

**ARK-TEX COUNCIL OF GOVERNMENTS
HOMELAND SECURITY ADVISORY
COMMITTEE MEETING
November 14, 2024**

MINUTES

The meeting of the Ark-Tex Council of Governments Homeland Security Advisory Committee was called to order by **Chad Graves** at 10:11 a.m., November 14, 2024, at Mt Pleasant Public Library.

Whitney Fezell provided the minutes from August 22, 2024 meeting, **Robert Hurst** made the motion to approve the minutes, seconded by **Lance Hall** and approved by majority.

First non-voting item is a brief homeland security update.

Whitney Fezell provided the committee with a homeland security update. The committee was advised that all FY24 grant with the exception of two has closed. The committee was informed that new grants do not have the NSCR requirement attached to them, if they have received funding from previous year funding source that then NSCR requirement is valid. They will need to upload their certificate from that year. Committee was also advised that general assessments are due on most grants. **Whitney Fezell** provided a SERI fund update to the committee, as well as told the committee that the SERI grant will not open this year.

The first voting item on the agenda is review and approve ATCOG THIRA/SPR/IP plans. **Whitney Fezell** advised the committee that a THIRA committee was formed and met in October to review and develop these docs. **Whitney Fezell** went over some of the changes and capabilities that was assessed by the committee. The committee was informed that the plans will go to ATCOG Board for final review and approval before they can be utilized. Motion was made by **Lance Hall** to approve the THIRA/SPR/IP, motion seconded by **Andy Endsley** and approved by majority.

Second voting item is to review and approve ATCOG funding methodology. **Whitney Fezell** provided the committee with the funding methodology and allocation process. The committee was informed how projects were scored and the bonus point section. The committee was advised that this is the formula that was used for the last few years. Motion was made by **Chris Black** to approve the funding methodology, seconded by **Andy Endsley** and approved by majority.

Third voting item is to review and approve HSAC bylaws. **Whitney Fezell** informed the committee that the only changes to the bylaws was to add DSHS to the committee, and to update the 25% LETPA requirement to 30%. **Whitney Fezell** also proposed changing the meeting requirement from quarterly to 3 times a year due to missing the May meeting for TDEM, as well as not having voting items in May. Motion was to approve bylaws was made by **Andy Endsley**, seconded by **Larry Mc Rea** and approved by majority.

Forth voting item is to review and approve ATCOG Planning Project and ATCOG LETPA project. **Whitney Fezell** provided the committee with budgets for both projects to review. The committee was advised that there was not changes to project scope or amounts. The committee was advised that ATCOG LEPTA project is only a backup project and will only be funded or partially funded if need to meet LETPA amounts. **Lance Hall** made a motion to approve both projects, motion seconded by **Chris Black** and approved by majority.

Last voting item is to review and approve FY 25 HSAC meeting schedule of February 20th, May 15th, August 21st, and November 13th. Committee discussed removing May 15th meeting. Robert Hurst made motion to approve meeting schedule, motion seconded by **Andy Endsley** and approved by majority.

Chad Graves opened the floor for questions and discussion.

Chad Graves opened the floor for Announcements

Chad Graves announced the next repeater test on January 7th at 9am

Chad Graves announced the application workshop will be January 7th at 10am via zoom

Chad Graves announced the next HSAC meeting will be February 20th 2025 location TBD

Motion to adjourn was made by **Chris Black** and seconded by **Andy Endsley** and approved by majority.

ATTENDING:

Whitney Fezell – ATCOG Homeland Security Coordinator

Andy Endsley- Hopkins County EMC

Chad Graves- City of Paris Fire

Nathan Carroll- District Coordinator-TDEM

Larry McRae-EMC- Mt. Pleasant Fire Chief

Tanner Crump-Hopkins County SO

Calvin Nicholson-DSHS

Chris Black-City of Texarkana

Lance Hall-Bowie County

Robert Hurst-Delta County

Owen Jones-Guest

Tracy Littion-Guest

Sherrie Houff-Guest

Robin Mc Gee- Guest

Signature

Title

Date

**ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG)
REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE (RCJAC)
November 19, 2024
Mt. Pleasant Civic Center**

MINUTES

The Ark-Tex Council of Governments (ATCOG) Regional Criminal Justice Advisory Committee (RCJAC) met November 19, 2024 by teleconference via ZOOM. The physical location of 4808 Elizabeth St., Texarkana, Texas was available for any member of the public unable to attend by teleconference.

Max Cannaday, Chairman, called the meeting to order at 10:10 a.m.

Patricia Haley performed a roll call to record those present on the teleconference, with a quorum met.

The minutes from the April 11, 2024 meeting were reviewed. A motion was made by Sherry Edwards and seconded by Jason Ricketson to approve the minutes. The motion carried.

The bylaws were reviewed and necessary updates were recommended. After review and discussion of those updates, a motion was made by Rex Bloodworth to approve the updates to the Bylaws as discussed and noted. The motion was seconded by Mark Shermer. The motion carried. The attached Bylaws document reflects the marked changes.

The local priorities, as recommended by the criminal justice planning focus groups that met on 11/12/24, were reviewed and a motion was made by Scott Cass and seconded by Mark Shermer to approve the local priorities. The motion carried.

The scoring instruments were reviewed for each fund source and a motion was made by Scott Cass and seconded by Rex Bloodworth to approve the scoring instruments with the necessary update. The motion carried.

Patricia Haley gave an estimated timeline for the scoring meeting and funding recommendation meetings for 2025.

A motion to adjourn was made by Sherry Edwards and seconded by Scott Cass. The motion carried.

The meeting adjourned at 10:46 a.m.

COMMITTEE MEMBERS PRESENT

Tom Whitten, Bowie County Commissioner
Rex Bloodworth, Cass County SO
Max Cannaday, Franklin County EMC
Scott Cass, Lamar County Sheriff
Sherry Edwards, Red River County Juvenile Probation
Tracey Climer, Daingerfield Chief of Police
Ronnie Humphrey, Mt. Pleasant ISD Chief of Police
Jason Ricketson, Sulphur Springs Chief of Police
Jim Roberts, City of Wake Village
Mark Shermer, Bowie County Sheriff's Office

STAFF PRESENT

Patricia Haley, ATCOG staff

BYLAWS

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

The name of this body shall be the Regional Criminal Justice Advisory Committee (RCJAC) of the Ark-Tex Council of Governments (ATCOG).

The Committee shall assist and advise the staff and Executive Board of ATCOG on all appropriate matters relating to criminal justice issues in the region. Specifically, it shall:

- ❖ Review and consider recommendations concerning funding of local, State and/or Federal programs.
- ❖ Review and prioritize programs submitted for funding provided through the Office of the Governor – Public Safety Office (PSO), Criminal Justice Division (CJD), in accordance with RCJAC and PSO/CJD rules and regulations as adopted.

ARTICLE II – MEMBERSHIP

The RCJAC shall have a multi-disciplinary representation of members from the region, which includes the following groups or disciplines: non-profit organizations, municipalities, counties, citizens or parents, substance abuse prevention, education, juvenile justice, law enforcement, mental health, prosecution or courts, and victim services. No single group or discipline may constitute more than one-third (1/3) of the RCJAC.

County Membership

The RCJAC shall have ~~27-29~~ county members. The membership per county shall be based on population with the following distribution: counties with 50,000 and above shall be allocated five members; counties with 25,000 and above shall be allocated four members; counties with 10,000 and above shall be allocated two members, and counties below 10,000 shall be allocated one member.

Members shall be recommended by the County Judge of the County where a vacancy exists, subject to approval by the ATCOG Board.

Regional Membership

~~The RCJAC shall have additional members from the region, recommended by ATCOG Criminal Justice staff subject to approval by the ATCOG Board, in order to ensure representation from each membership category.~~

Other Membership

A member of the ATCOG Board may be appointed by the ATCOG Executive Committee to serve as a liaison between the Board and the RCJAC.

ATCOG Criminal Justice staff shall perform the necessary staff functions to support the Committee's activities.

Membership Terms and Attendance

Terms of membership shall be two years. Members may be reappointed to serve additional terms. Terms of membership shall begin January 1 of every evenly numbered year.

Members who are absent from three consecutive meetings without a valid excuse shall be considered to have submitted his/her resignation. A member may resign at any time by submitting a written notice to ATCOG.

ARTICLE III - OFFICERS

The officers of the RCJAC shall be Chairman, 1st Vice-Chairman, and 2nd Vice-Chairman. Officers shall serve two-year terms. Officers shall be selected from and by the RCJAC membership during the first quarter of every evenly numbered year. Officers may be elected to serve more than one term.

The Chairman shall preside at all meetings of the RCJAC. The 1st Vice-Chairman shall perform the duties of the Chairman in his/her absence. The 2nd Vice-Chairman shall perform the duties of the 1st Vice-Chairman in his/her absence. If both the Chairman and 1st Vice-Chairman are absent, the 2nd Vice-Chairman shall perform the duties of the Chairman.

ARTICLE IV – MEETINGS

Open Meetings and Records

All meetings of the RCJAC shall be open to the public. All ATCOG governing board meetings and RCJAC meetings at which PSO/CJD-related matters are discussed must comply with the requirements listed in the Texas Government Code, Chapter 551 (Texas Open Meetings Act).

The RCJAC Chairman or presiding Chairman has the option of closing the meetings when deemed necessary for confidentiality purposes.

Minutes of the RCJAC meetings, documents distributed and other records are the property of ATCOG. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party.

Except where these bylaws require otherwise, Robert's Rules of Order shall govern the conduct of RCJAC meetings.

Quorum and Action

Twenty-five percent (25%) of the total membership will constitute a quorum at any meeting, whether at a location or by teleconference or webinar. If by teleconference or webinar, an official roll call will be taken to ensure a quorum is present.

Action taken by the committee shall be by a simple majority vote of the members present at the meeting by which a quorum is present.

Regular Meetings

The RCJAC shall meet as necessary during the year on a day, time and place specified by the ATCOG Executive Director, the ATCOG Criminal Justice liaison or the RCJAC as a whole.

RCJAC meetings can be conducted at a location, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

Written notice, including an agenda, of each regular meeting shall be prepared by the ATCOG Criminal Justice liaison and electronically transmitted to each RCJAC member at least ~~five (5) business days~~ seventy-two (72) hours prior to ~~before~~ the meeting ~~date~~.

Special Meetings

The RCJAC shall hold a special meeting if called by the ATCOG Executive Director, the ATCOG Criminal Justice liaison, the RCJAC Chairman or requested in writing by at least one-third of the RCJAC membership. Only business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.

Notice of any special meeting shall be given at least seventy-two (72) hours prior to the special meeting.

Special meetings can be conducted in person, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

ARTICLE V - SUBCOMMITTEES

The RCJAC Chairman shall appoint temporary subcommittees as the need arises to perform specific tasks related to the business and activities of the RCJAC.

ARTICLE VI - BYLAWS AMENDMENTS

RCJAC Bylaws Review

The RCJAC shall review the bylaws annually to keep the document current. The RCJAC may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be recorded at the meeting at which the amendments are discussed and voted on. RCJAC amendment recommendations shall be presented to the ATCOG Board of Directors for final approval. If upon review of the bylaws no amendments are deemed necessary, then no further action is required.

By ATCOG Board of Directors

The ATCOG Board of Directors may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

Effective Date

An amendment to the bylaws takes effect when approved by the ATCOG Board of Directors unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to the RCJAC members by ATCOG Criminal Justice staff.

ARTICLE VII - GRANT APPLICATION REVIEW PROCEDURES

Local Priorities & Strategic Plan

Each proposal must provide services, which have been identified as a local priority/need in the ATCOG region. Each applicant should contact ATCOG Criminal Justice staff to determine if the proposed project is listed as a local priority in the ATCOG region.

The Strategic Plan for the region shall be reviewed and revised as necessary and should not exceed a 5-year cycle without updating, with an effort to follow the format recommended by PSO/CJD. Based on the current requirements by PSO/CJD, the top five local priorities within each category of the Strategic Plan

(Victim Services/Mental Health, Juvenile Services, Law Enforcement) will be used in the grant application scoring process and also submitted to PSO/CJD. Focus groups of the previously mentioned categories will develop a list of recommendations for the top five (can be less than five if necessary) priorities of each category. These recommendations will be reviewed by the RCJAC and ATCOG Board for their approval prior to the scoring process. Since the local priorities are necessary in the application scoring process, the priorities will be reviewed/discussed by the focus groups each year and recommended to the RCJAC and ATCOG Board for approval, regardless if the full Strategic Plan is updated during that particular year. A list of participating representatives present at the Strategic Planning meeting, and their affiliation, should be attached to the Strategic Plan, with the date of review and revision. The Strategic Plan is available to view on the ATCOG website, www.atcog.org.

Grant Application Workshop

Each applicant must attend a Grant Application Workshop presented by ATCOG Criminal Justice staff prior to beginning the application process each year until further notice. The workshop will be conducted at a location, via teleconference, webinar, or by other electronic means as decided by ATCOG CJ Staff each year. Current grantees, potential applicants, and other requestors will be notified of the date, time and location (physical location and/or teleconference/webinar/electronic info) of the workshop, along with deadlines that may apply. This information will be announced with the notification of available grant funding. A one-on-one conference can substitute for workshop attendance if someone is unable to attend. Applicants must have the "Intent to Apply/Grant Workshop Verification Form" signed and returned to ATCOG CJ Staff at least 30 calendar days prior to the PSO/CJD eGrants application submission deadline. The 30-day requirement allows for review of application alignment with regional priorities and reasonableness prior to the application being submitted and also ensures that all applications are received by the region for funding consideration. If this local requirement is not met, the RCJAC and/or the ATCOG Board has the option to recommend less funding than applied for or no funding on any fund source application submitted by an applicant.

Notification of Application Deadlines

Current grantees, potential applicants, and other requestors will be notified of grant application deadlines as soon as they are established.

Under no circumstances will grant applications be accepted after the deadline.

Funding Categories Reviewed by RCJAC

The RCJAC reviews and competitively scores and/or prioritizes, and establishes funding recommendations for the following categories:

General Victim Assistance – Direct Services Program
(Victims of Crime Act – VOCA)

Violent Crimes Against Women Justice and Training Program
Domestic Violence, Sexual Assault, Dating Violence, and Stalking
(Violence Against Women Act – VAWA)

~~General Juvenile Justice and Delinquency Prevention Programs~~
~~Truancy Prevention Programs~~

(State Criminal Justice Planning Fund - 421)

~~Truancy Prevention Programs~~

(Truancy Prevention Grant Program)

Justice Assistance Grant (JAG) Program

(Byrne Justice Assistance Grant)

(State Criminal Justice Planning Fund – 421)

~~Victims of Commercial Sexual Exploitation~~

~~(Victims of Crime Act – VOCA)~~

PSO/CJD may also recommend or require the RCJAC to review and score applications in additional funding categories when necessary. At that time, the corresponding scoring instruments or other scoring documents to be used will be reviewed and approved by the RCJAC and made available to those applicant(s) prior to the scoring process.

Fund Specific Requirements

Decreasing Ratio Policy for JAG Applications:

Decreasing ratio and five-year maximum projects shall establish their PSO/CJD request each year by following the percentages listed below (Benchmark is based on the amount awarded by PSO/CJD in the first year of funding). This requirement is in effect for the following funding categories: Criminal Justice Programs (JAG).

1st year – 100% CJD funding (Benchmark amount established)

2nd year - 80% CJD funding

3rd year - 60% CJD funding

4th year - 40% CJD funding

5th year - 40% CJD funding

If a grant applicant is not funded during any year of the cycle, they will be allowed to apply at the same percentage/amount for the following year. (Ex. In 2020 an agency is currently at 80% (yr. 2) applying for \$50,000, but they are not awarded the

grant. In 2021, they will be allowed to apply at 80% (yr. 2) for \$50,000. If awarded in 2021, they will then be allowed to apply at 60% (yr. 3) in 2022.)

Grant Application Scoring Guidelines

New projects and continuation projects shall be reviewed, scored, and prioritized for funding each year, as applicable. All projects considered for PSO/CJD funding must meet the guidelines and requirements established by PSO/CJD annually. The applicant agency/organization must be located within the ATCOG region and provide services within the ATCOG region in order for the application to be recommended for funding in the ATCOG region. If this location requirement is not met, the applicant will receive a score of 0 and will not be recommended for funding.

Review Instrument/Score Sheet

A standard review instrument shall be used to score the projects, and an average score shall be calculated for each proposal. The review instrument used by the RCJAC to score the grant applications is developed by ATCOG staff to accommodate the recommendations/approvals by the RCJAC, based on PSO/CJD requirements and the local priorities in the Regional Criminal Justice Strategic Plan. This review instrument is subject to change each year, as the PSO/CJD requirements and the local priorities are also subject to change.

High/Low Scores Dropped

The high and low score of each grant application will be dropped if the number of eligible RCJAC scoring members (to submit their scores) for the particular funding source is ten or greater.

Tie-Breaker Method

In the event of a tie, the following procedure will be utilized: Staff shall remove the lowest score from the applications that result in a tie and re-average the remaining scores. This process shall be repeated, continuing to remove the lowest remaining score until the tie is broken. The scores resulting from the tie breaking process will only be used for the purpose of breaking the tie. These scores will not be used to change any other rankings in the prioritization process. The RCJAC shall be notified of the tie and the revised results.

Applicant Correspondence with RCJAC Regarding Scoring

A grant applicant, or individual(s) acting on behalf of the applicant, shall not contact any RCJAC member prior to any scoring/prioritization meeting to persuade a score.

If an applicant, or individual(s) acting on behalf of the applicant, contacts a scoring member to persuade a score, their application may be disqualified at the discretion of the RCJAC.

If a RCJAC member receives a contact of this nature from an applicant, or individual(s) acting on behalf of the applicant, the scoring member should contact the RCJAC Chairman and/or ATCOG Criminal Justice staff.

Conflict of Interest

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they or an individual related within the third degree by consanguinity or within the second degree by affinity:

- Is employed by the applicant agency and works for the unit or division that would administer the grant if awarded,
- Serves on any governing board that oversees the unit or division that would administer the grant if awarded,
- Owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency,
- Receives any funds, or a substantial amount of tangible goods or services, from the applicant agency as a result of the grant, if awarded.

RCJAC members who have a conflict of interest should contact ATCOG CJ Staff prior to the scoring meeting regarding their conflict.

Applicant Presentation/Scoring Meeting

Mandatory Attendance of Applicant Presentation/Scoring Meeting: Grant applicants are required to have a representative attend the RCJAC Applicant Presentation/Scoring Meeting, to provide a brief presentation regarding their project to the RCJAC. If no representative is present for an applicant, the RCJAC and/or the ATCOG Board has the option to recommend less funding than applied for or no funding on any fund source application submitted by an applicant. Upon receipt of copies of the grant applications and scoring instruments, the RCJAC members must complete the scoring process by the established deadline following applicant presentations.

Prioritization Meeting Outcomes

The RCJAC shall meet to discuss and take further action(s), if necessary, in determining the application funding recommendations, prior to submitting them to the ATCOG Board. The RCJAC and/or the ATCOG Board has the option to recommend more or less funding than applied for, or no funding, on any fund source application submitted by an applicant. Following approval by the ATCOG Board, the results of the funding priorities/recommendations will be emailed to the RCJAC members and grant applicants, and will be submitted to the OOG/PSO/CJD.

Appeal Procedure

Each applicant will be allowed to appeal actions of the Regional Criminal Justice Advisory Committee (RCJAC). Appeals must be based on a verifiable error made during the prioritization or review process and the applicant must be able to show that the error actually caused the application or portion of the application to not be funded. Factors that allow discretion by RCJAC members will not be considered for an appeal. The applicant must submit written documentation in support of the appeal. Letters and phone calls of support will not be considered as part of the official appeal process.

All appeals must be handled as follows:

- An applicant must notify the ATCOG Executive Director in writing of the alleged violation of the RCJAC scoring guidelines and/or the error(s) made in the scoring/prioritization process within ten (10) days following the scoring meeting.
- The ATCOG Board of Directors shall consider all appeals in an open meeting. Documentation submitted by the applicant that meets the criteria as stated above will be considered by the ATCOG Board of Directors. Subsequent notification by ATCOG of a decision concerning funding serves as final notice of approval or denial.

Civil Rights Policies

- ATCOG has an Equal Employment Opportunity Plan in place and the ATCOG Human Resources Manager acts as the EEO Officer and is responsible for implementing the ATCOG EEO Program. Through the EEO Plan and the EEO Officer, employees are notified that ATCOG provides a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression.

In addition to ATCOG's EEO Plan for employees, ATCOG offers the following civic rights information available to employees and also to individuals that participate in (or benefit from) ATCOG's criminal justice grant programs/activities (available on the ATCOG website www.atcog.org/atcog-home/criminal-justice):

- ATCOG's criminal justice programs do not discriminate on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.
- ATCOG's EEO Complaint Process (p.8 in ATCOG EEO Plan - on website) should be used when an ATCOG employee, or an individual that participates in (or benefits from) ATCOG's criminal justice programs, files a complaint alleging discrimination on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.
- ATCOG does not retaliate against the following individuals:
 - Persons who file discrimination complaints or lawsuits.
 - Persons who participate in discrimination proceedings as witnesses.
- ATCOG provides access to their criminal justice programs/activities to persons who have limited English proficiency (LEP) by using a language translation/interpretation service when necessary.
- ATCOG criminal justice programs comply with the Equal Treatment for Faith-Based Organizations guidelines including efforts to ensure the programs do not use direct federal funding to engage in explicitly religious activities and that the program does not discriminate against program participants and/or vendors on the basis of religion or religious beliefs, a refusal to hold a religious belief, or a refusal to participate in a religious practice.

