this funding can be used to benefit them directly.

Next Paradigm Consulting, LLC

Recommendations
For the Effective Use of NTIA's
State and Local Implementation Grant Program 2.0
(SLIGP)

EXECUTIVE SUMMARY:

The National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce (USDOC) has issued a Notice of Funding Opportunity (NOFO) for the State and Local Implementation Grant Program (SLIGP) 2.0.

With the SLIGP 2.0 having recently been released, there is an opportunity for local government and first responders to influence the use of the funding to benefit them directly in the local communities. The objective of this whitepaper is to provide thought leadership and recommendations to locals and first responders on how the funding can benefit them directly. We contend, at Next Paradigm, that the single most important reason for the SLIGP program is to engage first responders and local government. This white paper articulates some key elements of the grant guidance with specific recommendations that will benefit first responders.

APPLICATION PERIOD:

Applications from states, Washington DC, and territories will be accepted September 27, 2017 until December 28, 2017 at 11:59 p.m. Eastern Time; or from September 27, 2017 until 11:59 p.m. Eastern Time on the 91st calendar day from the date that the Governor of an applicant State receives notice from FirstNet of its final State Plan, whichever is later.

PROGRAM INTENT:

In brief, the SLIGP was created to assist state, regional, tribal, and local jurisdictions with identifying, planning, and implementing the most efficient and effective means to use and integrate the infrastructure, equipment, and other architecture associated with the nationwide public safety broadband network (NPSBN) being developed by FirstNet to satisfy the wireless broadband and data services needs of their jurisdiction. The SLIGP 2.0 is intended to provide recipients with the necessary resources for continued planning and coordination efforts during the post-State Plan period as Radio Access Network (RAN) buildout occurs.

There are three key areas directed towards states that are "opting in." The first section relates to "Allowable Activities" and the second relates to "Allowable Costs" (Sections D,6,a.i and ii, respectively). In short, and while relatively broad in nature, if you undertake an activity then there are specific costs that can be grant funded in support of that activity. Both of these sections must be considered when making recommendations. Just as important, a full understanding of the third area which relates to "Ineligible Costs" (Section D,6,b,i) is paramount in protecting the financial interests and involvement of all parties as any costs deemed ineligible cannot and will not be reimbursed by the grant.

ALLOWABLE PROGRAM ACTIVITIES:

A. **Single Officer (or governmental body) and staff to, at a minimum, provide for ongoing coordination with NTIA and implementation of grant funds.** *This activity will be administered by the State Point of Contact (SPOC) agency.*

B. **Existing governance body to provide input to the single officer and to contribute towards planning activities to further identify potential public safety users of the NPSBN and prepare for data sharing.**

C. **Data collection in specific areas identified to be helpful as requested by FirstNet.** *This activity is solely driven by requests from FirstNet.*

D. **Development of policies and agreements to increase sharing of data between existing public safety systems across various agencies within the State or territory using the NPSBN.**

E. **Individuals, such as the single officer and governing body members, to perform planning activities to help FirstNet and its partner further identify potential public safety users of the NPSBN.**

F. **Planning efforts to help FirstNet gain inclusion on applicable statewide contract vehicles.**

G. **Planning activities to prepare for emergency communications technology transitions.**

H. **Activities to identify and plan for the transition of public safety applications, software, and databases.**

I. **Identifying and documenting on-going coverage needs/gaps within the State.**

J. **Activities to convene stakeholder outreach events to continue planning for NPSBN implementation, as requested by FirstNet.** *This activity is solely driven by requests from FirstNet and can be integrated into applicable Focus Groups as well as Planning and Coordination Objectives upon being identified by FirstNet.*

RECOMMENDED PROGRAM ACTIVITIES:

The following activities are recommended in compliance with the allowable program activities as cited above. In efforts to attain the maximum utilization of the limited grant funding available, the following activities can be recommended to states for achievement of an efficient transition to be acquired through a more coordinated deployment and implementation of FirstNet:

Creation of Focus Groups for Planning and Coordination Activities:

All focus groups should include a representative of FirstNet and/or its partner, as well as adequate representation of all stakeholders*. Note: The inclusion of a representative of FirstNet and/or its partner has significant potential in minimizing the vast, historical use of grant funds for consultants/contractors, thereby providing maximum flexibility in applying a greater level of grant funds directly toward program goals and objectives.*

Recommended focus groups include the following:

1. **Product Development -** This group should be focusing on development of product applications that are vital to effective and efficient response to any type of disaster or emergency among many disciplines. Such applications include, but are not limited to: video streaming for purpose of helmet and body cameras, and video surveillance; mapping services; large data file transfers such as disaster scene footage and blue prints; Telemetry; and Temperature sensors. *(Eligible under Activities: B,G,H)*
2. **User Needs Assessments -** To include identification of all anticipated users and a needs assessment of application, software and database needs, as well as equipment and transition cost estimates. This group should also be identifying on-going coverage needs/gaps within the state. *(Eligible under Activities: B,E,G,H,I)*
3. **Land Mobile Radio (LMR) to Long Term Evolution (LTE) -** This group's main focus will be the plan and rate of migration of user agencies in the state. Secondarily, this group will need to focus on the future of FirstNet in their respective state/jurisdiction. These challenges will involve not only technology but, much like Land Mobile Radio, will also involve governance, standard operating procedures, training, and sustainable investments. *(Eligible under Activities: G,H)*
4. **User Equipment Acquisition -** This focus group should be researching and identifying federal, state, local, tribal and private funding sources that can be leveraged for the purchase of user equipment and devices. Additionally, all efforts should be made to identify any and all sources of a third-party match and in-kind matches for application to this grant and other federal grant programs anticipated to be used for equipment, training and exercise initiatives. *(Eligible under Activities: G,H)*
5. **Governance, Laws and Policies -** This group should focus on state and local laws, regulations and policies governing the sharing of confidential information outside of their jurisdictions respectively. Additionally, this group should be working with purchasing authorities for revisions to purchasing and contract policies to allow for sole provider contracts in advance of deployment and implementation of FirstNet within each state and

local jurisdiction in preparation for purchasing of equipment, services and fees. *(Eligible under Activities: B,D,F,G,H,)*

6. **Deployment and Implementation of FirstNet -** This group should be developing the proverbial road map on the state's intent for deployment and implementation of FirstNet. *(Eligible under Activities: B,G,H)*

Planning and Coordination Objectives:

The SLIGP 2.0 grant is a program created for planning and coordinating purposes only. This grant does not cover costs associated with equipment, training or exercise.

a. **Statewide Communications Interoperability Plan (SCIP) -** As has been highly recommended by the U.S. Department of Homeland Security, states are encouraged to coordinate their SCIP's with surrounding states. The inclusion of a representative of FirstNet and/or its partner in this effort is critical and should be strongly considered as to ensure that a robust level of consistency is present in the deployment and implementation of FirstNet across all state borders. *(Eligible under Activities: B,D,G,)*

b. **Tactical Interoperability Communications Plan (TICP) -** As with the SCIP's, the TICP's should also be coordinated with surrounding jurisdictions. *(Eligible under Activities: B,D,G,)*

c. **State-to-State Communications Interoperability -** See "Planning and Coordination Objectives" #a. On a nationwide scale, the inclusion of representative(s) of FirstNet and/or its partner is critical. Further, it would be recommended that these efforts be coordinated with the Emergency Management Assistance Compact (EMAC) Committee within the National Emergency Management Association (NEMA). EMAC is the compact that provides for the coordination of resources between states during disasters. *(Eligible under Activities: B,D,G,H)*

d. **Governance for Data Sharing -** Existing laws, regulations and policies within each state need to be reviewed and possibly revised/amended to allow for the sharing of information on a state-to-state basis. Currently, and following the events of 9/11, most states developed laws, regulations and policies that specifically prohibit the sharing of confidential information outside of the state or to anyone who does not have a "need to know." A potential solution, barring legislative action, would be the development and use of interstate and interlocal agreements and/or mutual aid agreements. *(Eligible under Activities: B,D,G,H)*

e. **Emergency Operation Center (EOC) Integration of FirstNet Resources -** Planning efforts for reviewing and revising the role of Emergency Support Function 2 (ESF2), or its equivalent, should strongly take into consideration the inclusion of FirstNet and it partner to allow for real-time coordination of FirstNet assets and avoidance of negative network effects and RF interference. Further, this would require the inclusion of FirstNet and its partner to participate in all planning, training and exercise activities of the EOC. An

additional point of interest is the coordination between the State's EOC and any EOC's at the local level. *(Eligible under Activities: B,D,G,H)*

f. **Multi-Jurisdictional, Multi-Discipline Interoperability -** All planning efforts should work across all jurisdictions and disciplines, as well as tribal, private and non-profit partners within each state. Some of these partners cross over state borders which will require state-to-state coordination. *(Eligible under Activities: B,D,G,H)*

g. **Development of a Training Plan -** A plan should be developed which identifies the FirstNet training necessary for first responders, EOC's and other partners. This training should include, but is not limited to the transition to FirstNet, FirstNet Web Portal Training, FirstNet Interoperability Training, and Small Agency Support and Adoption Training. Note: This planning objective is strictly to address *"planning"* only as actual training costs are not an eligible expenditure of the grant funds. *(Eligible under Activities: G,H)*

h. **Development of an Exercise Plan -** An exercise plan should be developed for implementation upon completion of planning and training activities for purposes of identifying and documenting on-going coverage needs/gaps within the state as well as any weaknesses in user's utilization of FirstNet and/or any specific training components. Note: This planning objective is strictly to address *"planning"* only as actual exercise costs are not an eligible expenditure of the grant funds. *(Eligible under Activities: G,H)*

i. **FirstNet and/or Partner Conferences -** States should seek support from FirstNet and/or its partner whenever possible. *(Eligible under Activities: A-J)*