Reviewed/amended/approved by RCJAC 11-16-23.

To be reviewed/approved by ATCOG Board 12-07-23.



Procurement Policy and Procedure Manual

TABLE OF CONTENTS

INTRODUCTION	3
PREFACE	4
ARTICLE I GENERAL PROVISIONS.....	6
PART A Purpose.....	6
PART B Objectives, Construction and Application	6
PART C Definition of Terms	8
ARTICLE II PROCUREMENT ORGANIZATION.....	13
ARTICLE III METHODS OF PROCUREMENT NON- COMPETITIVE AND COMPETITIVE UNDER \$50,000.00	17
ARTICLE IV ELEMENTS OF THE SEALED SOLICITATION PROCESS	20
ARTICLE V METHODS OF PROCUREMENT COMPETITIVE SEALED SOLICITATION	30
Invitation to Bid (ITB).....	31
ARTICLE VI METHODS OF PROCUREMENT COMPETITIVE SEALED SOLICITATION	33
Best Value Solicitation (ITB/RFP).....	34
ARTICLE VII METHODS OF PROCUREMENT COMPETITIVE SEALED SOLICITATION	37
Request for Proposal (RFP)	38
ARTICLE VIII CREDIT CARD PURCHASES	40
ARTICLE IX SPECIAL CASES AND EXCEPTIONS	44
ARTICLE X CONSTRUCTION-RELATED CONTRACTS	50
ARTICLE XI PROTEST AND DEBRIEFING.....	52
ARTICLE XII COST/PRICE ANALYSIS.....	55
ARTICLE XIII CONTRACT ADMINISTRATION	59
ARTICLE XIV MODIFICATION AND TERMINATION OF CONTRACTS.....	62
ARTICLE XV DISADVANTAGED BUSINESS ENTERPRISE (DBE)	67
ARTICLE XVI ETHICS.....	70
ARTICLE XVII RECORDS RETENTION	74
ARTICLE XVIII SUPPLEMENTS.....	77
Supplement A Guide to the Request for Qualifications (RFQ)	78
Supplement B Guide to the Request for Information (RFI)	80

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INTRODUCTION

ATCOG is the regional organization through which local governments consider issues and cooperate in solving area wide problems. Through ATCOG, local governments also initiate efforts to anticipate and prevent problems, thus saving public funds. The 10-county ATCOG service region is growing, becoming more diverse, and constantly changing. In order to address the needs of citizens and businesses, local governments are providing leadership to guide regional development wisely and manage change constructively.

Councils of Governments (COGs) are political subdivisions of the State of Texas. A COG may purchase goods or service only if the COG complies with the same provisions for purchasing goods or a service that is equivalent to the provisions, including Chapter 252, Local Government Code and Chapter 2254, [and Chapter 2252 Texas Government Code](#), or other applicable requirements applying to a local government. COGs must also comply with certain federal requirements when procurement involves the expenditure of federal funds.

This policy is intended as a living document and is subject to periodic updates as state or federal laws or regulations may change, it will be interpreted that this policy will automatically incorporate those updates as they are implemented into law or regulation.

Overview of Purchasing Authority

Texas law provides that a COG may enter a contract for an expenditure of more than \$50,000 only if it complies with certain procurement procedures. The options include competitive sealed solicitations, Interlocal agreements, and other more specialized contracting vehicles. This manual covers those procurement methods in detail.

Texas state law does provide exceptions to procurement requirements. For example, the Professional Services Procurement Act sets out a required process for selecting architects, engineers, and land surveyors (Tex. Gov. Code Ch. 2254).

This manual also discusses guidelines for purchases under \$50,000, as well as those subject to competitive procurement exceptions, although Texas state law does not mandate a set process.

This manual is intended to serve as the primary reference for all procurements conducted within ATCOG and a resource for anyone who is interested in doing business with ATCOG. This manual demonstrates the commitment ATCOG has to ensure consistency in its procurement practices, transparency in the process, and the fair and equitable treatment of those who participate in procurements with ATCOG.

PREFACE

Procurement happens at varied levels within ATCOG, and it is recognized that in order for the day-to-day business operations of the agency to flow continually, there are times when it may be necessary to decentralize the procurement process. All personnel with delegated purchasing authority will be responsible for using that authority in conformance with the Ark-Tex Council of Governments procurement policies and procedures.

Even if prior procurement authority has been delegated, certain steps of the procurement process require the mandatory involvement of the Compliance and Purchasing Officer and are listed below:

Request for Proposal Development:

1. Planning of the RFP
2. Scope Development
3. Scoring Criteria Development
4. Evaluation Process/Final Candidate Selection

ARTICLE I
GENERAL PROVISIONS

ARTICLE I - GENERAL PROVISIONS

PART A: Purpose

The purpose of the ATCOG Procurement Manual is to provide a resource of procurement best practices for ATCOG.

PART B: Objectives, Construction, and Application

Objective

The objective of the Procurement Policy is to provide the Ark-Tex Council of Governments, herein after referred to as “ATCOG”, with the required parameters for procuring goods and services under applicable state and federal guidelines. The policies and procedures outlined herein are intended to comply with the requirements of Chapter 252 of the Texas Local Government Code as well as the requirements of OMB Uniform Grant Guidance Super Circular 2 CFR 200 and the Texas Uniform Grant and Contract Management Standards. More specifically, the underlying purposes and policies of this Procurement Policy are:

- to simplify, clarify, and reflect the laws governing procurement by ATCOG;
- to permit the continued development of uniform procurement policies and best practices regarding applicable procurement laws;
- to increase public confidence in public procurement;
- to ensure the fair and equitable treatment of all persons who participate in the procurement process;
- to provide increased economy and efficiency in procurement activities by avoiding unnecessary, unwarranted, and duplicative procurements;
- to foster free and open competition;
- to provide safeguards for the maintenance of a procurement system of quality and integrity
- to ensure that full accounting is available and given for all procurements.

Interpretation

This Procurement Policy will be construed and applied to promote its underlying purposes and policies. The guidelines herein are intended to comply with all applicable state, local, federal, and grantor agency rules, regulations, policies, and procedures. Detailed operating procedures, which incorporate this Procurement Policy, will be maintained by the Finance Department of ATCOG.

Grantor Agency Policies and Procedures

At no time are these policies intended to be less stringent than required by the grantor agency from which ATCOG receives specific funds. The written procurement procedures prepared by the source-granting agency will be followed when funds are expended for the operation of a specific program.

Standard Terms and Conditions

The Finance Department is responsible for maintaining the Standard Terms and Conditions for all contracts and purchase orders.

Gender Neutral

All personal pronouns used in this Procurement Policy, whether used in the masculine, feminine, or neuter gender, will mean to include all genders.

Singular-Plural

Words in the singular include the plural and vice versa.

Headings

The headings contained in this Procurement Policy are for reference purposes only and will not in any way affect the meaning or interpretation of this Policy.

Conflicts

In the event of a conflict between the terms of this Procurement Policy and any applicable state, local or federal statute, code, or regulation, or the procurement procedures of the applicable grantor agency, the applicable statute, code, regulation, or grantor procurement policy will control.

Severability

Invalidation of any one of these provisions by judgment, court order, statute, regulation or code will in no way affect any other provision, which will continue to remain in full force and effect.

Free and Open Competition

All procurement transactions, regardless of dollar value, will be conducted in a manner to provide maximum free and open competition. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors who develop or draft specifications and other requirements for solicitation instruments will be excluded from competing for such procurements.

Supplementary General Principles of Law

Unless in conflict with provisions of the Procurement Policy, principles of law and equity, including the Uniform Commercial Code, contracts, agency, fraud, misrepresentation, duress, coercion and mistake will supplement this Policy.

Good Faith

The Procurement Policy requires that all parties involved in the negotiation, performance and administration of procurement and contracts act in good faith.

Effective Date

The Procurement Policy applies only to contracts solicited or entered after the effective date of this Policy, date of approval, December 7th, 2023

Adoption by ATCOG

The Procurement Policy is adopted in whole by the ATCOG Board of Directors.

Public Access to Procurement Information

Procurement information will be public record to the extent provided by the Texas Open Records Act and the Freedom of Information Act, as applicable, and will be available to the public as provided under those provisions. If a response contains information that the respondent considers proprietary and does not want disclosed to the public or used for any purpose other than the evaluation of the response, all such information must be indicated and clearly marked on each page of the proprietary or confidential document(s).

PART C: Definition of Terms

“Best Value” an assessment of the return which can be achieved based on the total life cycle cost of the item. Includes cost/benefit analysis to define the best combinations of quality, services, time, and cost over the useful life of the acquired item.

“Best Value Solicitation” is a procurement method that emphasizes value over price. The best value might not be the lowest price; generally achieved through the Request for Proposal (RFP) method and can be formal or informal depending on the value of the solicitation.

“Bidder” any person that submits a bid in response to an Invitation to Bid ("ITB")

Bidder's List the list of sources used in acquiring goods and services.

“Bid Splitting” the intentional splitting of a single purchase into smaller purchases to avoid formal competition as required by the Texas Local Government Code. Using several purchase orders during a fiscal year to procure goods/services equal to or greater than the State competitive law requirement for items that should be combined in a single purchase. The code defines three bid-splitting practices; see Component Purchases, Separate Purchases, and Sequential Purchases.

“Buyer” or Compliance and Purchasing Officer agency personnel designated responsible for all procurement activity within ATCOG

“Change Order” means a written order authorized by the buyer or contract administrator directing the contractor to make changes.

“Competitive Formal Sealed Solicitation” is the procurement method whereby ATCOG prepares a solicitation, sends notice to interested respondents, and publishes an announcement in local periodicals. To be considered, responses must conform to the Solicitation. The award of a contract is not made at the time responses are opened; rather, after evaluation, the award is made to the respondent whose response is determined to be the most advantageous to ATCOG considering the relative importance of price and the other evaluation factors set forth in the solicitation.

“Component Purchases” purchases of the component parts of an item that, in normal purchasing practices would be purchased as a whole.

“Construction” the process of utilizing labor to build, alter, repair, improve, or demolish any structure, building, or other public improvements. It does not include the routine operation, repair, or maintenance of existing structures, buildings, or real property.

“Contract” (except as used in the definitions of "grant" and "subgrant") a legally binding agreement between ATCOG and a vendor or contractor; or a legally binding agreement between a contractor and a subcontractor. Contract types that ATCOG utilizes include, but are not limited to, consultant or contractor agreements; cooperative agreements, goods services agreements (also includes purchase orders); grant agreements awards; intergovernmental agreements.

“Contractor” any person, vendor, or entity having a contract with ATCOG.

“Contract Administrator” a buyer, program manager, or titled employee responsible for the administration of a particular contract.

“Cooperative Purchasing” procurement conducted by, or on behalf of, more than one public procurement entity, including, but not limited to, any county, city, town and other corporate or political entity organized under state entities. Efforts may result in contracts that other entities with proper authorization may utilize to meet established procurement requirements without undertaking a separate procurement process.

“Councils of Government (COG)” the Ark-Tex Council of Governments created under Chapter 391 of the Texas Local Government Code, a political subdivision of the State of Texas.

“Designated Authorizing Party” the ATCOG representative designated to authorize and approve purchases based upon dollar amount and internal organizational structure.

“Disadvantaged Business Enterprise” ("DBE") a for-profit corporation in which at least 51% of all classes of the shares of stock are owned by one or more persons who are economically and socially disadvantaged because of their identification as members of certain groups, including but not limited to African Americans, Hispanic Americans, and women, as determined and classified by the Small Business Administration (SBA) and/or State of Texas. The use of the term DBE is intended to align with the terms as it's used in Federal Regulation 2 CFR 200 and as used, is understood to encompass all similar designations issued by a certifying agency.

“Equipment” tangible, non-expendable property that is fixed in position in prescribed places and does not lose identity or become integral parts of other items or installations.

“Federal financial assistance” assistance provided by a federal agency in the form of grants, contracts, cooperative agreements, loans, loan guarantees, property, interest subsidies, insurance, or direct appropriations; but does not include direct federal cash assistance to individuals. Includes awards received directly from federal agencies, or indirectly through other units of state and local governments.

“Grant” or “Grant-in-aid” an award of financial assistance, including cooperative agreements, in the form of money, property in lieu of money, or other financial assistance, paid or furnished by the state or federal government to ATCOG or other eligible grantee to support a program authorized by law that provides financial assistance through grant or contractual arrangements. It does not include an award whose primary purpose is to procure an end product, whether in the form of supplies, services, or construction; a contract resulting from such an award is not a grant but a procurement contract. The term does not include technical assistance programs which provide services instead of money or other assistance in the form of general revenue sharing, loans, loan guarantees, insurance, or contracts which are entered into and administered under procurement laws and regulations.

"Historically Underutilized Business" ("HUB") A corporation formed for the purpose of making a profit in which at least 51 percent of all classes of the shares of stock or other equitable securities is owned by one or more persons who are socially disadvantaged because of their identification as members of certain groups, including black Americans, Hispanic Americans, women, Asian Pacific Americans, and American Indians, who have suffered the effects of discriminatory practices or similar insidious circumstances over which they have no control; a sole proprietorship formed for the purpose of making a profit that is 100 percent owned, operated and controlled by a person described in Texas Administrative Code 34 Rule 20.282

- a partnership formed for the purpose of making a profit in which 51 percent of the assets and interest in the partnership is owned by one or more persons described by Texas Administrative Code 34 (19) C. Those persons must have a proportionate interest in the control, operation, and management of the partnership's affairs;
- a joint venture in which each entity in the joint venture is a historically underutilized business under this subdivision; or
- a supplier contract between a historically underutilized business and a prime contractor under which the historically underutilized business is directly involved in the manufacture or distribution of supplies or materials or otherwise warehouses and ships supplies.

"Interlocal/Intergovernmental Contract/Agreement" an agreement between ATCOG and an eligible participating government under the Inter-local Cooperation Act, V.T.C.A. Government Code Chapter 791, by which the parties agree to jointly perform procurement functions.

"Invitation to Bid" (ITB) all documents, whether attached or incorporated by reference, utilized in soliciting competitive or multi-step sealed bids.

"Micro-Purchase" a purchase of supplies or services using Federal Regulation 2 CFR 200 procurement methods, the aggregate amount of which does not exceed the micro-purchase threshold amount as currently established by Federal regulations in order to expedite the completion of its lowest-dollar small purchase transactions to minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 and can be periodically adjusted for inflation.

"Modification" means any written alteration in specifications, delivery point, rate of delivery, period of performance, quantity, or other provisions of the contract as well as any associated price adjustments, accomplished by the mutual action of the parties to the contract.

"Negotiated Procurement" a process like the competitive sealed bidding solicitation except that respondents and ATCOG discuss or negotiate aspects of the Response, such as price. Negotiations are held with all respondents in the competitive range, in the order of ranking, based upon the evaluation factors set out in the Solicitation. It can also include a Best and Final Offer process.

"Person" any business, individual, group of individuals, union, committee, club, organization, vendor, contractor, or entity.

“Procurement” the buying, purchasing, renting, leasing, and acquiring of any supplies, equipment, or services. It also includes all activities that relate to obtaining any supplies, equipment, or services, including but not limited to the description of requirements, selection, and solicitation of sources, preparation and award of contracts, issuance of purchase orders, and all phases of contract administration.

“Procurement Instrument” the document(s) used to create a legal, binding purchase commitment/contract between ATCOG and a vendor or contractor. This document may be a purchase order, blanket purchase order or a contract depending on the procurement method.

“Purchase Order” (P.O.) a type of procurement contract and is a legally binding agreement between ATCOG and a vendor.

“Request for Proposal” (RFP) the document used to solicit responses from potential providers for goods and services. Price is usually not a primary factor; provides for the negotiation of all terms, including price prior to contract award.

“Respondent” any person or firm that submits a response to a procurement solicitation.

“Responsible Bidder/Respondent” that the bidder or respondent has the capability to meet all of the requirements of the solicitation and the subsequent contract in all respects, including financial, to fully perform the contract requirements; must be able to fully document the ability to demonstrate integrity and reliability to provide good faith performance.

“Responsive Bidder/Respondent” a bidder or respondent that has submitted a bid or response that fully conforms in all material respects in all requirements of the solicitation, including all form and substance.

“Scope of Work” a detailed, written description of the conceptual requirements for the project contained within a solicitation. The scope of work should establish a clear understanding of what is required by the entity.

“Separate Purchases” purchases, made separately, of items that in normal purchasing practices would be purchased in one purchase.

“Sequential Purchases” purchases made over a period that in normal purchasing practices would be purchased in one purchase.

“Services” the furnishing of labor, time or effort by a contractor, not involving the delivery of a specific, tangible end product other than reports which are merely incidental to the required performance. The term must not include employment agreements or collective bargaining agreements. (See Personal, Planning or Professional Services)

“Specifications” a precise description of the physical or functional characteristics, or the nature of a product, good, service or construction item. A description of what the purchaser seeks to buy and what a respondent must be responsive to in order to be considered for award of a contract. Specifications generally fall under the following categories: design, performance, combination (design and performance), brand name or approved equal, qualified products list and samples.

“Sub-grant” an award of financial assistance in the form of money, or property in lieu of money, made under a grant by a grantee to an eligible sub-grantee. The term includes financial assistance when provided by contract but does not include procurements or any form of assistance which is excluded from the definition of "grant" in this section.

“Sub-recipient” any entity that receives federal assistance passed through from a prime recipient or another sub-recipient to carry out or administer a program.

“Supplies” all tangible personal property other than "equipment" as defined in this part.

“Vendor” an entity that is responsible for providing generally required supplies, equipment or services to be used by ATCOG in a program, either by the recipient, sub-recipient or the participants.

ARTICLE II

PROCUREMENT ORGANIZATION

This article covers the role and responsibilities relative to procurement within ATCOG and outlines specific areas of procurement approvals needed at various levels.

ARTICLE II – ORGANIZATION AND CONTRACT ADMINISTRATION

2.0 Board of Directors

Establishes ATCOG Procurement Policy

2.1 Executive Director

Will be responsible for compliance with and implementation of these policies

2.2 Procurement Committee

- Will consist of, at a minimum, the Executive Director, the Financial Director, and the Purchasing Officer.
- Will be responsible for the administration of these policies and recommend policy changes to the Executive Director.
- Will be responsible for the compliance and implementation of these policies.
- Will review and approve certain procurement actions to avoid unnecessary or duplicative purchases.
- Will analyze lease and purchase alternatives to determine the most economical and practical procurement.

2.3 Compliance and Purchasing Officer

Will be responsible for:

- processing procurement requests;
- classification of purchases;
- determination of appropriate procurement methods;
- identification, solicitation and selection of vendors or contractors;
- maintaining and updating the Bidders' List;
- negotiating and executing purchase orders and contracts;
- monitoring the terms and conditions of the purchase orders and contracts;
- ensuring the complete and accurate documentation of all procurements;
- maintaining all procurement files and records; and
- all other responsibilities assigned by the Executive Director

2.4 Authorization of Purchases

The Procurement Instrument must contain the following approvals to correspond to the total cost:

- Program Management and the Executive Director or designee for all purchases
- The Board of Directors or Executive Committee for all purchases of \$50,000 and above

2.5 Pre-commitment Documents

Pre-commitment documents are electronic purchase requisitions are used to initiate procurement transactions. These documents provide a system of authorization and documentation, and should contain the following information:

- date of request;
- department, including contact person;
- description of goods and/or services requested;
- authorized signature(s);
- actual or estimated cost;
- project code(s); and
- vendor name
- address

2.6 Procurement Request

Requests for a procurement must be submitted electronically. Purchase orders are approved by the Compliance and Purchasing Officer and must be on an approved procurement instrument. Procurement instruments include purchase orders, purchase requisitions, interlocal agreements, and contracts. Each procurement instrument must contain the appropriate approvals, and Program Management and Accounting Specialist will certify that the purchase request is consistent with applicable grant requirements or restrictions, that adequate funds have been authorized, and that appropriate approval(s) have been granted. In the case of contracts, the executed contract will be the authorizing document.

2.7 Monitoring of Programs

Program Management and the Accounting Specialist will have the responsibility to monitor grant, sub-grant funded programs, and all procurements. The monitoring system must:

- ensure adherence to the system established for the award and monitoring of contracts
- ensure accountability;
- ensure that contract goals and obligations are established in unambiguous terms;
- require audits to be conducted at regular intervals;
- require prompt corrective action upon evidence of any violations; and
- identify in writing all problems, corrective actions, and plans.

2.8 Restrictive Competition Practices Prohibited

Prohibited restrictive practices include but are not limited to:

- ~~geographic preference (when using grant funds) except for any authorized domestic preference per 2 CFR 200.322;~~
- requiring unnecessary experience and excessive bonding;
- placing unreasonable requirements on firms in order to qualify to do business;
- organizational conflicts of interest;
- non-competitive pricing practices between firms;
- non-competitive awards to consultants that are on retainer contracts;
- "brand name" specifications;
- overly restrictive specifications; and
- arbitrary action in the procurement process.

ARTICLE III

METHODS OF PROCUREMENT

Non-Competitive and Competitive

Thresholds are established by law to ensure that sizeable purchases are subjected to fair competition among available, responsible contractors and vendors and that ATCOG obtains the best value possible. Even though certain purchases are exempt from the statutory requirements for competition, there must be adequate controls and competition. This article describes these varied categories of purchases. ATCOG reserves the right to apply competitive methods to procurements under the competitive limit as may be deemed in the best interest of ATCOG

ARTICLE III – NON-COMPETITIVE AND COMPETITIVE PURCHASES

PART A: Methods of Procurement

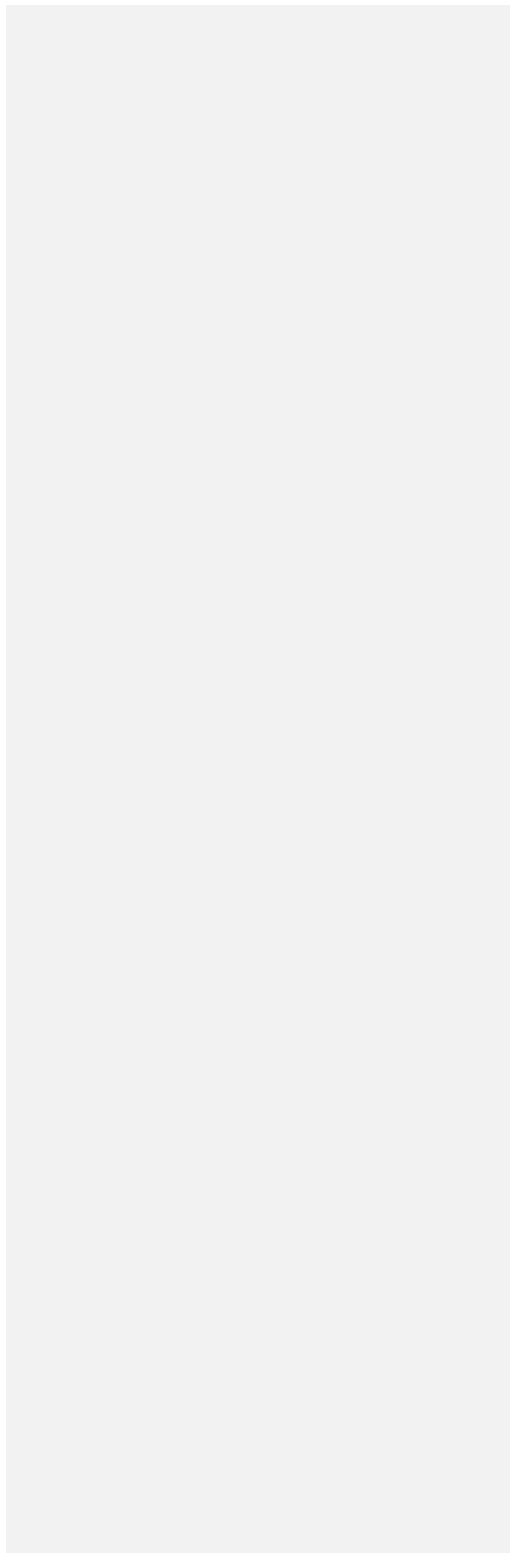
- 3.0 A non-competitive purchase is defined as the procurement of supplies, equipment, services, or other property; that does not cost more than \$10,000 in the aggregate. A competitive small purchase is required if the expenditure for a purchase is greater than \$10,000 but less than \$250,000 (“competitive limit”) and a formal ~~sealed~~-competitive process is required if the purchase exceeds \$250,000. approval of Non-Competitive Purchases that are less than \$10,000 in the aggregate are at the discretion of the Executive Director. ATCOG may proceed in one of three ways:
- 3.0.1 **Micro-Purchase** -Per Federal Acquisition Regulation 48 CFR Subpart 2.1 and Texas Administrative Code Title 43 Part 1 Chapter 31 D 31.44 (b) if the price is less than \$10,000.00, the purchase may be made on a non-competitive basis. ATCOG may require that at least one (1) written price quotation is required for purchases of \$53,000.00 or less per Texas Administrative Code Title 43 Part 1 Chapter 31 D 31.44 (B). The selection of the vendor can be made at the convenience of ATCOG without contacting additional vendors; however, purchases must be distributed evenly among qualified vendors. Three (3) price quotation’s may be required at the discretion of the Executive Director. for purchases over \$1,000.00
- 3.0.2 **Competitive Small Purchase** - If the purchase is more than \$10,000, but less than \$250,000, price quotations should be solicited from Three (3) or more qualified contractors/vendors to ensure the price is fair and in line with the current market. The quotation must be in writing and can be obtained via e-mail. The Compliance and Purchasing Officer or department designee may negotiate the price as appropriate, or source for additional vendors, as required.
- 3.0.3 **Competitive Formal ~~Sealed~~-Solicitation** - If the amount of the purchase is nearly \$250,000, ATCOG has the discretion to treat it as a formal solicitation. This approach has several advantages. For example, if later purchases cause the total purchase price to exceed the competitive limit, the competitive requirement is satisfied. Provisions allowing later purchases on the same terms might be written into the original contract. In addition, solicitations are more competitive with a ~~sealed-formal~~ solicitation. And lastly, conflicts of interest between the contractor or vendor and the procuring department are minimized.

Purchases may not be split to circumvent the competitive requirements or the competitive limit.

3.1 Selecting the Vendor/Contractor and Making the Purchase for Micro-Purchase and Small Purchase

- 3.1.1 After price quotations are obtained for purchases below the competitive limit, the Compliance and Purchasing Officer or department designee selects a vendor/contractor and makes the purchase after cost reasonableness has been established. The vendor/contractor with the lowest and best offer meeting the price expectation, reliability, and quality of the product must be used as a basis for selection.
- 3.1.2 For purchases above the competitive limit, selection must be based on the criteria established in the solicitation document. After the supplier/contractor has been selected, the request and all associated documentation will then be submitted. The Compliance and Purchasing Officer will then authorize final approval of the Purchase Order.

3.2 Departments do not have the authority to place an order or authorize work to begin with the supplier or contractor directly. In the case of purchase orders: Purchase Order is a type of procurement contract and is a legally binding agreement between ATCOG and a vendor. The Purchase Order is the notice to proceed with the order and contains provisions that are enforceable under contract law. Items ordered without a proper purchase order will be returned upon receipt. Ordering or authorizing work without a purchase order may result in disciplinary action as determined by ATCOG management.



ARTICLE IV

ELEMENTS OF THE COMPETITIVE SEALED SOLICITATION PROCESS

The main elements contained in this section are required in every sealed solicitation issued by ATCOG. However, there are variances within each procurement method regarding the process of evaluation and award. Variance are captured in the individual articles related to the solicitation type.

ARTICLE IV – ELEMENTS OF THE COMPETITIVE SEALED SOLICITATION PROCESS

The Compliance and Purchasing Officer is responsible for the management of the solicitation process and utilizes an established solicitation template which incorporates the elements below; solicitations are further customized as needed.

4.1 Sections of the Solicitation

The Solicitation may consist of the many sections listed below; however the Purchasing Officer, or department designee, may delete, add or reorganize these sections to meet the proposal requirements upon approval by the Operations Officer. The main elements include:

- RFP cover page
- General Information
- Defined terms
- Overview of work
- Instructions for proposing
- Proposer qualifications
- Evaluation criteria
- Contract term and/or terms to extend contract
- State of Work
- Pricing schedule (price list(s) or line-item pricing, hourly)
- Contingent pricing (overtime and emergency work)
- Shipping and freight requirements
- General terms and conditions
- DBE requirements
- Packaging requirements
- Conflict of Interest
- Texas Open Records Information

4.2 The Solicitation Process

Generally, the steps listed below are part of the process, and can be applied as applicable to the type of goods or services being procured and as included in the solicitation.

- Department identifies the need and selects a point of contact who will work with the Purchasing Officer;
- Documents produced, reviewed and approved as required
- Public Advertisement;
- Pre-Response Conference;
- Submission;
- Evaluation;
- Selection of two or more responses rated most advantageous to ATCOG;
- Oral presentations from selected respondents (optional);
- Invitation to selected respondents to make Best and Final Offer (“BAFO”);
- Evaluation of BAFOs;
- Contract negotiations with one or more parties whose BAFOs are selected; and
- Staff recommendation of most advantageous response;
- Award.

4.3 Reasonable Response Time

To avoid restricting competition, or paying higher than necessary prices, requesting departments must establish advance planning mechanisms to ensure a reasonable response time. The Compliance and Purchasing Officer will work within best practice standards to determine the best timeline for the project to ensure all respondents are allowed proper response timing. Factors that are considered when developing the solicitation timeline include, but not limited to:

- Degree of urgency;
- Complexity;
- Extent of subcontracting;
- Advertising and publicizing the solicitation;
- Time zones of respondents;
- Internal processing times;

4.4 Certifications/Statements

ATCOG and various grant funding agencies may require that interested respondents comply with various certifications and assurances. The Compliance and Purchasing Officer will ensure that any required certifications or assurances listed in the solicitation are collected before contract award.

4.5 Final Review

Each Solicitation will be managed by the Compliance and Purchasing Officer or department designee who will review the scope/specification before issuance to detect and correct possible discrepancies or ambiguities that could limit competition or result in non-responsive responses. The Department Subject Matter Experts (SME's), the Purchasing Officer, and the Procurement Committee (as needed) will work together to finalize the specification/scope of work. The Compliance and Purchasing Officer is responsible for finalizing the solicitation documents.

4.6 Advertising and Publicizing

Section 252.041 of the Texas Local Government Code sets the general rules for the solicitation of responses. A reasonable time for prospective respondents to prepare and submit responses will be allowed in all solicitations. A short summary of the solicitation must be published in the local newspaper or a newspaper of general circulation under Legal Notices. The notice must include a description of the solicitation and where the specifications may be obtained, the time and place for receiving and opening responses, name and address of the person to receive responses.

Notice of the time and place at which the responses will be publicly opened must be published at least once a week for two consecutive weeks in the same publication. The date of the first publication must be before the 14th day from the date of public opening. The solicitation notification should be sent to all qualified persons on the Bidders' List after the first newspaper publication. Potential respondents may not be precluded from qualifying during the solicitation period. All solicitations are also posted on the ATCOG website.

4.7 Pre-Response Conference

A pre-response (pre-bid/pre-proposal) conference can be mandatory or optional and is a meeting of the department, end-user(s), and interested respondents and is generally used for reviewing the requirements of the solicitation with the interested respondents and end-users and to ensure that all interested respondents have a clear understanding of the requirements of ATCOG as well as, promoting competition. Pre-response conferences often uncover the market conditions that end-users are not aware of and could drive the need for letters of clarification to be issued.

Discussions or answers during the conferences will not supersede written material. Any changes to the solicitation must be made in writing and posted as Letter(s) of Clarification to be incorporated into the solicitation

4.8 Letter(s) of Clarification

If it becomes necessary to make any material changes in quantity, specifications, delivery schedules, opening dates, or to correct a defective or ambiguous solicitation, the changes will be made in writing and posted to the ATCOG website via Letter(s) of Clarification. Before the issuance of any Letter(s) of Clarification, the period remaining before the opening will be considered to determine the need to extend the bid opening date, if necessary. ATCOG is not responsible for the receipt of any letter(s) of clarifications, it is the respondents' responsibility to periodically check the website for updates.

4.9 Cancellation (before opening)

Preparing a solicitation involves money, time, and effort for ATCOG and prospective respondents and should not be canceled unless deemed in the best interest of the public, meaning that there is no longer a need for the supplies or services, or when there is a substantial amount of Letter(s) of Clarification, or where a new and comprehensive solicitation is the best solution. If a solicitation is cancelled it must be removed from the ATCOG website and notice sent to the Procurement Committee. The notice of cancellation will: (a) identify the solicitation number and title, (b) justification of the cancellation, and (c) indicate if there will be a re-solicitation or need in the future for the type of services or supplies involved.

4.10 Responsive

To be considered for an award, a response must be responsive - meaning that the response must comply with the material aspects of the solicitation.

4.11 Submission

Responses must be received in accordance with the instructions outlined in the solicitation and not later than the exact date and time set forth for the opening of the bids. ATCOG utilizes an electronic submission process in accordance with Texas Local Government Code Chapter 252.0145 which ensures the identification, security, and confidentiality of electronic responses and ensures that the integrity of the sealed process of electronic responses remains secure and unopened until the proper time.

All responses must be date and time-stamped by the Compliance and Purchasing Officer or department designee, to maintain the integrity of the submission process

4.12 Withdrawal

A response may not be withdrawn or canceled by the respondent, without the permission of ATCOG

4.13 Modification

Responses may not be altered or amended after the submission deadline. A non-material omission or error may be waived by the buyer if the omission or error:

- relates to a matter of form, not substance;
- has merely a negligible effect on price, quality, quantity, delivery or other contractual conditions; and
- does not otherwise prejudice the other bidders

4.14 Opening

All responses (and any modifications) received before the time set for the opening will be kept in a secure area and will not be opened or viewed. If the solicitation has been cancelled the responses will be returned to the respondents.

Responses must be received by and opened on the date and time specified by the solicitation. The response opening is open to the public; and if no member of the public attends, a member of another office will act as a witness. For ITB's, the bids will be opened and made available for public inspection. The person who opens the RFP or Best Value RFP/ITB response should only read the name of the firms who have submitted a response, if requested by an interested party; no other information is revealed at that time, as the contents of the offers must remain confidential until the date of contract award.

Late submissions will not be considered and will not be opened. Responses will be date/time stamped upon receipt. Incomplete responses may be considered non-responsive and may not be considered for award unless due to a non-material omission.

- If the incomplete response is due to a non-material omission the buyer may seek to obtain the additional information or waive/correct the non-material omission.
- a non-material omission relates to a matter of form, not substance, or an insignificant mistake that may be waived or corrected without prejudicing the other respondents i.e., the effect on price, quality, quantity, delivery or other contractual conditions is negligible.

All responses must be sealed with the solicitation number marked outside the envelope or uploaded into the correct solicitation folder if accepted electronically. Only one response may be submitted per envelope or electronic folder. An unmarked submission may be opened to establish its contents and resealed; the unmarked response will not automatically be eliminated; however, it does violate the integrity of the process. Opened responses will be kept on file and available for inspection, except to the extent properly designated as proprietary or trade secret.

4.15 Minor Informalities or Irregularities

A minor informality or irregularity is one that is a matter of form, not substance, and pertains to some immaterial defect in a response or variation of a response from the exact requirements of the solicitation that can be corrected or waived and are not prejudicial to the other respondents. The defect or variation is immaterial when the effect on price, quantity, delivery, or other area is negligible when compared to the overall cost or requirements of the supplies or services being acquired. ATCOG may give the bidder respondent the opportunity, if deemed in the best interest of ATCOG to cure any resulting deficiency. Example: Furnish all required forms (except signature page and price).

4.16 Communications with Respondents (after the Solicitation release)

Once a solicitation is advertised to the public, respondents and ATCOG employees are not allowed to communicate directly with one another. The respondent is required to follow the instructions in the solicitation and channel all communications through the Compliance and Purchasing Officer or department designee and to no other person or member of ATCOG Board of Directors. Failure to observe this rule by the respondent or any ATCOG employee, may be justification for rejection of the response.

4.17 Pre-Response Site Visits

Some projects may necessitate a site visit by respondents, such as those with installation requirements. The site visit will be coordinated through the Purchasing Officer. A general site orientation “walk-through” may be discussed during the pre-response conference with a site visit scheduled that day or later.

4.18 Interviews/Oral Presentation

Interviews/Oral presentations provide an opportunity for respondents to highlight the strengths and unique aspects of their response and to provide answers to questions the evaluation committee may have regarding the response. Demonstrations of product functionality are recommended when appropriate, such as for information technology procurements or solution-based procurements.

The selected respondents will each be given the same amount of time to make their interviews/oral presentations to the evaluation team. During the presentation, evaluation team members may ask questions about the response or product. When in-person presentations or demonstrations are not possible, the presentation may be made by telephone or online conference.

In the event the interview or oral presentation will be scored, the criteria for evaluation and points or weights must be indicated in the solicitation document. The interview process will be coordinated and managed by the Purchasing Officer.

4.19 Best and Final Offers

After the interviews/oral presentations, if any, or after all original responses are evaluated, respondents judged by the committee to have made the most advantageous offers may be invited to submit a Best and Final Offer ("BAFO"). The Compliance and Purchasing Officer will notify the selected Respondents in writing that they are being invited to submit a BAFO and they can:

- Modify the initial offer;
- Update or lower pricing based on any changes the department has made;
- Include any added inducements that will improve the overall score in accordance with the solicitation's evaluation plan.

Upon receipt of the BAFOs, the evaluation team can revise its original evaluation(s) based on the information submitted in the BAFO and select the top or the top two or more respondents recommended for an award.

4.20 Evaluation

For ITB's - The Compliance and Purchasing Officer or department designee, will tabulate and review the bids and award to the lowest responsive and responsible bidder meeting the specifications requested in the solicitation and will share the tabulation with the Department to agree on the award and next steps.

For RFP (and Best Value) - The evaluation team will determine how the proposal will be evaluated using the criteria specified in the RFP, and an evaluation matrix will be developed to score the individual proposals by each member of the evaluation committee. The scoring matrix is the scoring worksheet and will become part of the RFP file. The scoring matrix should be completely developed prior to the release of the RFP, as many times the development of this worksheet drives the need for adjustments or additions needed within the RFP document. **At the very least, the matrix must be developed prior to the opening of the proposals.**

Criteria not included in the RFP cannot be used in the scoring matrix and cannot be used to rank a proposal. The scoring matrix can be included in the RFP if desired, but it is not required.

Cost is typically the most significant evaluation factor, but there are many procurements where skills and relevant experience may be more important than cost. In these instances, the scoring matrix should identify these critical areas with the appropriate ratings and should be assigned higher weights than the other criteria.

Other Preferences (this language must be included in the solicitation):

Recycled Products—ATCOG is required to comply with Section 361.426, Texas Health and Safety Code, by giving preference to purchasing products made of recycled materials if the products meet applicable specifications as to quantity and quality. ATCOG must regularly review its procurement procedures to ensure that the procedures: (1) do not explicitly discriminate against products made of recycled materials; (2) encourage the use of products made of recycled materials; and (3) allow ATCOG, to the maximum extent economically feasible, to purchase products that may be recycled when they have served their intended use.

Environmental Standards*—ATCOG may give preference to goods or services of a vendor or provider that demonstrates that the vendor or provider meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality, or require that a vendor or provider demonstrate that the vendor or provider meets or exceeds any state or federal environmental standards, including voluntary standards,

relating to air quality.

*The environmental standards preference may be given only if the cost to the governmental agency for the goods or services would not exceed 105% of the cost of the goods or services provided by a vendor or provider who does not meet the standards.

4.21 Contract Negotiation

Negotiations (written/oral) will only be conducted with responsible and responsive offerors deemed by the procurement process to be in the competitive range, i.e., have a reasonable chance of being selected for award.

- The competitive range is determined by a technical evaluation of responses received based on the evaluation factors.
- The review and rating of responses must be consistently applied to ensure equal treatment and arms-length transaction;
- Data collected in the cost reasonableness review should be used to outline strengths and weaknesses of the proposed budget; and
- All changes resulting from negotiation should be documented.
- Types of contracts: cost reimbursement, fixed-unit price and fixed-unit price/performance-based contracts.
- Award the contract to the offeror whose response is determined to be the most advantageous to ATCOG considering the relative importance of price and the other evaluation set forth in the request for proposals.
- Notify all unsuccessful offerors of the award in writing.

4.22 Debriefing

Requests for a debriefing must be made within one week of notification of non-selection. ATCOG reserves the right not to conduct debriefings if requests are made after that time.

4.23 Protest Procedures (See Article XI)

Protest procedures must contain:

- contact person;
- time period for submission of protests;
- trigger events for submission, responses and replies to protests; and
- statements regarding right to reject any and all responses, right to recall all or portions of the solicitation and right to terminate contract for convenience.

4.24 Notification of Award

Once approved the Compliance and Purchasing Officer will determine the appropriate award method and will notify the successful respondent who will be invited to execute a Contract. The unsuccessful respondents will also be notified.

4.25 Rejection of Responses

ATCOG has discretion to reject responses as determined to be in its best interest. Examples of cause for a rejection will be defined in the solicitation document and could include, but may not be limited to, the following scenarios:

- Unsigned or unauthorized signatures;
- Responses received after the date and time for opening;
- Responses where prices are conditional on award of another bid or are subject to unlimited escalation;
- A response that fails to conform to the essential requirements of the Solicitation.
- A response that fails to conform to the delivery schedule, or permissible alternates stated in the Solicitation
- Respondent makes exceptions or imposes conditions that would modify requirements of the solicitation or limit the respondent's liability to ATCOG since allowing the respondent to impose such conditions would be prejudicial to other respondents.
- A low bidder may be requested to delete objectionable conditions from a bid provided the conditions do not concern the substance – as distinguished from the form – of the bid or work an injustice on other bidders. A condition concerns the substance of a bid where it affects price, quantity, quality, or delivery of the items offered. A bid may be rejected if the prices for any line items or sub-line items are materially unbalanced.
- Responses received from any person or concern that is suspended, debarred, proposed for debarment or declared ineligible as of the response opening date.
- Low bids received from bidders determined to be not responsible. Or when a bid bond or guarantee is required, and a bidder fails to furnish the bond or guarantee in accordance with the requirements of the solicitation.