INELIGIBLE COSTS FOR OPT-IN STATES:

▪ Education of the FirstNet and partner network solution, marketing of service, user subscription activities that would fall under FirstNet's partner's contractual obligations as publicly described by FirstNet or its partner.
▪ Any FirstNet or FirstNet Partner fees including user fees and acquisition costs related to FirstNet service or devices.
▪ Further data collection other than any activities specifically requested in writing by FirstNet.
▪ User adoption activities, including, but not limited to, the subscription of users.
▪ Deploying and operating demonstration networks, even for outreach purposes.
▪ Radio Access Network (RAN) design, engineering and architecture; constructing, operating, maintenance, and improvement costs for a RAN.

SLIGP 2.0 MATCH REQUIREMENTS:

As with almost all NTIA grants, the SLIGP 2.0 grant <u>does</u> require a non-federal cost share ("match") of 20%. While the grant does provide provisions to request a waiver of the cost share, it is highly unlikely that a waiver will be granted.

The non-federal match must:

- Be verifiable from the recipient's records
- Be necessary and reasonable for proper and efficient accomplishment of project or program objectives
- Be non-federal funds
- Not be counted toward satisfying a matching requirement of another federal grant agreement
- Be provided in the approved budget

The 20% non-federal match for the SLIGP 2.0 can be met in the following ways:

1. **Cash** ("Hard Match")

2. **In-Kind Contributions** (considered non-cash to the program or "Soft Match") may include:
   a) *Volunteer Time* - Time of non-federally funded stakeholders attending FirstNet, NPSBN and SLIGP related conferences, meetings, workshops, and outreach and education sessions, as well as SIEC working group sessions as long as the session is focused on FirstNet and/or NPSBN, or a portion thereof. For non-State employees, calculations are based on regular pay and do not include fringe benefits.
   b) *Employee Contributions* - Applicable to State employees only and do include fringe benefits.
   c) *Indirect Costs* - Applicable to State only.
   d) *Mileage* - Mileage incurred by stakeholders attending FirstNet or NPSBN related meetings. Mileage costs are calculated based on the State's mileage reimbursement rate and can only be used as non-federal match if State is not reimbursing mileage with federal funds.

3. **Third-Party Contributions** (also non-cash to the program) may include:
   a) *Employees of other organizations* – Typically, this type of non-federal contribution consists of individuals who are not governmental employees. Calculations are based on regular pay and do not include fringe benefits. Key to this category is that the employee(s) are in no way part of federally contracted obligations relative to the SLIGP program and are not federally funded.
   b) *Donated use of equipment or space* - Contribution is valued at the fair rental rate.
   c) *Donated Supplies, Equipment, Buildings and Land* (Title passes to the grantee or sub-grantee) - Donated supplies and equipment that are valued at less than $5,000 per unit can be used as Third-Party Contributions and are valued at market value at the time of donation. Additionally, if a purchasing agency is charged less than the market value of a supply or piece of equipment, the difference can be used as non-federal match. Example: If the market value of a unit of equipment is $199 and the vendor provides the unit to the buyer at a cost of $49, the donated amount per unit is $150 and can be used to assist in meeting the non-federal match requirement. NOTE: This methodology can also apply to other federal grant programs that may be used for purposes of equipment acquisition.

How to Engage:

Many times, local governments know about grant programs, but don't know how to engage and get involved. Each state is different in how they select their SPOC and where the SPOCS office resides within that state government. Some possible ways to engage would include:

- Contact your local Sheriff, Police Chief, Fire Chief or emergency manager to determine their involvement and request that they advocate for any of the elements that are important to your agency.

- Contact your state SPOC directly and let them know what is important to you and your agency. You can find a list of state SPOCs at https://www.firstnet.gov/consultation/spoc

- Participate at local meetings hosted by your SPOC or state FirstNet office.

Conclusion:

For any program to be successful it requires the participation of the end user. This is no different. FirstNet is the single biggest change to public safety in the last 100 years. It will impact you so be engaged.

This white paper is the work and opinion of Next Paradigm Consulting, LLC. Next Paradigm would like to thank Kamala Kuhn for her work in developing this document. Ms. Kuhn is the former Deputy Chief for the Nevada Division of Emergency Management and has over 20 years of grant management experience and over 30 years of state government experience. One of her greatest accomplishments was integration local governments and first responders into the grants process. Ms. Kuhn now consults on emergency management and grants related projects. For more information on Next Paradigm Consulting visit www.next-paradigm.com.