The originals of all rejected responses, and any written findings with respect to such rejections, will be preserved with the papers relating to the acquisition. After submitting a response, if all a respondent's assets or, those parts related to the response, are transferred during the period between the response opening and the award, the transferee may not be able to take over the response. Accordingly, ATCOG will reject the response unless the transfer is affected by merger or operation of law. ATCOG may refuse to award a contract to or enter a transaction with a respondent if that respondent is indebted to ATCOG

4.26 Record Keeping in Solicitation Files

For each Solicitation issued by ATCOG the following information will be maintained to show the distribution that was made: the date the solicitation was issued and the names and e-mail addresses of prospective respondents who have been alerted, a copy of the solicitation that was advertised, and a copy of the notice that was advertised in the local newspaper. All other items relevant to the solicitation will also be maintained as part of the file. The Compliance and Purchasing Officer is responsible for keeping solicitation documents, including, time-stamped documents that provide evidence of receipt until the procurement is finalized.

ARTICLE V

METHODS OF PROCUREMENT COMPETITIVE SEALED SOLICITATION

Type: Invitation to Bid

The use of formal sealed bids is a competitive method for contracting goods and non-professional services and awarded based on lowest responsive and responsible bidder that meets the defined specifications. ATCOG solicits formal sealed bids using an Invitation to Bid for contracts over \$250,000. This article explains procedures regarding the formal sealed bid process.

ARTICLE V – INVITATION TO BID (ITB) COMPETITIVE SEALED SOLICITATION

5.0 Utilizing the Invitation to Bid Solicitation (ITB)

All ITB's must clearly state the contract will be awarded to the lowest responsive and responsible bidder meeting the defined specifications.

5.1 Preparing the ITB

The solicitation must describe the requirements clearly, accurately, and completely. Unnecessarily restrictive specifications or requirements is prohibited. Specifications cannot be written to favor any vendor. "Brand name or equal" descriptions may be used to define the performance or pertinent other requirements of the procurement. When used, the specific features of the name brand to be met by the bidder(s) must be clearly specified and can only be used to convey the minimum requirements of the requested specifications, however the bidder is allowed to provide an equal if it meets or exceeds the specifications requested. The specifications should consider at least the following:

- Estimated quantity
- Packaging and delivery requirements
- Define abbreviations or acronyms
- List all standards and codes
- Installation requirements
- Specify dimensions, class or type, color, size, material, quality level, make, model etc. including functional or performance characteristics
- Compatibility with existing equipment
- Warranty

5.2 Evaluating the ITB

The Compliance and Purchasing Officer will tabulate and review the bids and award to the lowest responsive and responsible bidder meeting the specifications requested in the solicitation and will share the tabulation with the Department to agree on the award and next steps.

5.3 Mistakes in Bids

Texas law prohibits corrections in bids after they are opened. If a mistake is purely clerical in nature and would create an undue hardship, the bidder may withdraw its bid. The only exception is when a bidder miscalculates the total price based on a unit price multiplied by quantity. In this case, the unit cost will be presumed correct and the total price will be recalculated.

5.4 Responsible Bidder

The Compliance and Purchasing Officer must determine that a prospective bidder is responsible and that the prices offered are reasonable before making an award recommendation. The price analysis techniques (see Article XII) can be used as guidelines in making this determination. If the price is deemed unreasonable after a thorough price analysis has been conducted, the Purchasing Officer, could recommend rejecting all bids and re-issuing the solicitation.

5.5 Award of the ITB

After bids are opened and reviewed by the Compliance and Purchasing Officer or department designee for responsiveness and tabulation is completed, a recommendation for award to the lowest responsive and responsible bidder will be prepared for The ATCOG Board of Directors to approve and make the award to the recommended bidder or it may reject all bids. ATCOG reserves the right to award to one or multiple bidders.

Tie Bids: ATCOG may award a contract for tie bids by drawing lots or by awarding to multiple contractors. If time permits the bidders involved will be given an opportunity to attend the drawing. The drawing must be witnessed by at least three (3) persons and the contract file must contain the names and addresses of the witnesses and the person supervising the drawing. When an award is made by drawing by lot after receipt of equal low bids, the buyer must describe how the tie was broken by providing a written statement that the contract award was made in accordance with the circumstances justifying the priority used to break the tie or select bids for a drawing by lot. This does not prohibit ATCOG from rejecting all bids

Other Preferences (this language must be included in the solicitation):

Recycled Products—ATCOG is required to comply with Section 361.426, Texas Health and Safety Code, by giving preference to purchasing products made of recycled materials if the products meet applicable specifications as to quantity and quality. ATCOG must regularly review its procurement procedures to ensure that the procedures: (1) do not explicitly discriminate against products made of recycled materials; (2) encourage the use of products made of recycled materials; and (3) allow ATCOG, to the maximum extent economically feasible, to purchase products that may be recycled when they have served their intended use.

Environmental Standards*—ATCOG may give preference to goods or services of a vendor or provider that demonstrates that the vendor or provider meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality, or require that a vendor or provider demonstrate that the vendor or provider meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality.

*The environmental standards preference may be given only if the cost to the governmental agency for the goods or services would not exceed 105% of the cost of the goods or services provided by a vendor or provider who does not meet the standards.

ARTICLE VI

METHODS OF PROCUREMENT FORMAL SEALED SOLICITATION

Type: Best Value Solicitation (ITB/RFP)

A Best Value solicitation is a combination of competitive procedures designed to obtain the benefits of a sealed solicitation in combination with the establishment of additional evaluation selection criteria. Best value solicitations allow for the award decision to be determined by factors other than price. This type of solicitation can be used as an Invitation to Bid or a Request for Proposal and involves evaluation by a pre-selected evaluation committee, with a recommended minimum of three (3) members, using the criteria established in the solicitation.

ARTICLE VI – BEST VALUE (ITB/RFP) COMPETITIVE SEALED SOLICITATION

6.0 Utilizing the Best Value Solicitation (ITB/RFP)

The lowest cost is not always the best value. Strategic thinking is necessary when considering ATCOG'S procurement needs and not make the mistake of obtaining enough just to meet the immediate need. The considerations must be "What is the desired outcome of the solicitation?" and "What is the best way to achieve the outcome?"

An example of a best-value purchase might be the purchase of a heating and air conditioning unit. ATCOG must consider the total cost of ownership ("TCO") when purchasing these units. The average life span of the unit, electricity consumption, maintenance record of the unit, and parts availability are a few considerations when looking at the TCO. In addition, ATCOG must consider the qualifications and availability of the service technicians and the respondent's performance history.

Department Advance Planning for the Evaluation Process: departments must appoint evaluation committee members with a recommended minimum of 3 to 5 people with the expertise for the product or service required. There is no maximum number of evaluators. However the evaluation will become more complex and time-consuming with larger numbers of people to coordinate. The evaluation committee should be comprised of members that bring as much knowledge as possible to ensure the best response is selected. It is recommended to include outside funding partners as part of the evaluation committee. The Executive Director may require cross-departmental members and has discretion to assign personnel to an evaluation committee.

6.1 Preparing the Solicitation ITB/RFP

The Department must submit a Specification or detailed Scope of Work to begin the procurement process. The Compliance and Purchasing Officer will work with the requesting department to review the specification or scope for restrictive language to ensure maximum competition and establish submittal criteria and evaluation criteria based on the specifications or scope of work submitted. The Scope of Work should answer the questions-what, when, where, and how. What is wanted? When is it needed? Where is it needed? How many or how much? And should specify the performance requirements of the deliverables being requested, not just describe them. The scope of work should include at least the following:

- a description of the services or products
- specified drawings/schematics, diagrams, if any
- pricing methods (unit price, time & materials, lump sum, etc.)
- deliverables
- contract term
- minimum level of experience
- Minimum qualifications

If including Specifications, it must describe the requirements clearly, accurately, and completely. Unnecessarily restrictive specifications or requirements is prohibited. Specifications must not be written to favor any vendor. "Brand name or equal" descriptions may be used to define the performance or pertinent other requirements of the procurement.

When used, the specific features of the name brand to be met must be clearly specified and can only be used to convey the minimum requirements of the requested specifications, however the respondent

is allowed to provide an equal if it meets or exceeds the specifications requested. The specifications should consider at least the following:

- certifications or qualifications of the contractor
- experience of the contractor
- estimated quantity
- packaging and delivery requirements
- define abbreviations or acronyms
- list all standards and codes
- installation requirements
- specify dimensions, class or type, color, size, material, quality level, make, model etc. including functional or performance characteristics.
- compatibility with existing equipment
- warranty

6.2 Evaluating the Solicitation

Contracts awarded based on best value can be evaluated based on a combination the criteria below, including, but not limited to:

- the purchase price;
- life cycle cost;
- the reputation of the bidder;
- delivery terms
- the quality of the bidder's goods or services;
- respondent's financial resources;
- installation costs;
- the extent to which the goods or services meet ATCOG's needs;
- the bidder's past relationship with ATCOG;
- the total long-term cost to ATCOG

The evaluation team will determine how the proposal will be evaluated using the criteria specified in the RFP, and an evaluation matrix will be developed to score the individual proposals by each member of the evaluation committee. The scoring matrix is the scoring worksheet and will become part of the RFP file. The scoring matrix should be completely developed prior to the release of the RFP, as many times the development of this worksheet drives the need for adjustments or additions needed within the RFP document. **At the very least, the matrix must be developed prior to the opening of the proposals.**

Criteria not included in the RFP cannot be used in the scoring matrix and cannot be used to rank a proposal. The scoring matrix can be included in the RFP if desired, but it is not required.

Cost is typically the most significant evaluation factor, but there are many procurements where skills and relevant experience may be more important than cost. In these instances, the scoring matrix should identify these critical areas with the appropriate ratings and should be assigned higher weights than the other criteria.

6.3 Award for Best Value (ITB/RFP)

ATCOG personnel will make a recommendation for award or may also recommend award to multiple respondents at the discretion of ATCOG, The ATCOG Board of Directors may approve and make the award to the recommended respondent or it may reject all responses.

ARTICLE VII

METHODS OF PROCUREMENT FORMAL SEALED SOLICITATION

Type: Request for Proposal

A Request for Proposal (RFP) is a competitive process appropriate for procuring high-technology goods and services and certain professional services that are not governed under the Professional Services Procurement Act, which has different rules for professional services such as architecture and engineering. This type of procurement method involves the submission of sealed responses which are then evaluated by a pre-selected evaluation committee, with a recommended minimum of three (3) members, using definitive criteria other than the lowest price.

ARTICLE VII – REQUEST FOR PROPOSAL (RFP) COMPETITIVE SEALED SOLICITATION

7.0 Utilizing the Request for Proposal (RFP)

The RFP process is complex and will often take longer than the other procurement methods mentioned. Requests for Proposals are often used for the following goods or services:

- Certain professional services such as consulting services, software design, and other services not covered by the Professional Services Procurement Act (Texas Government Code Chapter 2254).
- Data processing equipment and software;
- Telecommunication equipment and radio and microwave systems;
- Electronic distribution control systems, building energy management systems, and technical services related to those items;
- Creation or modification of software systems

Department Advance Planning for the Evaluation Process: departments must appoint evaluation committee members with a recommended minimum of 3 to 5 people with the expertise for the product or service required. There is no maximum number of evaluators, however the evaluation will become more complex and time-consuming with larger numbers of people to coordinate. The evaluation committee should be comprised of members that bring as much knowledge as possible to ensure the best response is selected. It is recommended to include outside funding partners as part of the evaluation committee. The Executive Director may require cross-departmental members and has discretion to assign personnel to an evaluation committee.

7.1 Preparing the RFP

The Department must submit a Scope of Work to begin the procurement process. The Compliance and Purchasing Officer will work with the requesting department to review the scope for restrictive language to ensure maximum competition and establish submittal criteria and evaluation criteria based on the scope of work submitted. The Scope of Work should answer the questions-what, when, where, and how. What is wanted? When is it needed? Where is it needed? How many or how much? And should specify the performance requirements of the deliverables being requested, not just describe them. The scope of work should include at least the following:

- a description of the services or products
- specified drawings/schematics, diagrams, if any
- pricing methods (unit price, time & materials, lump sum, etc.)
- deliverables
- contract term
- minimum level of experience
- minimum qualifications

7.2 Evaluating the RFP

The evaluation team evaluates using the criteria specified in the solicitation and an evaluation matrix is developed to score the individual responses by each member of the evaluation committee. Criteria not included in the solicitation cannot be used in the scoring matrix and cannot be used to rank a response.

Criteria are assigned to all the factors that are important to the success of the project and are weighted in order of importance. The table below is an example of a simple matrix in which cost is the most critical factor:

Evaluation Criteria (Example)	Weight (Example)
Cost	40%
Proposed Methodology	40%
Qualifications of Firm/Staff	15%
Financial Stability	5%

Evaluations may be conducted using any rating method or combination thereof as designed by ATCOG and can include numerical weights and points (percent of), and ordinal methods of scale (0 to 5, etc.).

The Compliance and Purchasing Officer will work with the Department to establish a time period for evaluation. The period may vary with the complexity and number of responses involved. The evaluation should be completed in an expeditious manner.

7.3 Award

A recommendation will be presented to the ATCOG Board of Directors for approval to negotiate, and execute, a contract with the ranked Firms in descending order. However, the Final approval and selection of award lies with the Board of Directors. ATCOG reserves the right to delay that date as needed and to reject any and all responses as deemed in its interest.

ARTICLE VIII

CREDIT / CHARGE CARD PURCHASES

Credit / Charge Cards are a convenient way for ATCOG departments to make incidental purchases of supplies and services in amounts that will not reach the bid limit within the fiscal year.

The Finance Department will maintain a Credit / Charge Card(s) with a single-transaction limit and a monthly transaction limit pre-determined by Finance. All cards have a maximum card amount determined by the user function.

**ARTICLE VII
CREDIT / CHARGE CARD PURCHASES**

PART A: Credit / Charge Card Purchases

8.0 Using a Credit / Charge Card

The need to use a Credit / Charge Card is established when the purchase of goods or services is for official ATCOG business. Once issued the card user will ensure that the use of the card does not violate established ATCOG spending limits, or procedures. All procurement policies must be followed when utilizing a Credit / Charge Card.

8.1 Purchases that may be made with a Credit / Charge Card

Credit / Charge Cards may be used to purchase goods or services not prohibited in this policy or in violation of their funding agreements. The total purchased with the Credit / Charge Card must not exceed the limits associated with each card. Finance may authorize purchases in excess of the pre-determined limit and the formal bid limit established by the State of Texas during incidents which may include, but are not limited to: emergency preparedness, inclement weather, disasters, or any other conditions that may affect Health and Safety of the region.

8.2 Purchases that may NOT be made with a Credit / Charge Card

Prohibited purchases include, but are not limited to, the following:

- Cash Advances;
- Personal Expenditures;
- Texas Sales Tax;
- Technology (without prior written approval from IT
- Online Gaming/Betting;
- Jewelry;
- Gambling
- Or any items or services for personal use

8.3 Individual Responsibility

Card users are responsible for the security of their cards; the cards should be treated with the same level of care as that would be used with their own personal credit or debit cards. Unsolicited requests for account information should be verified before any credit card information is released. In addition to securing the card, card users **MUST** retain all receipts for all purchases.

If a receipt is lost, the card user must obtain a copy from the bank or supplier. Faxed or computer-generated invoices are acceptable. The first eight digits of the card number should be blocked from a receipt showing the entire 16-digit card number.

8.4 Declined Transactions

Occasionally a supplier may receive a “decline” response from a bank after attempting to complete a card transaction. The decline could be for multiple reasons: exceeding spending limit; incorrect expiration date; incorrect billing address; or a purchase outside of the correct spending profile. The card user should contact the Finance Director or Deputy Director for resolution if the transaction is declined.

8.5 Returns of item(s) purchased with the Credit / Charge Card

Upon the return of any merchandise purchased with a Credit / Charge Card to a supplier, the card user is responsible for obtaining a credit memo from the supplier. The credited amount is then re-applied to the card, or the vendor or provider can refund the amount to ATCOG via a reimbursement check. **Cash refunds are prohibited.**

8.6 Lost or Stolen Cards

If a card has been lost or stolen, the card user must immediately notify Finance.

8.7 Unauthorized Use of a Credit / Charge Card

Purchases that a department’s management or the Compliance and Purchasing Officer or Finance Department deem inappropriate will be referred back to the Card user for justification. If unauthorized charges appear in the Monthly Statement:

- The Compliance and Purchasing Officer must investigate all circumstances surrounding the alleged misuse and, in such cases, where there is evidence substantiating a violation of procedure or policy, refer that information to the appropriate authority for investigation and/or disciplinary action
- In those cases where there is evidence of negligence in the use of a card, but no fraudulent acts have been committed, the card user must surrender the card, and may be subject to disciplinary action.

Any employee having knowledge of violations of this procedure or policy governing the use of the Credit / Charge Card shall immediately report violations to the Purchasing Officer. Card users suspected or accused of misuse, fraud, or theft be denied access to the card. Further disciplinary actions, if necessary, will be administered in accordance with ATCOG policies and procedures.

8.8 Disputed Credit / Charge Card Purchases

Card users are responsible for immediately resolving any disputes between themselves and the supplier on the item(s) purchased. Cardholders should advise the Finance Department and Compliance and Purchasing Officer of any disputes and the agreed upon resolution to avoid inappropriate charges to grants.

ARTICLE IX

SPECIAL CASES AND EXCEPTIONS

In some instances, procurement can be made with exception to competitive limits and state law requirements. This section describes the following special cases, and exceptions:

- Emergency Procurements
- Sole Source Procurements
- Procurements through Cooperative Purchasing Agreements
- Professional, Planning, Personal and Pass-thru Services

ARTICLE IX - SPECIAL CASES AND EXCEPTIONS

ATCOG may, but is not obligated to, use any competitive method it deems desirable for the procurements listed below, unless the use of competitive method is otherwise restricted. Unless otherwise specified by law or program requirements, all contracts and/or purchase orders must be awarded by competitive sealed solicitation process pursuant to applicable federal and state laws, rules and regulations.

9.0 Emergency Procurements

Emergency procurements should be made as competitively as possible under the circumstances. Emergency purchases are those purchases necessary because: 1) public calamity that requires the immediate appropriation of money; 2) unforeseen damage to public machinery, equipment or property. Documentation of these purchases must include a written determination of the basis for the emergency and for the selection of a contractor or vendor. As soon as practicable, a record of each emergency procurement must be made and must include the contractor's name, the amount and type of the contract, and a listing of the items procured under the contract. All documentation must be submitted to the Operations Officer for appropriate approvals. Funding agencies may have varied definitions of what constitutes an emergency under this scenario.

9.1 Public Health and Safety

Procurement necessary to preserve or protect public health or safety is not required to be competitively procured. Purchases to protect health and public safety do not need to be made in connection with a public calamity in order to be exempt in most cases, however funding agencies may have varied definitions of what constitutes an emergency under this scenario. This exemption includes contracts for solid waste disposal. The Compliance and Purchasing Officer or department designee is responsible for any health and safety purchases. Documentation of these purchases must include a written determination of the basis for the public health and safety provision and for the selection of a contractor or vendor will be required prior to justify the purchase under the provision. All documentation must then be submitted to the Operations Officer for approval.

9.2 Sole Source Procurement

Sole Source procurements are procurements of goods or services that are available from just one vendor. A sole source purchase cannot be used to avoid competition. Sole source purchases above \$50,000 must be approved by the ATCOG Board of Directors. Sole source procurement is limited to the following:

- There is no other product or service available that can perform the equivalent functions to the sole source product or service;
- The product is only available from a regulated or natural monopoly;
- Patent or Copyright prohibits other sources from distribution
- Maintenance or repair functions call for the Original Equipment Manufacturer "OEM" parts. This means that no other entity except the OEM can maintain, repair, or replace for parts or services.

Items that are only available from one source "single source" are not automatically considered a sole source item. Often, the manufacturer may have distributors that resell their products as "authorized distributors". It should be verified that the manufacturer does not have authorized distributors, if it is determined that distributors exist, competition must be sought from each distributor. If after soliciting an adequate number of sources, competition is deemed inadequate ATCOG must have demonstrated a "good faith effort" that it has solicited qualified providers through the appropriate competitive processes and is authorized by the grantor agency, if applicable. All documentation will be submitted to the Operations Officer who will make the determination of whether a request qualifies as a Sole Source. Requirements for Sole Source documentation include:

- A written determination of the basis for the public health and safety provision or other justification for the selection of a contractor or vendor.
- The sole source contractor is required to submit a "Sole Source Certification Statement" that certifies the entity as the manufacturer of the item, provider of the service (as applicable), and there are no authorized resellers or distributors.
- The sole source contractor is required to submit complete response documentation, including a description of the work to be accomplished and a proposed price.
- Negotiations should be conducted with the sole source to obtain the best possible price since the lack of competition may lead to a vendor or contractor to charge unreasonably high prices.
- The negotiations should be documented and retained in the procurement file along with the sole source justification.

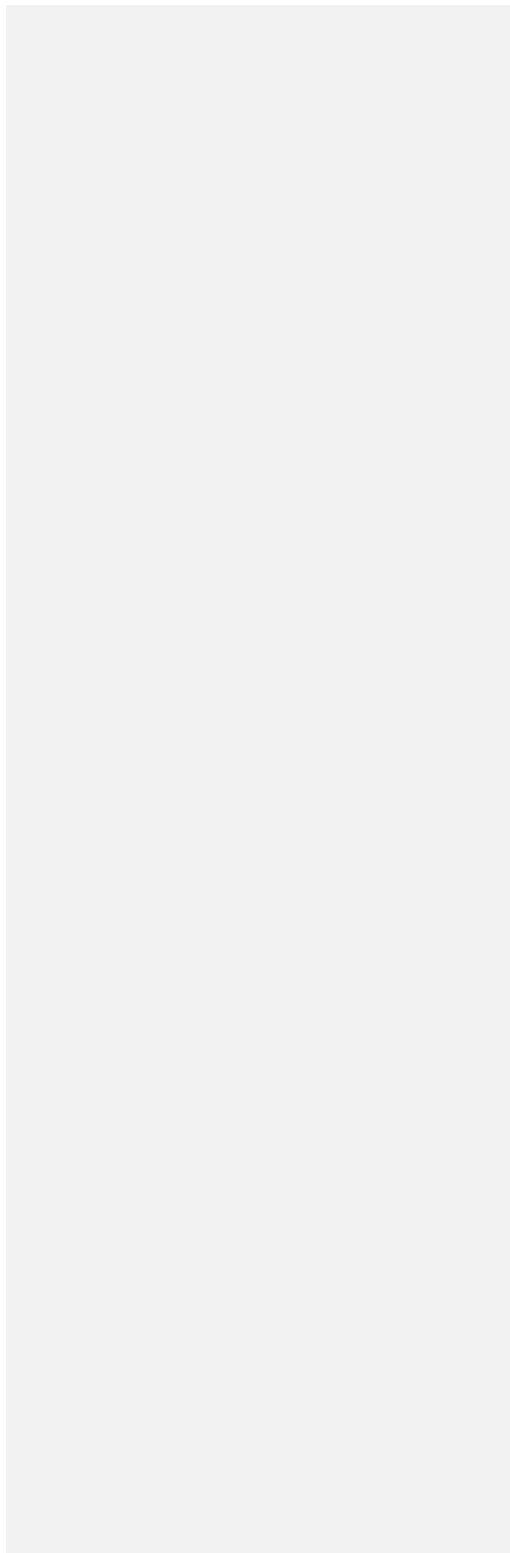
Approval of Grantor Agency (if applicable)

- ATCOG must receive prior written concurrence from grantor agency for any sole source procurement expected to exceed \$50,000. If specifications and conditions of a solicitation have been drawn to describe a product which is proprietary to one vendor or provider, without language which permits an equivalent product to be supplied, written justification of the requested specifications or conditions must be submitted.

9.3 Cooperative and Interlocal Agreements

Under Texas Law, ATCOG may participate in a cooperative purchasing program with another local government or a local cooperative organization (as defined by Texas Local Government Code Chapter 271), to include state and federal contracts, provided that ATCOG purchases the goods and services in accordance with the cooperative purchasing requirements, then ATCOG is deemed to have satisfied state bid laws for the purchase of the goods or services. Examples of Cooperative Agreements ATCOG can utilize include, but not limited to:

- Department of Information Resources (DIR)
- Texas Multiple Award Schedule (TXMAS)
- National Intergovernmental Purchasing Alliance (National IPA)
- The Cooperative Purchasing Network (TCPN)
- Texas Smart Buy
- HGAC
- TIPS



ATCOG may also make certain purchases by taking advantage of the U.S. General Services Administration contracts with vendors. GSA is the purchasing agent for the Federal Government and offers a cooperative purchasing program for local governments and eligible entities to make purchases.

Procedures for Cooperative Agreements follow the same procedures for micro purchases and require at least one written quote. Any amount over \$50,000 requires ATCOG Board of Directors' approval. ATCOG must determine that the cooperative agreement program being used to procure the goods or services satisfies the competitive requirements of the Texas Local Government Code Chapter 252.

9.4 Professional Services

Chapter 2254, Texas Government Code, requires that a contract/purchase order for professional services be awarded based on demonstrated competence and qualifications to perform the services for a fair and reasonable price. In procuring services, ATCOG is also subject to State and Federal procurement requirements contained in 2 CFR 200 and must procure the services using the Request for Qualifications.

Professional services under Chapter 2254 include: accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, and professional nursing and also for the employment of a person who is licensed or registered as: a CPA, an architect, a landscape architect, a land surveyor, a physician, an optometrist, a professional engineer, a real estate appraiser or a registered nurse. The solicitation must contain a statement of qualifications and the type of work to be performed and must be publicly advertised.

In the case of architectural, engineering or land surveying services, Chapter 2254 requires that ATCOG first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications and then attempt to negotiate with that provider a contract at a fair and reasonable price. If a satisfactory agreement cannot be negotiated with the most highly qualified provider, ATCOG must end negotiations with that provider and select the next most highly qualified provider to negotiate a contract at a fair and reasonable price. Selection of other professional services may be made (at ATCOG option) by RFQ, RFP.

Other professional services, such as general legal services, are exempt from competitive requirements, but are not listed under Chapter 2254. Professional services are defined as services that involve "predominately mental or intellectual, rather than physical or manual, skills" and that require "special knowledge or attainment and a high order of learning, skill and intelligence."

9.5 Planning Services

Planning services are those services primarily intended to guide governmental policy to ensure the orderly and coordinated development of the state or of municipal, county, metropolitan or regional councils. ATCOG by policy and to comply with TXGMS, will use the Request for Proposal (RFP) process for the procurement of planning services.

9.6 Personal Services

Personal services involve a contract in which the contractor himself is required to perform the service. ATCOG will use the Request for Proposal (RFP) process for procurement of personal services.

9.7 Selection Methods for Planning and Personal Services

Selection of personal or planning services will be made using a Request for Proposal (RFP). Contract must be awarded to the offeror whose response is determined to be the most advantageous to ATCOG considering the relative importance of price and the other evaluation factors set forth in the request for proposals. Selection of personal or planning services may (at ATCOG's option) be made based on competitive solicitation to the lowest responsible bidder or to the respondent providing best value to ATCOG. A Request for Qualifications (RFQ) or other selection method may also be used in compliance under Texas state law.

9.8 Pass-Through Services

The procurement of pass-through services from private and non-profit services providers will be completed through the Request for Proposal (RFP) process.

9.9 Other exemptions

ATCOG can use any competitive procurement process it deems desirable i.e. ITB, RFP or RFQ for the procurements listed below if any apply, unless the use of competitive procurement is otherwise prohibited.

- Contracts for work that is performed and paid for by the day as the work is in progress.
- Contracts for paving, drainage, street widening and other public improvements if at least 1/3 of the cost is to be paid by or through special assessments levied on property that will benefit from the improvements.
- Purchase of land or a right-of-way.
- A public improvement project already in progress authorized by the voters of a municipality for which there is a deficiency of funds for completing the project in accordance with the plans and purposes authorized by voters.
- Payment under a contract in which the developer participates in the construction of a public improvement as provided by the Texas Local Government Code chapter pertaining to municipal regulation of subdivisions and property development.
- The purchase of electricity.
- Services performed by the blind or severely disabled.
- Goods purchased for subsequent resale.
- The purchase of personal property sold at an auction by a state licensed auctioneer at a going-out-of-business sale meeting certain requirements, by a political subdivision, state entity or an entity of the federal government, or under an interlocal contract for cooperative purchasing administered by a regional planning commission.

9.10 Unsolicited Offers or Proposals

An unsolicited offer/proposal is any offer/proposal other than one submitted in response to a Solicitation. To be considered by the buyer, the unsolicited offer/proposal must:

- not be for an item required by law to be competitively bid or proposed;
- be in writing; and
- evaluated by the buyer to determine any utility and benefit to ATCOG
- ATCOG has the right to refuse any unsolicited offer or proposal.

9.11 Lease/Purchase Agreements

The leasing of property and/or equipment is encouraged in lieu of purchasing where leasing is the most economical procurement approach.

9.12 Federal Excess or Surplus Property

ATCOG is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and/or property whenever feasible and for the purpose of reducing procurement costs.

ARTICLE X

CONSTRUCTION RELATED CONTRACTS

ARTICLE X – CONSTRUCTION-RELATED CONTRACTS

ATCOG Construction Contracts must be compliant with the Davis-Bacon Act 29 CFR 5(Revised October 2023). Section 1 Title 40 of the United States Code, Subsections 3141-3144, 3146, and 3147 of this title by Pub. L. 107-217, Secs. 1, 6(b), Aug. 21, 2002, 116 Stat. 1062, and 1304.

10.0 Facility Construction

When entering a contract for the construction of a facility, ATCOG may use any of the following types that provide the best value under Chapter 271 of the Texas Local Government Code. ATCOG must determine the contract method prior to advertising and award a competitively solicited contract for construction services to the respondent offering the best value based on the criteria set forth below. The contract is not required to be awarded strictly to the lowest responsible bidder. ATCOG must document the basis for its decision regarding the contract award.

- Competitive Sealed Bidding;
- Competitive Negotiation;
- a design-build contract;
- a contract to construct, rehabilitate, alter, or repair facilities that involves using a construction manager; or
- a job order contract for the minor repair, rehabilitation, or alteration of a facility.

A “facility” includes buildings the design and construction of which are governed by accepted building codes. A facility does not include: highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction; or buildings or structures that are incidental to projects that are primarily civil engineering construction projects.

ATCOG must publish in the solicitation all the criteria that will be used to evaluate the respondents and the relative weights given to the criteria. In awarding a contract, ATCOG may consider the following:

- purchase price;
- reputation and past relationship of the respondent and their goods or services;
- extent to which the goods or services meet ATCOG’s needs;
- impact on the ability of ATCOG to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;
- total long-term cost to ATCOG to acquire the goods or services; and
- other relevant criteria specifically listed in the Solicitation

ARTICLE XI

PROTEST AND DEBRIEFING

A response to a Solicitation requires an entity expend a significant amount of time and effort. ATCOG must try to respond to all of those who submit responses and to inform them of the outcome of the solicitation. This article covers the process in the event of a protest or a request for debriefing by a respondent.

ARTICLE XI - PROTEST AND DEBRIEFING

Providing responses to the outcome of a solicitation can help to alleviate the potential for protest. It is ATCOG's goal is to provide responding entities with full information and explanation regarding its procurement process and intends to give the contracting entity a fair and open opportunity to compete for ATCOG's business consistent with the guidelines established in this manual.

11.0 Requests for Debriefing

Requests for a debriefing must be made within five (5) business days of notification of non-selection. ATCOG reserves the right to not conduct debriefings if requests are made after that time. This procedure is NOT available to respondents who did not participate in the Solicitation, to non-responsive or non-timely respondents, or when all responses are rejected.

11.1 Procedures for Debriefing

A respondent must submit a written request per the instructions of the Solicitation, for a debrief and furnished the basis for the selection decision and contract award. Debriefings of successful and unsuccessful respondents will be done orally. The Department Head is responsible for performing all debriefs and notes of the evaluation committee regarding strengths and weaknesses of the respondent will be shared with the requesting respondent.

The debriefing will NOT include point-by-point comparisons of the debriefed respondent's response with those of other respondents. Moreover, the debriefing will not reveal any information prohibited from disclosure or exempt from release; information may include, but is not limited to:

- Trade secrets;
- Proprietary information;
- Privileged or confidential manufacturing processes and techniques;
- Commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information; and
- The names of individuals providing reference information about a respondent's past performance.

11.2 Resolution of Protested Solicitations and Awards

The following language is included in all ATCOG solicitations:

Any Respondent who is aggrieved in connection with a purchase transaction may file a grievance. The grievance may be filed at any phase of the procurement, and up to five (5) days after the ATCOG Board of Directors public agenda is posted for action regarding the questioned item. Grievances filed more than five (5) working days after action by the ATCOG Board of Directors will not be deemed timely and will not be considered. In order for a Respondent to enter the grievance process, a written complaint must be sent to the Deput Director of ATCOG by certified mail and sent to 4808 Elizabeth Street, Texarkana Texas, 5503, and must include the following:

1. Name, mailing address and business phone number of the complainant.
2. Appropriate identification of the procurement being questioned.
3. A precise statement of the reasons for the protest.
4. Supporting exhibits, evidence or documents to substantiate any claims.

The grievance must be based on an alleged violation of ATCOG's Procurement Procedures, a violation of State or Federal Law (if applicable), or a violation of applicable grant or contract agreements to which ATCOG is a party. Failure to receive a procurement award from ATCOG in and of itself does not constitute a valid grievance. Upon receipt of grievance, the Compliance and Purchasing Officer will initiate the informal resolution process.

The Compliance and Purchasing Officer will contact the complainant and all interested parties and attempt to resolve the allegations informally within ten (10) working days from the date of the complaint. If the allegations are successfully resolved by mutual agreement, documentation will be forwarded to the Deputy Director of the resolution with specifics on each point addressed in the original complaint.

If the Compliance and Purchasing Officer is not successful in resolving the allegations, the complaint, along with the comments, will be forwarded to the DEPUTY DIRECTOR immediately. The DEPUTY DIRECTOR will review all documentation. All interested parties will be given written notice of the date, time, and place of hearing and an opportunity to present evidence. A written decision will be issued within five (5) working days after the hearing along with notice of appeal rights.

The complainant may appeal the DEPUTY DIRECTOR decision by submitting a written appeal, within five (5) working days, to the Executive Director of ATCOG. The Executive Director upon receipt of a written notice of appeal, shall contact the complainant and schedule a hearing within ten (10) working days. The EXECUTIVE DIRECTOR of ATCOG has the option of appointing a Hearing Officer to preside over the hearing. If appointed, the Hearing Officer will conduct a hearing and forward a summary and recommended resolution to the EXECUTIVE DIRECTOR.

The decision reached by the EXECUTIVE DIRECTOR or designee will be final and conclusive. This decision will be forwarded to the complainant in writing within thirty (30) working days.

The Respondent may, if it elects to do so, appeal the final and conclusive decision of the Executive Director to a court of competent jurisdiction.

ARTICLE XII

COST/PRICE ANALYSIS

Before undertaking any procurement activity, a cost analysis or price analysis should be performed. The result of price analysis is to ensure fair and reasonable pricing of a product or service.

ARTICLE XII - COST/PRICE ANALYSIS

Independent cost or price analysis must be performed prior to every procurement action, including contract modifications to assist in the evaluation of the procurement. An independent cost estimate is required when:

- the respondent must submit the elements of estimated cost (for professional, consulting and architectural/engineering services contracts); and
- when adequate price competition is lacking, such as sole source procurements, change orders or contract modifications.
- in excess of the Federal Simplified Acquisition Threshold per 2 CFR 200.323 or as otherwise required by Federal Regulations.

A price analysis will be used in all other instances to determine the reasonableness of the proposed contract price.

12.0 Purpose

The purpose of the cost reasonableness review is to

- assure that all costs are properly allocated and classified;
- list any high or questionable costs;
- assure that an organization-wide cost allocation plan is provided where the bidder has multiple sources of funding.
- list any questionable issues of purchase or lease;
- assure that the cost of audit is covered;
- review staffing sources and salaries to assure budgetary limitations;
- assure that staff salaries are properly allocated to administration or training;
- determine adequacy of staffing for activities;
- list high or questionable staff salaries and benefits;
- list low cost or unreasonable staffing; and
- perform a comparative analysis including a comparison of activities and services to be offered, staffing patterns and costs proposed. This analysis may be used to assess the reasonableness of costs through competition, and the reasonableness of proposed cost may be established by performing a comparative analysis of an item or service that is currently available in the local service delivery area, including comparisons with current market rates.

12.1 Procedure

12.1.0 Obtain an independent cost or price analysis from:

- informational solicitations from more than one dependable vendor or source;
- catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation; or
- historical data.

12.1.1 A cost reasonableness review is conducted, which includes, but is not limited to reviewing:

- prior experience and effectiveness;
- line item budget analysis;
- profit/program income;
- the amount of the total budget;
- the amount of the administrative budget;
- all cost items and salaries;
- all cost items with respect to relevancy and appropriateness in accomplishing the services provided;
- travel reimbursement policies;
- cost per positive termination, entered employment in relation to similar training, length of time and quality; and
- cost per contract hour.

A price analysis may be conducted by comparing price quotations submitted or by comparing price quotations with current market prices, considering any discounts. The analysis includes a comparison of prices paid for the same or similar products in the past, as well as the current market rate, including consideration of quantities, production and delivery rates. In-house estimates of cost may also be used.

12.2 Elements of the Cost Analysis

A cost analysis must include a review, evaluation and verification of each element of cost submitted in the line item budget to determine whether costs are reasonable, necessary and allowable under applicable cost principles. Each cost contributes to the total price. The cost and pricing data are used to evaluate:

- specific cost elements;
- the necessity of specific costs;
- reasonableness of amounts estimated for the necessary costs;
- reasonableness of allowances for contingencies;
- basis for allocation of indirect costs;
- appropriateness of allocation of indirect costs to the proposed contract; and
- reasonableness of the total price.

12.3 Record Keeping of the Cost Analysis

The independent cost or price analysis must be kept as part of the procurement record, even if only included as a memorandum to the file. Acceptable documentation reflects:

- Solicitation procedures;
- Procurement method;
- catalog pricing;
- recent past pricing for similar goods or services, either by ATCOG or others in the vicinity;
- "yardsticks" developed from models designed to identify and price the mix of resources considered necessary for achievement of delivery within the expected performance range; and
- cost/price analyses conducted to test and compare the valuation of each element listed in the budget with a cost considered reasonable in the current environment.

12.4 Cost and/or Pricing Documentation

- copy of line item budget;
- lease agreements and calculations of space and costs allocated;
- cost allocation plans for costs prorated between different funding sources;
- contractor-approved wage and benefit schedules for funded positions;
- travel reimbursement policies;
- calculations, bids and/or documentation used to determine start-up, equipment and supply costs;
- cost determination of training courses and week-cost considerations;
- other funding sources which directly or indirectly impact services proposed;
- records certifying name(s) of individuals who performed/approved the cost reasonableness review; and
- records showing differences in quality or service or output.

ARTICLE XIII

CONTRACT ADMINISTRATION

Following the award of a contract, the management actions that must be taken to assure full compliance with all terms and conditions contained within the contract document, including price. Action steps that assure that the contractor is in full compliance with the entire contract. Contract administration activities include payment, monitoring of progress, inspection and acceptance, quality assurance, monitoring and surveillance, modifications, negotiations, contract closeout, and other activities.

ARTICLE XIII - CONTRACT ADMINISTRATION

13.0 Contract Types

The procurement instrument must be in accordance with specific grantor procurement standards. The procurement instrument, contract, or purchase order must be appropriate for the procurement and for promoting the best interest of the Agency and the grant program involved.

- Fixed price contracts or purchase orders;
- Cost reimbursement contracts or purchase orders; and
- Incentive contracts
- Time and Materials (T&M) contracts (profit must be negotiated separately)
- **A Cost plus a Percentage of Cost or Percentage of Construction Cost must not be used.**

13.1 Payment

- Lump Sum upon completion of contract; or
- Unit Price; or
- Percent of completion (construction and implementation type contracts)

13.2 Contract Execution and Approval Procedures

A contract is a legal agreement and commitment from ATCOG which under terms and conditions, requires a contractor or vendor to carry out specific tasks or provide specific goods and services. All contract administration actions, i.e. contract authorization, contract approval, contract amendment, and contract closure must be accompanied with and transmitted by a Contract Action Notice. The procedures as follows, describe contract administration requirements for all ATCOG contracts:

- | | |
|------------|---|
| Department | <ol style="list-style-type: none">1. Receives authorization from a funding agency in the form of grant award or contract document or action by ATCOG Board of Directors to incur costs against project or program.2. Prepares the proposed work program and budget.3. Recommends contractor or vendor to provide tasks, goods, and services in accordance with terms and conditions of the approved grant or program and Source Selection and Contract Formulation.4. Negotiates and prepares contract agreement utilizing the appropriate General Contract Provisions.5. Prepares and approves Contract Action Notice.6. Notifies the accounting department to establish the contract in ATCOG's accounts and to accept charges incurred as of the contract effective date.7. Obtains required approval authorizations in accordance with Article II of the Procurement Policy. This process is documented on the Contract Action Notice.8. Maintains a copy of all contract documents in its files, with the original copy being maintained by the Finance Designee. Finance Department Files will be official records file for all procurement and contract documents |
|------------|---|

13.3 Contract Amendment Procedures – See Article XIV.

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|------------|----|---|
| Department | 1. | Initiates a contract amendment whenever expenditures and/or scope of work vary from approved budget amounts and contract terms. |
| | 2. | Prepares description of Amendment and Contract Action Notice. |
| Finance | 3. | Finance assists department with program/project budget worksheets, approves Contract Action Notice |
| Department | 4. | Obtains approval on Contract Action Notice in accordance with established approval authorities' requirements. See Article II. |

13.4 Contract Closure Procedures

No charges should be made to contracts which have ended, except for costs which were incurred during the contract period. In addition, all costs incurred in the authorized period should be submitted to ATCOG no later than 70 days after contract end, or sooner if required by the Funding Agency. Contract closure procedures to be used are as follows:

- | | | |
|------------|----|--|
| Department | 1. | Not later than 80 days after contract end, submit a Contract closeout |
| | 2. | Include closeout documents, final billings, etc. as appropriate |
| | 3. | Approves Contract Action Notice sends documentation to Finance Department |
| Finance | 4. | Finance Department will not accept or make any additional charges to the contract upon receipt of this notice. Finance will then designate the contract inactive and remove it from the active accounts. |

13.5 Contract Administration

The Finance Department shall maintain the original copy of all contract documents. Each department will send the executed original copy of the contract and supporting documentation to the Compliance and Purchasing Officer which will then send to the assigned Financial Designee. The Finance Department will be the official records file for all procurement, financial and/or legal documents.

ARTICLE XIV

MODIFICATION AND TERMINATION OF CONTRACTS

ARTICLE XIV - MODIFICATION AND TERMINATION OF CONTRACTS

14.0 Modifications

If changes in plans or specifications are necessary after the performance of the contract is begun or if it is necessary to decrease or increase the quantity of work to be performed or of materials, equipment, or supplies to be furnished, ATCOG may approve change orders or modifications to make the changes. All changes or modifications to the contract must adhere to the following guidelines:

- The total contract price may not be increased because of the change order or modification unless additional money for increased costs is appropriated for that purpose from available funds or is provided for by the authorization of the issuance of time warrants.
- If a change order or modification involves a decrease or an increase of \$50,000 or less, ATCOG's board of directors may delegate general authority to an administrative official to approve the change orders.
- The original contract price may not be increased by a change order or modification under Section 252.048, Texas Local Government Code, by more than 25%. The original contract price may not be decreased by change orders by more than 25% without the consent of the contractor.

14.1 Requirements to Re-compete

ATCOG must re-compete where the modification results in the procurement of supplies, equipment or services that:

- are substantially and materially different from that for which competition was held;
- result in a change in the terms or conditions of a contract that interferes with or defeats the purpose of competitive procurements; or
- is tantamount to an unjustified sole source procurement.

14.2 Improper Justifications for Modification

- on-site contractor, familiar with existing conditions, provides greater assurance of satisfying the agency's needs; or
- making an award with the intent to change contract specifications by a subsequent modification.

14.3 Termination of Contracts

Termination for Convenience: General

- 14.3.0 For contracts in excess of \$10,000, a contract may be terminated because of circumstances beyond the contractor's control, for cause and for convenience.
- 14.3.1 The termination for convenience clause must include the termination procedures and the basis for settlement.

Process

- 14.3.2 ATCOG may terminate a contract, in whole or in part, for the convenience of ATCOG by providing the contractor with thirty (30) calendar days advance notice in writing, specifying the part of the contract to be terminated and when the termination becomes effective.
- 14.3.3 The contractor shall cancel, withdraw or otherwise terminate any outstanding orders or subcontractors related to the performance of the contract, or the part of the contract to be terminated, and shall cease to incur costs hereunder. ATCOG shall not be liable to the contractor, subcontractor or any creditor for costs incurred after the date of termination. The contractor shall settle all liabilities and claims arising out of the termination of subcontracts and orders connected to the terminated work. The contractor must still complete the work not terminated by the notice of termination and may incur obligations as necessary to do so.
- 14.3.4 A grant contract may only be terminated for convenience as follows:
- By the grantor agency with the consent of ATCOG in which case the parties shall agree upon the termination conditions, including:
 - the effective date; and
 - in case of a partial termination, the portion to be terminated.
 - By ATCOG upon written notification to the grantor agency, stating:
 - the reasons for such termination;
 - the effective date; and
 - for partial terminations, the portion to be terminated. In the event of a partial termination, if the grantor agency determines that the remaining portion will not accomplish the purposes for which the award was made, the grantor agency may terminate the award in its entirety.
- 14.3.5 The Contract Administrator may require the contractor to transfer title and deliver to ATCOG in the manner and to the extent directed by the buyer:
- any completed materials and/or supplies/equipment; and
 - such partially completed supplies/equipment and/or construction materials, including but not limited to supplies, materials, tools, parts, drawings, plans, information and contract rights as the contractor has specifically produced or specifically acquired for the performance of the terminated part of this contract.
 - The contractor shall protect and preserve the property in the possession of the contractor in which ATCOG has an interest. If ATCOG does not exercise this right, the contractor shall use its best efforts to sell such materials, supplies and/or equipment in accordance with the pertinent standards of the Uniform Commercial Code. *The exercise of the Termination for Convenience clause in no way implies that ATCOG has breached the contract.*

14.4 Compensation

- 14.4.0 The contractor shall submit a termination claim specifying the amounts due because of the termination for convenience together with any cost or pricing data bearing on such claim. If the contractor fails to file a termination claim within one (1) year from the effective date of termination, the buyer may pay the contractor, if at all, an amount set in accordance with subparagraph below.

- 14.4.1 The Contract Administrator and the contractor may agree to a settlement provided the contractor has filed a termination claim supported by cost and pricing data and that the settlement does not exceed the total contract price plus settlement costs reduced by amounts previously paid by ATCOG and less any lawful offsets or credits due, including but not limited to the proceeds of any sales of construction materials, supplies and/or equipment and the contract price of the work not terminated.
- 14.4.2 Absent complete agreement under subparagraph above, the buyer shall pay the contractor the following amounts, not to exceed the total contract price plus the reasonable settlement costs reduced by any lawful offsets or credits:
- the cost of such work plus a fair and reasonable profit on such portion of the work (such profit shall not include anticipatory profit or consequential damages) less amounts paid or to be paid for completed portions of such work; provided, however, that if it appears that the contractor would have sustained a loss if the entire contract had been completed, no profit shall be allowed or included and the amount of compensation shall be reduced to reflect the anticipated rate of loss;
 - costs of settling and paying claims arising out of the termination of subcontracts or orders; and
 - reasonable settlement costs of the contractor reasonably necessary for the preparation of settlement claims and supporting data.

14.5 Termination for Default

ATCOG may terminate a contract, in whole or in part, when it has determined that the contractor has substantially violated any provision of this contract.

- 14.5.0 ATCOG may terminate a contract in whole or in part when it has determined that a contractor, subcontractor, or sub-grantee has violated specific provisions of the grantor agency regulations and directed corrective action has not been taken. Grounds for default include, but are not limited to:
- failure to perform pursuant to the terms and conditions of the contract; and
 - violations of grantor agency rules or regulations.
- 14.5.1 Termination for Default Clause must be included in all grant contracts in excess of \$25,000.
- 14.5.2 Notwithstanding the termination of the contract and subject to the buyer's directions, the contractor shall take timely, reasonable and necessary action to protect and preserve property, equipment and/or supplies in possession of the contractor in which ATCOG has an interest.
- 14.5.3 Payment for completed supplies, equipment or services delivered and accepted by ATCOG shall be at the contract price. Payment for the protection and preservation of property, equipment and/or supplies shall be in an amount agreed to by the parties. ATCOG may withhold from amounts due to the contract amounts deemed necessary by the Contract Administrator to protect ATCOG against loss because of outstanding liens or claims of former lien holders and to reimburse ATCOG for the excess costs incurred in procuring similar supplies, equipment and services.
- 14.5.4 The rights and remedies provided are in addition to any other rights and remedies provided by law, under ATCOG procurement policy or under this grant or contract.

14.6 Resolution of contract disputes

- Upon breach or default, ATCOG shall give the contractor written notice of default. If the default is not remedied to the satisfaction and approval of ATCOG default will be declared.
- Upon breach of contract or default, ATCOG may exercise any and all of its rights afforded by law, including but not limited to those referenced in the General Contract Provisions.

14.7 Solicitations or Awards in Violation of the Law

Contracts awarded in violation of the competitive process or otherwise in violation of the law are voidable by ATCOG

ARTICLE XV

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

ARTICLE XV - DISADVANTAGED BUSINESS ENTERPRISE (DBE)

15.0 Policy Statement

It is the policy of ATCOG to assist small, DBE, MBE, women-owned businesses and HUBs in learning how to do business with ATCOG. It is also a further policy of ATCOG that these sources will have the maximum feasible opportunity to compete.

15.1 Respondent Statement

It is a mandatory provision of every solicitation that a respondent includes a statement that respondent will comply with this policy.

15.2 Approach

To ensure that small, MBEs, DBEs, women-owned businesses, and HUBs are utilized, the following affirmative steps must be taken, and include the contractor and subcontractor:

- Include qualified small, MBEs, DBEs, women-owned businesses, and HUBs on the Bidders' List. State lists may be utilized to locate such businesses, such as the Texas Certified Disadvantaged Business Directory (a/k/a HUB Directory) or the Texas Department of Commerce "Texas Market Place" bulletin board;
- Assure that small, MBEs, DBEs, women-owned businesses, and HUBs are solicited whenever they may be potential sources. In this regard, the buyer should investigate new sources and advertise when feasible in minority publications;
- When economically feasible, and where not in contravention of competitive bidding requirements, ATCOG should divide the total requirements into smaller tasks or quantities so as to permit maximum small, MBE, DBE, women-owned businesses and HUB participation;
- Use the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce, the Minority Business Development Agency in the Department of Labor, the Texas General Services Administration and other similar agencies for locating such businesses;
- Require that prime contractors take affirmative and meaningful steps towards retaining small, MBE, DBE, women-owned businesses and HUB subcontractors;
- Procure goods and services from labor surplus areas;
- If the requirement permits, establish delivery schedules that encourage small, MBEs, DBEs, women-owned businesses, and HUBs to participate; and
- Advertise, at least annually, in a newspaper of general circulation for small, MBEs, DBEs, women-owned businesses and HUBs to be added to the Bidders' List.

15.3 Buyer Responsibility

For such affirmative steps to be meaningful, ATCOG has included a provision in every solicitation listing the affirmative steps to ensure the contractor is aware of the need to comply. In addition, steps should be taken to ensure that once a contract is awarded to a small, MBE, DBE, women-owned business, and/or HUB, that the award is given to a contractor with such a subcontractor, that such business is retained during the entire performance of the contract.

15.4 Prime Contractor Effort

Failure of a contractor to take meaningful affirmative steps at soliciting and retaining small, MBEs, DBEs, women-owned businesses and HUBs may be considered as a factor in evaluating future responses under non-compliance with public policies.

15.5 Expenditure Amount Required to Solicit DBE Participation

In making expenditures of more than \$3,000 and less than \$50,000, ATCOG must contact at least 2 HUBs on a rotating basis, based on information provided by the Texas General Services Commission. If the list fails to identify a historically underutilized business in the area, then ATCOG is exempt from this section.

ARTICLE XVI

ETHICS

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ARTICLE XVI - ETHICS

PART A: Standard of Conduct

16.0 Elected Officials and Chief Executive Officers

Chapter 176 of the Local Government Code, outlines conflict disclosure filing requirements for elected officials and chief executive officers of Texas political subdivisions, including regional councils. There are also disclosure requirements for those seeking to do business with ATCOG

Conflict Disclosure Filing

Board members and the Executive Director are required to file a conflicts disclosure statement when the official becomes aware that ATCOG has a contractual or business relationship or is considering such a relationship and:

- o The person has business or employment relationship with the official; or
- o The person has a business or employment relationship with a family member of the official, within the first degree of consanguinity; or
- o The person has given the official or the official's family a gift, excluding food, lodging, transportation or entertainment, with an aggregate value of \$250 or more within the preceding twelve months.

Vendor and Contractor Disclosure

All vendors or contractors contracting or seeking to contract with ATCOG for the sale or purchase of property, goods, or services exceeding \$50,000 must file a conflict of interest questionnaire with ATCOG within seven (7) days of submitting (a) response or other document relating to a potential agreement with ATCOG or (b) entering into contract negotiations with ATCOG

16.1 Conflict of Interest Questionnaire

16.1.0 Specification required language

Texas House Bill 914, codified as Chapter 176 of the Local Government Code, requires vendors or providers and consultants contracting or seeking to do business with ATCOG to file a conflict of interest questionnaire (CIQ). The required questionnaire is located at the Texas Ethics Commission website www.ethics.state.tx.us/forms/CIQ-New-2015.pdf and a copy is included with this bid/proposal request. It may also be found, along with a list of ATCOG officers subject to HB 914 disclosure requirements, on ATCOG's website, www.atcog.org. The CIQ must be completed and filed with the bid/proposal response. Vendor or providers and consultants that do not include the form with the response and fail to timely provide it may be disqualified from consideration by ATCOG.

16.1.1 Penalties and Defense to Prosecution

Knowing violation of this law is subject to prosecution as allowable by law. Filing of the required disclosure no later than the seventh day after receiving notice of violation is a defense to prosecution.

16.2 Employee and Agents

No employee or agent of ATCOG will participate in the negotiation, evaluation, selection, discussion, award or administration of a contract or procurement supported by public funds if a conflict of interest, either real or apparent, would be involved. An employee or agent of ATCOG must avoid the appearance of impropriety.

- A conflict arises when an ATCOG employee or agent, or any member of his/her immediate family, a partner or a person or an organization which employs or may employ in the near future any of these individuals, has a financial or other substantial interest in any entity which may be considered for the award.
 - "Immediate family" refers to any person related within the second degree of affinity (marriage) or within the third degree of consanguinity (blood) to the party involved.
 - "Substantial interest" for purposes of this section, means the person
 - owns 10% or more of the voting stock or shares of the entity; or
 - 10% or more or \$5,000 or more of the fair market value of the entity; or
 - received funds from the entity in excess of 10% of the person's gross income for the previous year; or
 - is related to an employee or agent in the first degree of consanguinity or affinity.

No employee or agent of ATCOG will demand, agree, accept or solicit gratuities, favors or anything of monetary value from contractors, potential contractors, bidders, respondents or parties to sub-agreements. No contractor, bidder, respondent or party to a sub-agreement will offer or tender anything of monetary value to any employee or agent of ATCOG

16.3 Course of Conduct in the Event of a Conflict

In the event of a real or apparent conflict of interest, as set forth above, the affected employee or agent must adhere to the following procedures:

- 16.3.0 Sign a declaration of a possible conflict of interest. A declaration must also be made on the record where:
 - the agent, employee or immediate family member is a board member of a Respondent;
 - the agent or employee is voting on an indirect affirmation of a contract relationship, such as on the job training plan; or
 - the agent or employee is voting on a rival response, though there is no direct competition.
- 16.3.1 If applicable, abstain from voting on any procurement action:
 - where the employee or agent directly represents an organization, or may receive a direct financial benefit; or
 - where the employee or agent is in direct competition with a solicitation which would provide a direct financial benefit.
- 16.3.2 Abstain from participating in the procurement process, which includes but is not limited to discussions, lobbying, rating, scoring, recommending, explaining or assisting in the design or approval of the procurement process:
 - on contracts with the organization he/she represents or from which he/she receives a direct financial benefit; or
 - on contracts with organizations in which a family member might realize a direct financial benefit.

16.4 Violations and Remedies

Violations of the provisions of this Article constitute misconduct, subjecting the violator to any and all penalties prescribed by law. Penalties, sanctions or other disciplinary actions, to the extent permitted by state or local law, rules or regulations, will be imposed for violations of the code of conduct/conflict of interest standards, by ATCOG employees or agents or by persons, contractors or their agents, when the procurement involves state or federal programs and/or funds. Violations of state or federal law will be referred to the proper authority having jurisdiction over same.

ARTICLE XVII

RECORDS RETENTION

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ARTICLE XVII - RECORDS RETENTION

Although each agency may have its own requirements for records retention, ATCOG is focused on retaining records under one policy and urges departments to maintain electronic copies when possible.

17.0 Policy

All procurement-related records must be maintained by ATCOG as defined by the records retention schedule approved by the Texas State Library and Archives Commission. This schedule establishes mandatory minimum retention periods for records that are usually found in local governments, regardless of type. To obtain a copy or for questions on the retention period of a record, please contact ATCOG at 903-832-8636 or www.atcog.org

If there is litigation or a claim, or if the audit report covering the contract has not been accepted, then the records shall be retained until the resolution of such litigation, claim or audit. At a minimum, records retained shall include but are not limited to:

- correspondence, notes and memoranda relating to the procurement, including RFPs, ITBs, bids and proposals received and any other procurement form and notes on verbal transactions and telephone or facsimile quotations;
- notes comparing quotations and relating to the basis for the award, including all negotiations;
- notes and correspondence relating to the acceptance or rejection of bids, proposals or quotations;
- any and all documents reflecting the rationale for the method of procurement, selection of contract type, contractor selection or rejection, rating criteria, cost/price analysis forms, cost reasonableness determination and the basis for contract price;
- any and all documentation reflecting the basis for sole source procurements, citing the authorizing authority and the basis for selection of the particular vendor or provider;
- a copy of public media advertisements;
- decision letters, notice of award and/or non-selection, fully executed contracts, including amendments/modifications, contract performance evaluations, progress reports, signature authorities, cost or pricing data, payment processing justifications, property and equipment records;
- copies of required insurance policies;
- monitoring/audit reports and any other required reports and financial reconciliations; and
- all contract closeout documents and records.

17.1 **Records Retention for Sealed Negotiated Procurements**

Records or files for purchases in amounts in excess of \$50,000 must reflect, at a minimum:

- justification for use of negotiation in lieu of competitive sealed bidding;
- the basis for contractor selection;
- the basis for the cost or price negotiation; and
- record of action taken by the Board of Directors.

17.2 **Records Retention for Competitive Solicitations**

Records or files for purchases will reflect, at a minimum:

- the basis for contractor selection, including the evaluation of best value criteria, if
- best value is the basis for contract award; and
- the record of any action taken by the Board of Directors.

ARTICLE XVIII - SUPPLEMENTS

Supplement A: Guide to the Request for Qualifications (RFQ)

Supplement B: Guide to the Request for Information (RFI)

*Supplements are only intended for reference and can be added or removed as appropriate

Supplement A: Guide to the Request for Qualifications (RFQ)

1.0 When to use a Request for Qualifications

A Known Opportunity: When there is the potential for significant interest in a specific contract opportunity, the RFQ process can be used to pre-qualify respondents who will then compete on the opportunity at the solicitation stage. This can make the solicitation process more efficient as there will be fewer responses and all of them will be qualified.

An Unknown Opportunity: An RFQ process can also be used to create a pre-qualified list for a future opportunity. This pre-qualification list can add value when similar services will be required for multiple contracting opportunities and allows for the quick selection of a qualified respondent when the next opportunity arises.

As a Selection Process for a Task or Special Service: An RFQ can be used as the sole selection process for a specialist contractor where the task is very specific and requires a very specific skill set (i.e. engineering services)

2.0 Procedure

Preparation is the key to a successful procurement process. It is important to prepare the RFQ document so that it solicits the precise information needed to decide. In order to do so, first define exactly what is required. Providing detailed information in the RFQ document will not only solicit better and more accurate responses from interested respondents, but it will make it easier for the selection committee to make an informed decision regarding which respondents should be short-listed.

Draft the RFQ Document:

Once the requirements are fully defined, the RFQ document is drafted and the evaluation criteria is determined. RFQs generally follow the same setup as RFPs. The RFQ must provide enough information to allow respondents to understand the nature of the opportunity, as well as the information and qualifications that you are looking for. The RFQ should also explain important submission information and deadlines, the pre-qualification process, including key terms and conditions, the anticipated schedule for the pre-qualification process, as well as the evaluation criteria. Make sure that the criteria are relevant to the needs. For example, if certain skills are critical to the success of the project, rate those required skills as a strong priority. Also, clearly define the evaluation criteria in the RFQ and to stick to the specified criteria when evaluating the responses.

Issue the RFQ:

The RFQ will be posted to the ATCOG website and can also be issued through any department distribution or contact lists. For specialist services (engineers, building contractors, architects, business consultants, etc.) the RFQ may also be issued through partnering agencies or other associations announcement boards to increase the ability to circulate the RFQ document to a broad range of potential respondents. The RFQ must include a deadline like an RFP.

Evaluate and Select:

Once the responses are received, the Purchasing Officer, presents the responses to the evaluation committee for assessment. Evaluate the responses based upon the evaluation criteria defined in the RFQ. Responses should then be classified as either qualified, or not qualified.

If the RFQ is being utilized for selection purposes, candidates should be invited to interview. The interview will be helpful for the evaluation committee and will follow the same process as the RFP interview or oral presentations.

If the RFQ is being utilized for pre-qualification purposes, once the successful candidates have been selected, a record is kept of their information and those respondents are informed they have been added to the shortlist for possible future use.

Supplement B: Guide to the Request for Information (RFI)

1.0 When to use an RFI

Use an RFI when there are a lot of potential vendors and/or more information is needed about them. The RFI generally includes elements of an RFQ, but also contains questions for the potential respondent to answer. This allows for a formal reply from potential vendors.

2.0 Procedure

The Objective and the Questions:

The RFI must contain a description on why the information is requested and a specification to what information that is requested. The number of vendors or contractors that are available could be huge, and the RFI creates a structured process to narrow down the long list of vendors or contractors to a smaller number. The questions developed should ask how the vendor or contractor might design or choose the component or create the service.

Draft the RFI Document:

Once the objective and questions are fully defined, the RFI document may be drafted. RFIs generally follow the same setup as RFPs. Be sure that the RFI provides enough information to allow respondents to understand the nature of the opportunity, as well as the information that you are looking for. The RFI should also explain important submission information and deadlines, including key terms and conditions, and the anticipated schedule for the process. The next section provides some suggestions in what should be included in the RFI document.

What to include in the RFI:

- Introduction and purpose
- Background
- Statement of Need
- Scope of the Project
- Context of Use
- Requirements
- Qualifications
- Questions or Information Requested
- How to deliver the answer
- Evaluation Criteria
- Timelines
- Contacts for Questions
- Conditions (terms for future RFPs or RFQs)

Issue the RFI:

The RFI is posted to the ATCOG website and issued through any department distribution or contact lists. For specialist services (engineers, building contractors, architects, business consultants, etc.) the RFI may also be issued through partnering agencies or associations opportunity boards to increase the ability to circulate the RFI document to a broad range of potential respondents. The RFI must include a deadline like an RFP.

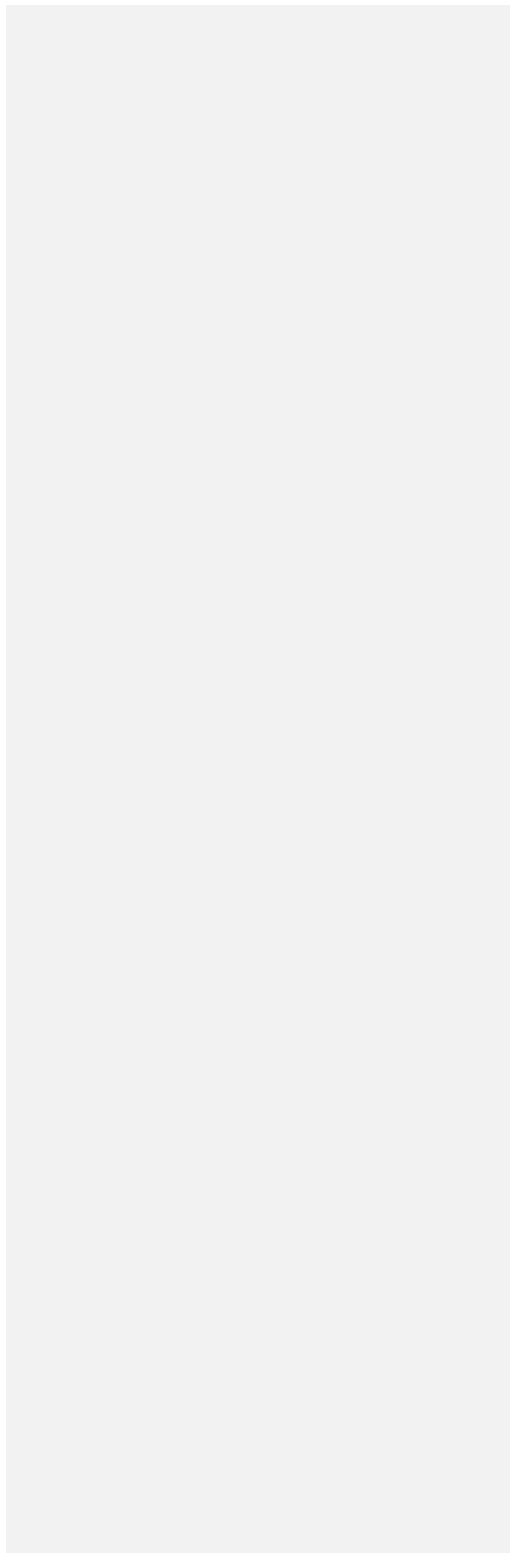
Evaluate:

Once the responses are received, the Purchasing Officer, presents the responses to the evaluation committee for assessment. Evaluate the responses based upon the information received and the criteria outlined in the RFI and develop a short list of potential vendors or contractors.

Considerations for Evaluation:

- Understanding of the requirements
- Company Ownership
- Company details of operations
- Vendor/Contractor experience
- Submission of creative approach/ideas
- Financial Information
- Acceptance of Terms and Conditions

Once the successful candidates have been shortlisted, a record is kept of their information and those respondents are informed that they have been added to the shortlist for possible future opportunities.



2024 THREAT AND HAZARD IDENTIFICATION AND RISK ASSESSMENT (THIRA)

**Ark-Tex Council of Governments
(ATCOG)**

FOR OFFICIAL USE ONLY

Table of Contents

THIRA Overview	4
Threat/Hazards Context and Impacts	6
Capability Targets.....	14
Planning	14
Public Information and Warning.....	15
Operational Coordination.....	16
Forensics and Attribution.....	17
Intelligence and Information Sharing	18
Interdiction and Disruption.....	19
Screening, Search, and Detection	20
Access Control and Identity Verification	21
Cybersecurity	22
Physical Protective Measures.....	23
Risk Management for Protection Programs and Activities	24
Supply Chain Integrity and Security.....	25
Community Resilience.....	26
Long-term Vulnerability Reduction.....	27
Risk and Disaster Resilience Assessment.....	28
Threats and Hazards Identification	29
Critical Transportation	30
Environmental Response/Health and Safety	31
Fatality Management Services	32
Fire Management and Suppression.....	33
Logistics and Supply Chain Management.....	34
Mass Care Services	35
Mass Search and Rescue Operations	36
On-scene Security, Protection, and Law Enforcement.....	37
Operational Communications	38
Public Health, Healthcare, and Emergency Medical Services.....	39
Situational Assessment	40
Infrastructure Systems.....	41

Economic Recovery	42
Health and Social Services.....	43
Housing.....	44
Natural and Cultural Resources.....	45

THIRA Overview

The THIRA is a three-step risk assessment that helps answer the following questions:

- What threats and hazards can affect our community?
- If they occurred, what impacts would those threats and hazards have on our community?
- Based on those impacts, what capabilities should our community have?

The THIRA helps communities understand their risks and determine the level of capability they need in order to address those risks. The outputs from this process lay the foundation for determining a community's capability gaps during the SPR process.

The THIRA follows a three-step process, as described in *Comprehensive Preparedness Guide 201, Third Edition*:

1. **Identify Threats and Hazards.** Based on a combination of experience, forecasting, subject matter expertise, and other available resources, develop a list of threats and hazards that could affect the community. When deciding what threats or hazards to include in the THIRA, communities consider only those that challenge the community's ability to deliver at least one core capability more than any other incident; the THIRA is not intended to include less challenging threats and hazards.
2. **Give Threats and Hazards Context.** Describe the threats and hazards identified in Step 1, showing how they may affect the community and create challenges in performing the core capabilities. Identify the impacts a threat or hazard may have on a community.
3. **Establish Capability Targets.** Using the impacts described in Step 2, determine the level of capability that the community plans to achieve over time in order to manage the threats and hazards it faces. Using standardized language, create capability targets for each of the core capabilities based on this desired level of capability by identifying impacts, objectives, and timeframe metrics. A core capability is comprised of several functional areas in which a community may have a gap. Each required standardized target addresses one or more functional areas.

Report Overview

This report contains two sections:

- **THIRA Steps 1 and 2: Threats /Hazards Context and Impacts**
 - Identified threats and hazards

- Scenario descriptions
- Standardized impacts
- **THIRA Step 3: Capability Targets**
 - Standardized capability targets

Threat/Hazard Descriptions and Impacts

Category	Threat/Hazard Scenario Name	Terrorism?
Natural	Tornado	No
Scenario Description		
<p>An F3 tornado strikes the Richmond Ranch shopping district in Texarkana, Texas, at 9:00am on the day after Thanksgiving, which is when a massive amount of "Black Friday" shopping takes place. The storm and tornado result in 6 inches of precipitation within 1 hour and winds to the NW of 30 mph. The tornado impacts 10 square miles in the Texarkana area, affecting 55,000 residents, and 10,000 visitors and transients. The swath of the tornado runs diagonally across Richmond Ranch shopping district beginning on I-30, traveling over Richmond Road toward University Drive.</p>		

Standardized Impact Estimates (You have the option to include additional impacts, as needed)			
Impact Category	Estimate	Impact Category	Estimate
Fatalities	20	Partner Organizations Involved In Incident Management	20
People Requiring Medical Care	500	Customers (Without Power Service)	15,000
People Requiring Rescue	3,500	Customers (Without Water Service)	0
People Requiring Evacuation	10,000	Customers (Without Communication)	25,000
Exposed Individuals (Hazmat-Related Incidents)	N/A	Structure Fires	4
People With Access And Functional Needs (AFN) Affected	2,000	Miles Of Road Affected	25
People With Limited English Proficiency Affected	2,700	Affected Healthcare Facilities And Social Service Organizations	3
People Requiring Food and Water	16,000	Damaged Natural And Cultural Resources And Historic Properties	4
People Requiring Long-Term Housing	1,000	Businesses Closed Due To The Incident	1,750
People Requiring Shelter	4,000	Animals Requiring Shelter, Food, And Water	2,400
Jurisdictions Affected	4		

Sources Used to Develop Context Description and Calculate Impacts (Optional)

Discussions with law enforcement, Fire, and emergency management SMEs

Animals needs were determined by taking a percentage of the pet ownership data calculations located on the American Veterinary Medical Association site.

Access and functional Needs data was determined by taking a percentage of the disable population in the City of Texarkana Texas. Disability data used was from the American Community survey on datacensus.gov.

People with limited English Proficiency was determined by taking a percentage of the non- English speaking population in the City of Texarkana, Texas. Non English speaking data was from the American Community Survey on datacensus.gov.

Datacensus.gov

American Fact Finder

Wikipedia

National Park Service National Register of Historic Properties

Railroad Commission of Texas Public GIS Viewer

American Veterinary Medical Association Pet Ownership Calculator

Tex Americas Center Community Profile

Texas Department of Transportation

Google Maps

Case studies from other Tornados

Category	Threat/Hazard Scenario Name	Terrorism?
Technological	Hazmat Release-Chemical	No
Scenario Description		
<p>A railcar carrying chlorine derails at the intersection of East 3rd street and the railroad in Mt. Pleasant, Texas on a Sunday morning at 3am in March resulting in a chemical spill of 40,000 gallons of liquid chlorine. Wind speed is 15 mph moving SSW with 10% humidity resulting in evacuation of everything 5 square miles south of the incident, which is practically the southern half of the city with a mix of residential and industrial population affecting a total population of 16,000.</p>		

Standardized Impact Estimates (You have the option to include additional impacts, as needed)			
Impact Category	Estimate	Impact Category	Estimate
Fatalities	0	Partner Organizations Involved In Incident Management	10
People Requiring Medical Care	1000	Customers (Without Power Service)	N/A
People Requiring Rescue	0	Customers (Without Water Service)	N/A
People Requiring Evacuation	2000	Customers (Without Communication)	N/A
Exposed Individuals (Hazmat-Related Incidents)	1600	Structure Fires	N/A
People With Access And Functional Needs (AFN) Affected	1500	Miles Of Road Affected	3
People With Limited English Proficiency Affected	7,000	Affected Healthcare Facilities And Social Service Organizations	1
People Requiring Food and Water	1000	Damaged Natural And Cultural Resources And Historic Properties	N/A
People Requiring Long-Term Housing	N/A	Businesses Closed Due To The Incident	12
People Requiring Shelter	1,000	Animals Requiring Shelter, Food, And Water	N/A
Jurisdictions Affected	2		

Sources Used to Develop Context Description and Calculate Impacts (Optional)
Discussions with law enforcement, Fire, and emergency management SMEs

Sources Used to Develop Context Description and Calculate Impacts (Optional)

Access and functional Needs data was determined by taking a percentage of the disabled population in the City of Mt. Pleasant, Texas. Disability data used was from the American Community survey on datacensus.gov.

People with limited English Proficiency was determined by taking a percentage of the non- English-speaking population in Mt. Pleasant, Texas. Non-English-speaking data was from the American Community Survey on datacensus.gov.

Emergency Response Guidebook 2020

Datacensus.gov

American Fact Finder

Wikipedia

Railroad Commission of Texas Public GIS Viewer

Google Maps

National Park Service National Register of Historic Properties

Category	Threat/Hazard Scenario Name	Terrorism?
Human Caused	Active Shooter	Yes
Scenario Description		
<p>Around 10:00am at Paris Junior College in Paris Texas, an anonymous bomb threat is received claiming there are multiple bombs on campus. This is the first week of May, and thousands of students are on campus taking their final exams. As students and staff began to evacuate, shots rang out from the west end of the campus. A disgruntle employee who was terminated weeks' prior, was located with an AR-15 at the west emergency exit. No bombs were located on the campus, and the combination of events affects a total population of 6,000 people.</p>		

Standardized Impact Estimates (You have the option to include additional impacts, as needed)			
Impact Category	Estimate	Impact Category	Estimate
Fatalities	10	Partner Organizations Involved In Incident Management	12
People Requiring Medical Care	250	Customers (Without Power Service)	N/A
People Requiring Rescue	1200	Customers (Without Water Service)	N/A
People Requiring Evacuation	6000	Customers (Without Communication)	N/A
Exposed Individuals (Hazmat-Related Incidents)	N/A	Structure Fires	N/A
People With Access And Functional Needs (AFN) Affected	150	Miles Of Road Affected	N/A
People With Limited English Proficiency Affected	100	Affected Healthcare Facilities And Social Service Organizations	4
People Requiring Food and Water	N/A	Damaged Natural And Cultural Resources And Historic Properties	N/A
People Requiring Long-Term Housing	N/A	Businesses Closed Due To The Incident	5
People Requiring Shelter	N/A	Animals Requiring Shelter, Food, And Water	N/A
Jurisdictions Affected	4		

Sources Used to Develop Context Description and Calculate Impacts (Optional)
Discussions with law enforcement, Fire, and emergency management SMEs

Sources Used to Develop Context Description and Calculate Impacts (Optional)

Access and functional Needs data was determined by taking a percentage of the disabled population in the City of Paris, Texas. Disability data used was from the American Community survey on datacensus.gov.

People with limited English Proficiency was determined by taking a percentage of the non- English speaking population in the City of Paris, Texas. Non-English speaking data was from the American Community Survey on datacensus.gov.

Datacensus.gov

American Fact Finder

Case studies from other Active Shooter attacks

Category	Threat/Hazard Scenario Name	Terrorism?
Human Caused	Explosive Devices	Yes
Scenario Description		
<p>After dismantling the backup control valves, a terrorist strikes an unmonitored section of the 42" natural gas pipeline with 1400 pounds of pressure exposed near the compression station located at 1034 County Road 4223, Atlanta, Texas, at 10pm on July 12th, resulting in 400,000 cubic feet of compressed natural gas being released. The terrorist then sets it on fire, which causes an explosion and a continual burning fire that reaches temperatures of 1500 degrees. The wind speed is 10 mph moving east with 60% humidity. Pipeline company response time is at a minimum 30 minutes.</p>		

Standardized Impact Estimates (You have the option to include additional impacts, as needed)			
Impact Category	Estimate	Impact Category	Estimate
Fatalities	1	Partner Organizations Involved In Incident Management	10
People Requiring Medical Care	5	Customers (Without Power Service)	N/A
People Requiring Rescue	15	Customers (Without Water Service)	N/A
People Requiring Evacuation	100	Customers (Without Communication)	N/A
Exposed Individuals (Hazmat-Related Incidents)	15	Structure Fires	3
People With Access And Functional Needs (AFN) Affected	11	Miles Of Road Affected	2
People With Limited English Proficiency Affected	4	Affected Healthcare Facilities And Social Service Organizations	1
People Requiring Food and Water	N/A	Damaged Natural And Cultural Resources And Historic Properties	0
People Requiring Long-Term Housing	N/A	Businesses Closed Due To The Incident	1
People Requiring Shelter	N/A	Animals Requiring Shelter, Food, And Water	N/A
Jurisdictions Affected	2		

Sources Used to Develop Context Description and Calculate Impacts (Optional)
Discussions with law enforcement, Fire, and emergency management SMEs Coordinators

Sources Used to Develop Context Description and Calculate Impacts (Optional)

Access and functional Needs data was determined by taking a percentage of the disable population in the City of Atlanta, Texas. Disability data used was from the American Community survey on datacensus.gov.

People with limited English Proficiency was determined by taking a percentage of the non- English speaking population in the City of Atlanta, Texas. Non English speaking data was from the American Community Survey on datacensus.gov.

Railroad Commission of Texas Public GIS Viewer

Pipeline Awareness.org

Subject Matter Experts – Emergency Management Coordinators

Railroad Commission of Texas Public GIS Viewer

Datacensus.gov

American Fact Finder

Capability Targets

Planning

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within every **5 years** update all emergency operations plans that define the roles and responsibilities of **75** partner organizations involved in incident management across **38** jurisdictions affected, and the sequence and scope of tasks needed to prevent, protect, mitigate, respond to, and recover from events.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

In our region, emergency operation plans are being updated on a 5-year cycle. Our region includes 38 jurisdictions, with 50 partner organizations typically involved in disaster planning and response.

Partner agencies include red cross, public works, 211, NETRAC, HPP, VOADS, COADS, LEPCs, DSHS, TDEM, County/City/State Law Enforcement Agencies, public health facilities, and private sector partners.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Public Information and Warning

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1-hour** notice of an incident, deliver reliable and actionable information to **65,000** people affected, including **150** people with access and functional needs (affected) and **5,000** people with limited English proficiency affected.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target derived from worst case scenario in which a tornado hits the City of Texarkana, affecting 55,000 residents and 10,000 transients. Limited English proficiency data was formed by calculating the City of Texarkana's non-English speaking population from the American Community Survey. In most jurisdictions, public warning sirens are tested on a weekly basis. All jurisdictions now have some form of a mass notification system, with most system being able to relay information in multiple languages as well as text to speech to reach the limited English-speaking population and the access and functional need population.

Capabilities are also still being tested through social media. Reports are generated to determine how many individuals are reached through the mass notification system as well as reports are generated to determine how many have viewed the social media post.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Operational Coordination

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 hour** of a potential or actual incident, establish and maintain a unified and coordinated operational structure and process across **3** jurisdictions affected and with **6** partner organizations involved in incident management. Maintain for **14** day(s).

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target is derived from worst case scenario and real-world events. In a worst-case scenario, unified and coordinated operational structure would process across an average of 3 jurisdictions. This capability has been exercised during the Red River Army Depot Disaster Drill in November of 2023, the Texas A&M Table Top Exercise in October of 2024, and during the Texarkana Tri-annual Airport Exercise in October of 2022. These capabilities have been demonstrated in real world events such as the Tornado Outbreak of November 2024, and Summer Storms in 2023. During these exercises and real-world events, our region has demonstrated the ability to work with multiple partner agencies across multiple jurisdictions and maintain unified structure over an extended period of time.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Forensics and Attribution

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 hour** of a suspected terrorist attack, conduct outreach to the fusion center and Joint Terrorism Task Force (JTTF) in the community and identify **1** personnel assigned to support follow up information sharing, intelligence analysis, and/or investigative actions associated with the collection, examination, and analysis of evidence, as well as the identification of perpetrators.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was developed by surveying law enforcement and emergency management Subject Matter Experts in our region. It has been determined that 1 personnel is typically assigned to support follow up information sharing. Outreach to the fusion center and Joint Terrorism Task Force happens within the first hour of a suspected terrorist attack. However many jurisdiction do no have officers with secret clearance to follow up with (JTTF). This capability was also derived from real world events where potential IED's and suspicious packages was reported in the City of Texarkana summer 2023.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Explosive Devices

Intelligence and Information Sharing

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **2 hours** of the identification or notification of a credible threat, identify/analyze local context of the threat for the respective area of responsibility, and facilitate the sharing of threat information with **5** priority intelligence stakeholder agencies/entities in accordance with the intelligence cycle, and all dissemination protocols.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target is derived from real world events and intel of emergency management Subject Matter Experts. This capability has been exercised during the Texarkana Airport Exercise October 2022, the Red River Army Depot Active Shooter Exercise November 2023, and the Texas A&M tabletop exercise October 2024. This capability has been evaluated in real world events such as potential IED and suspicious package events in the City of Texarkana in the summer of 2023. Within the first hour of the incident information was shared among 5 priority intelligence stakeholder agencies; including agencies outside of the jurisdiction in which the incident occurred.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Active Shooter

Interdiction and Disruption

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 hour** of the identification or notification of a credible threat, conduct outreach to the fusion center and Joint Terrorism Task Force (JTTF) in the community and identify **1** personnel assigned to support follow up interdiction and disruption activities that may be undertaken against identified suspects and/or contraband.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was developed by surveying law enforcement and emergency management SME's in our region. It has been determined that 1 personnel is typically assigned to support follow up interdiction and disruption activities. Outreach to the fusion center and Joint Terrorism Task Force should occur within the first hour of a creditable threat.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Explosive Devices

Screening, Search, and Detection

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **3 hours** of notice of a credible threat, conduct screening, search, and detection operations for **1,500** people requiring screening, including **75** people with access and functional needs (requiring screening).

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was derived from surveying emergency management Subject Matter Experts. Due to lack of equipment and personnel, many of our smaller jurisdictions would have difficulties achieving this capability target on a local level. With mutual aid on a regional level, this capability target can be achieved in the next 3-5 years. This capability has been exercised in the city of Texarkana Texas with their ISD. Metal detectors have been implemented at all school buildings and stadiums in 2023, screening of students, teachers, and visitors are conducted on a daily basis.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Explosive Devices

Access Control and Identity Verification

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **2 hours** of an event, be prepared to accept credentials from **20** partner organizations involved in incident management.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was derived from surveying emergency management Subject Matter Experts, and was evaluated during EOC operations during Covid-19 Pandemic.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Active shooter

Cybersecurity

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every **1 year** appropriate authorities review and update cyber incident plans/annexes based on evolving threats covering **75** publicly managed and/or regulated critical infrastructure facilities.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target was derived from current plans and capabilities. As a whole, our region has 38 municipalities with an average of 2 critical infrastructure facilities being publicly managed and regulated. After surveying emergency management Subject Matter Experts, it has been determined that most jurisdictions review and update their cyber security policies on an annual basis. Also, it is now a requirement for HSGD grantees to complete the National Cyber Security Review on an annual basis, as well as local units of government to complete annual cybersecurity training.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Physical Protective Measures

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **6 months** of completing a risk and vulnerability assessment, appropriate authorities review and update physical security plans covering **3** publicly managed and/or regulated critical infrastructure facilities to incorporate new information from the assessment.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target is derived from real world events and current plans and capabilities. Currently, most jurisdictions are completing risk and vulnerability assessments at all publicly managed critical infrastructure facilities on an annual basis.

After surveying subject matter experts, it has been determined that a minimum time of 6 months would be needed to have appropriate authorities review and update physical security plan. This timeframe includes the time to conduct multiple meetings to discuss and review the current plans and potential changes, as well as the time to get an official approval.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Active Shooter

Risk Management for Protection Programs and Activities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every **1 year** appropriate authorities conduct a review of relevant physical and cyber threats and hazards, vulnerabilities, and strategies for risk management covering **75** publicly managed and/or regulated critical infrastructure facilities.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target was derived from current plans and capabilities. As a whole, our region has 38 municipalities with an average of 2 critical infrastructure facilities being publicly managed and regulated. After surveying subject matter experts, it has been determined that most jurisdictions review and update their cyber security policies on an annual basis. Also, it is now a requirement for HSGD grantees to complete the National Cyber Security Review on an annual basis.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Active Shooter

Supply Chain Integrity and Security

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every **1 year** engage **75** partner organizations involved in incident management to promote awareness of threats, dependencies, vulnerabilities, and strategies to support restoration of private sector supply chains.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target is derived from current capabilities and real-world events. Our regional goal for the next 3-5 years is to engage 75 partner organizations on an annual basis. Currently, we are working with our LEPC's, RAC, and COADS to achieve this target. All three organizations are currently meeting on a quarterly basis. We will continue to encourage more participation with these groups to achieve our regional goal of 75 partner organizations.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Hazmat

Community Resilience

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every **[1 year]**, conduct **[10]** outreach events or activities to increase awareness of locally significant threats and hazards to help the residents be more prepared to prevent, protect against, mitigate, respond to, and recover from those events.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target is derived from current plans and real-world events. Currently our jurisdictions are conducting numerous outreach events on an annual basis. Some community outreach events and activities include: National Night Out, Fire Prevention Week, Skywarn Classes, Health Fairs, and Neighborhood Watch. Jurisdictions are also setting up at local events and distributing Pub Ed material when available. Hopkins County is also utilizing Social Media and Radio to broadcast a monthly preparedness update to the community. In the next 3-5 years our goal is to have every county conduct a minimum of 10 outreach events or activities annually to help the residents be more prepared to prevent, protect against, mitigate, respond to, and recover from events.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Long-term Vulnerability Reduction

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every [1 year], [38] jurisdictions review their building codes, and, if necessary, enact or update risk-appropriate, disaster resilient building codes.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability is derived from current capabilities and real-world events. Currently most of our 38 jurisdictions are reviewing building codes and performing risk assessments on an annual basis. Our goal is to sustain this capability.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Risk and Disaster Resilience Assessment

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every **1 year** after identifying threats and hazards of concern, model the impacts of **4** threat and hazard scenarios to incorporate into planning efforts.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Currently we are developing our region Threat and Hazard Identification Risk Assessment on an annual basis. Our current THIRA models the impacts of 4 threat and hazard scenarios and are incorporated into regional planning efforts.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Threats and Hazards Identification

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every **1 year** engage with **38** jurisdictions and **25** partner organizations involved in incident management to assess the threats and hazards that are realistic and would significantly impact your communities.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Currently we are developing our region Threat and Hazard Identification Risk Assessment on an annual basis. We plan to utilize THIRA surveys to engage all 38 municipalities to assess the threats and hazards. In the next 3-5 years our goal is to have 25 partner organization participate in the development of the Threat and Hazard Identification Risk Assessment.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Critical Transportation

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **2 hours**' notice of an impending incident, complete the evacuation of **2000** people requiring evacuation, including **75** people with access and functional needs (requiring evacuation).

Within **2 hour** of an incident, clear **1** miles of road affected, to enable access for emergency responders, including private and non-profit.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

After surveying emergency management Subject Matter Experts, we have determined that the evacuation of 2,000 people including 75 people with access and functional needs could occur within 2 hours. This capability target can be achieved by utilizing school and public transportation buses. The evacuation of individuals with access and functional needs can be achieved by using local healthcare facility vans. Most of the local healthcare facility vans are designed to accommodate people with access and functional needs.

This Capability Target was also derived from a real world incident, The clearing of affected roadway was also exercised and evaluated during the Texas Winter Storm of 2021, the November 2022 Tornado Outbreak, and the Summer 2023 Storms that affected Bowie, Red River, Hopkins, Morris and Lamar County.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Environmental Response/Health and Safety

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **2 hours** of an incident, assess, contain, and begin cleaning up hazardous material releases from **1** hazmat release sites.

Within **2 hours** of a hazmat incident, complete decontamination procedures for **25** exposed individuals (hazmat-related incidents).

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target is derived from real world events, current plans, and exercises. After surveying emergency management Subject Matter Experts, it has been determined that deployment and set up for a hazmat incident would take roughly 2 hours. With limit resources and only 1 regional hazmat team, it has been determined that our region is capable of handling only one hazmat release site.

Our goal for the next 3-5 years is to complete decontamination procedures of 25 exposed individuals within the first 2 hours of a hazmat incident. This capability is exercised annually by Lamar County Hazmat team.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Hazmat

Fatality Management Services

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **24 hours** of an incident, complete the recovery, identification, and mortuary services, including temporary storage services, for **20** fatalities.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target was derived from surveying emergency management Subject Matter Experts, and evaluating available resources in our region. We currently have search and rescue teams, and a regional dive team to conduct body recovery activities. In our region we also have a mortuary trailer that can temporally store up to 16 bodies.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Fire Management and Suppression

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 4 hour of an incident, conduct firefighting operations to suppress and extinguish 5 structure fires.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target was derived from surveying emergency management Subject Matter Experts. It has been determined that firefighting operations would be conducted within the 1 hour of an incident, and that each county could potentially handle 5 structural fires dependent on intensity. This Capability target has been tested through daily operations, as well as during the City of Atlanta arson fires in October 2019.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Hazmat

Logistics and Supply Chain Management

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **12 hours** of an incident, identify and mobilize life-sustaining commodities, resources, and services to **1,500** people requiring shelter and **1,500** people requiring food and water. Maintain distribution system for **14 days**.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target was established by surveying emergency management Subject Matter Experts and real world Incidents. This capability has been evaluated during the Covid Pandemic, the Texas Winter Storm in 2020, the Tornado Outbreak in November of 2022, and the Summer Storms in 2023. Our goal for the next 3-5 years is to be able to provide these resources and services to a minimum of 1,500 people requiring shelter, food, and water.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Mass Care Services

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **24 hours** of an incident, provide emergency sheltering, food, and water for **1,500** people requiring shelter and **1,500** people requiring food and water, including **75** people with access and functional needs (requiring accessible shelter) and **75** people with access and functional needs (requiring food and water), and **200** animals requiring shelter, food, and water. Maintain for **7 days**.

Within **1 month** of an incident, move **300** people requiring temporary, non-congregate housing, including **25** people with access and functional needs (requiring accessible, temporary, non-congregate housing), from congregate care to temporary housing.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was derived from emergency management Subject Matter Experts and current plans and capabilities. Several organizations across the region have withdrawn from shelter agreements. Currently the Red Cross is handling most jurisdictions shelter plans, and have established that they can only shelter for a maximum on 7days due to limited personnel and resources.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Mass Search and Rescue Operations

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **48 hour** of an incident, conduct search and rescue operations for **1500** people requiring rescue.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target was established by surveying emergency management Subject Matter Experts. In the next 3-5 years our goal is to conduct search and rescue operations for 1,500 people. To achieve this goal, we will need to obtain more resources such as thermal imaging goggles, Cadaver dogs, and training for our search and rescue teams.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

On-scene Security, Protection, and Law Enforcement

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **2 hours** of an incident, provide security and law enforcement services to protect emergency responders and **5,000** people affected.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was derived from current capabilities and real-world incidents. This capability is exercised regularly when hosting special events in the region. These special events can sometime attract more than 5,000 attendees. After surveying subject matter experts, our goal for the next 3-5 years is to provide security and law enforcement services within 2 hours of an incident to emergency responders and 5,000 people affected.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Operational Communications

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 hour** of an incident, establish interoperable communications across **38** jurisdictions affected and with **50** partner organizations involved in incident management. Maintain for **14days.**

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability Target is derived from current capabilities, exercises, and real world events. Interoperable communication across our 38 jurisdictions can be established within the first hour of an incident through ATCOG repeater channel. ATCOG repeater channel is tested on a monthly basis across all Emergency Operation Centers in our region. This Capability has been tested and maintained for 13 days during the Hopkins County pipeline incident in October 2019.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Public Health, Healthcare, and Emergency Medical Services

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **4 hours** of an incident, complete triage, begin definitive medical treatment, and transfer to an appropriate facility **50** people requiring medical care.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

The capability target was derived from surveying our Hospital Preparedness Coordinator, and DSHS representatives. This capability has also been tested on a smaller scale during the Lamar County Tornado in 2022; they were able to transfer 13 patients within the first hour. This capability was also exercised during the City of Texarkana Airport Exercise in 2022, Red River Army Depot exercise in 2024. A large portion of the ATCOG region is comprised of rural communities, therefore there is lack of medical staff to complete triage and medical transport. Our goal for the next 3-5 years is to triage, treat, and transfer 50 people requiring medical care within the first 4 hours of an incident.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Active Shooter

Situational Assessment

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 hour** of incident, and on a **6 hour** cycle thereafter, provide notification to leadership and **20** partner organizations involved in incident management of the current and projected situation. Maintain for **14days.**

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target is derived from current capabilities and real world incidents, and is test in daily operations.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Infrastructure Systems

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **72 hours** of an incident, restore service to **2,000** customers without water service.

Within **72 hours** of an incident, restore service to **2,000** customers without wastewater service.

Within **72 hours** of an incident, restore service to **25,000** customers without communication service.

Within **72 hours** of an incident, restore service to **9,000** customers without electricity service.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was derived from surveying emergency management Subject Matter Experts, and worst-case scenarios. Regardless of incident type, our goal for the next 3-5 years is to efficiently restore life sustaining systems and services to the affected community within 72 hours of the incident. This capability is derived from real world incidents such as Texas Winter Storm of 2021, the November 2022 Tornado outbreak, Summer 2023 Storms, and the Hurricane Beryl Storms in 2024(Texarkana, Morris, Lamar County).

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Economic Recovery

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 month** of an incident, reopen **75** businesses closed due to the incident.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability is derived from surveying subject matter experts, and current capabilities. Our goal for the next 3-5 years is to open 75 closed businesses within the first month of the incident. To achieve this goal, jurisdictions will need to continue doing regular building inspections, and working with private sectors to develop Continuity of Operation Plans. This capability has been evaluated during the Lamar County tornado outbreak in 2023 and 2024.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Health and Social Services

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 week** of an incident, restore functions at **5** affected healthcare facilities and social service organizations.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability target was derived from surveying emergency management Subject Matter Experts, and the regional hospital preparedness coordinator. Our goal for the next 3-5 years is to restore functions and services at primary healthcare and social services organizations within 1 week of an incident. These facilities include the hospitals, health clinics, social security office, and departments of health and human services.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Housing

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 year** of an incident, **500** people requiring long-term housing, including **75** people with access and functional needs (requiring accessible long-term housing), find and secure long-term housing.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability is derived from surveying emergency management Subject Matter Experts and reviewing other areas' disaster housing capacities. Currently, jurisdictions in our region are developing long-term housing plans. Programs such as HUD housing can take up to two years to house clients. Our goal for the next 3-5 years is to update housing plans, and build relationships with commercial housing agencies. This will allow us to build the capabilities needed to house 1,500 people and 75 people with access and functional needs within 1 year of an incident.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

Natural and Cultural Resources

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 6 months of an incident, restore 3 damaged natural and cultural resources and historic properties registered in the jurisdiction.

Capability Target Context

Provide a brief paragraph explaining the logic behind the numbers used in the Capability Target. Numbers could be derived from:

Capability is derived from surveying emergency management Subject Matter Experts and real-world incidents. In October 2019 Hopkins pipeline incident effected the historic Turkey Creek properties.

Which of your identified threats and hazards most challenges the region's ability to achieve this capability target?

Tornado

2024 STAKEHOLDER PREPAREDNESS REVIEW (SPR)

[Ark-Tex Council of Governments]

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Table of Contents

SPR Overview	4
SPR Capability Assessment	5
Planning	5
Public Information and Warning.....	7
Operational Coordination.....	9
Forensics and Attribution.....	11
Intelligence and Information Sharing	13
Interdiction and Disruption.....	15
Screening, Search, and Detection	17
Access Control and Identity Verification	19
Cybersecurity	21
Physical Protective Measures.....	23
Risk Management for Protection Programs and Activities	25
Supply Chain Integrity and Security.....	27
Community Resilience.....	29
Long-term Vulnerability Reduction.....	31
Risk and Disaster Resilience Assessment.....	33
Threats and Hazards Identification	35
Critical Transportation	36
Environmental Response/Health and Safety	38
Fatality Management Services	40
Fire Management and Suppression.....	42
Logistics and Supply Chain Management.....	44
Mass Care Services	46
Mass Search and Rescue Operations	48
On-scene Security, Protection, and Law Enforcement.....	50
Operational Communications	52
Public Health, Healthcare, and Emergency Medical Services.....	54
Situational Assessment	56
Infrastructure Systems.....	58
Economic Recovery	60

Health and Social Services.....	62
Housing.....	63
Natural and Cultural Resources.....	66
2025 Priorities.....	68

SPR Overview

The SPR is an annual self-assessment of a community's capability levels based on the capability targets identified in the THIRA. It helps answer the questions:

- What are our current capability levels and how have our capabilities changed over the last year?
- What gaps exist between the capabilities we want to achieve and the capabilities we currently have?

The SPR follows a two-step process:

1. **Assess Capabilities.** Based on the language from the capability targets set in the THIRA, identify the community's current capability and describe any significant capability changes over the last year.
2. **Describe Capability Gaps:** Determine the causes of the capability gap between the capability target and the current capability identified in SPR Step 1, addressing each of the POETE elements (Planning, Organization, Equipment, Training, and Exercises).

SPR Capability Assessment

Planning

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within every 5 years update all emergency operations plans that define the roles and responsibilities of 75 partner organizations involved in incident management across 38 jurisdictions affected, and the sequence and scope of tasks needed to prevent, protect, mitigate, respond to, and recover from events.

Estimate of Current Capability

Within every 5 years update all emergency operations plans that define the roles and responsibilities of 50 partner organizations involved in incident management across 38 jurisdictions affected, and the sequence and scope of tasks needed to prevent, protect, mitigate, respond to, and recover from events.

Capability Change Description

There is no significant change to the Planning capability. To sustain the Planning capability, emergency operation plans are being updated on a 5-year cycle. We are continuing to engage more partner organization that are involved in incident management by staying active with our RAC, COADS, and coalitions. New LEPC committees have been formed in Bowie and Cass County as recent as November 2023. Several counties need to update Hazard Mitigation plans including Morris Co., Red River Co., Franklin CO., and the City of Texarkana. The majority of the counties need additional trained personnel to assist with the planning process. Several counties have new EMC's in 2023-2-24 (Mt. Vernon, Titus Co., Red River Co., and Morris Co.) The region as a whole worked and developed 2024 Solar eclipse plans and included a multitude of partner organizations.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Enhance Emergency Operation plans in all 9 counties
Enhance Coop Plans in all 9 counties
Develop Solar Farm Plans in Lamar Co., Hopkins Co., Delta Co., City of Mt. Pleasant, and City of Bogota

Update Hazard mitigation plans in Morris Co, Red River Co. Franklin Co., and the City of Texarkana
Update EOP plans in Red River County, and Titus County.
Organization
Additional personnel are needed to support effective planning. Multiple counties have emergency managers that are tasked with other responsibilities that do not directly correlate to emergency management functions.
All counties need additional personnel to assist with writing and reviewing mitigation plans.
Clo needed in Hopkins County
Equipment
N/A
Training
Region needs training for developing Emergency Operation Plans. Incident Actions Plans, and Recovery plans at the local level.
<ul style="list-style-type: none"> • E0197: Integrating Access and Functional Needs into Emergency Planning • MGT-383 Emergency Operations Plans for Rural Jurisdictions • IS-11.a Animals in Disaster: Community Planning • IS-15.b Special Events Contingency Planning for Public Safety Agencies • IS-318 Mitigation Planning for Local and Tribal Communities • IS-554 Emergency Planning for Public Works
Exercises
Region needs to conduct planning workshops and COOP exercises that include their COADs, LEPCs, and Coalitions.

Public Information and Warning

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 1-hour notice of an incident, deliver reliable and actionable information to 65,000 people affected, including 150 people with access and functional needs (affected) and 5,000 people with limited English proficiency affected.

Estimate of Current Capability

Within 1-hours' notice of an incident, deliver reliable and actionable information to 65,000 people affected, including 150 people with access and functional needs (affected) and 5,000 people with limited English proficiency affected.

Capability Change Description

As a region, we continue to building public information and warning capabilities. Most jurisdictions are testing weather sirens on a weekly basis, as well as IRIS and Code Red on a monthly basis. Lamar County has installed 6 new sirens, since their tornado event in 2023. All jurisdictions now have some form of a mass notification system, with most system being able to rely information in multiple languages as well as text to speech to reach the limited English-speaking population and the access and functional need population. Jurisdictions also continue to test capabilities through social media, television broadcast, and radio broadcast. Jurisdictions are finding more creative ways to utilize their public information and warning systems such as for road closures, and large events in jurisdictions. Several jurisdictions are relying on social media platforms to deliver reliable weather information. With these systems jurisdictions are able to obtain reports on the number of individuals receiving and or viewing messages. The City of Texarkana, Cass County, as well as Hopkins County has purchased new weather sirens in 2023-2024. Our regional DSHS partners also have access to a STEER disaster registry to assist with the delivery of information to people with access and functional needs. Public information and warning capabilities continue to grow region wide, and are being exercised on a regular basis through real world events.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
N/A
Organization
All counties with the exception on Bowie County need a STEER rep to manage disaster registry.

Equipment
Warning sirens are needed in Morris County, Red River County, Franklin County, and City of Dekalb
Training
<p>More training is needed on Code Red and IPAWS systems. Training is needed for the delivery of information to individuals with access and functional needs as well as individuals with limited English proficiency. Additional trainings needed includes:</p> <ul style="list-style-type: none"> • Basic & Advanced Public Information Officer Course • E0105 Public Information and Warning • Social Media Engagement Strategies/ Tools and Techniques • Social Media for Natural Disaster Response and Recovery
Exercises
N/A

Operational Coordination

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 1 hour of a potential or actual incident, establish and maintain a unified and coordinated operational structure and process across 3 jurisdictions affected and with 6 partner organizations involved in incident management. Maintain for 14 day(s).

Estimate of Current Capability

Within 3 hours of a potential or actual incident, establish and maintain a unified and coordinated operational structure and process across 3 jurisdictions affected and with 6 partner organizations involved in incident management. Maintain for 7 day(s).

Capability Change Description

This capability continues to increase around the ATCOG region. To improve this capability the region continues to conduct Emergency Management meetings for EMC's to coordinate, plan, and engage with other EMC's in the region. This capability has been exercised during the Red River Army Depot Disaster Drill in August 2024, the Texas A&M Table Top Exercise in October of 2024, and during the Texarkana Tri-annual Airport Exercise in October of 2022. These capabilities have been demonstrated in real world events such as the Tornado Outbreak of November 2022, and Summer Storms in 2023, and 2024 Solar Eclipse. This capability has been exercised during the Tri-State Communication Exercise in February 2024. During these exercises and real-world events, our region has demonstrated the ability to work with multiple partner agencies across multiple jurisdictions. We have also hosted MGT317 in 2024.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Enhance emergency operation and communication plans for all 9 counties. Update EOP plans in Red River County, and Titus County. Incorporate COAD's and LEPC's in the planning process.
Organization
Trained personnel are needed for operations in EOC over multiple operational periods. CLO (County Liaison Officer) are needed in Hopkins.
Equipment

Physical space with hygiene amenities is needed for EOC operations in Red River County, Franklin County, and Delta County.

Updated EOC equipment is needed in Lamar County, and ATCOG such as:

- Computers/Laptops
- Communications/ phone lines/radios
- Projectors
- Smart Boards
- Computer Servers
- Printers/Copiers

Training

Trainings that are needed includes:

- WebEOC training
- Advanced Incident Command System for Command and General Staff - Complex Incidents
- Emergency Operations Center/Incident Command System Interface
- Partner Coordination in Disaster Response and Recovery

Exercises

Consistent multi-agency exercises are needed region wide to address the operational coordination gaps. More participation in regional communication exercises is needed as well.

Forensics and Attribution

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 1 hour of a suspected terrorist attack, conduct outreach to the fusion center and Joint Terrorism Task Force (JTTF) in the community and identify 1 personnel assigned to support follow up information sharing, intelligence analysis, and/or investigative actions associated with the collection, examination, and analysis of evidence, as well as the identification of perpetrators.

Estimate of Current Capability

Within 2 hour of a suspected terrorist attack, conduct outreach to the fusion center and Joint Terrorism Task Force (JTTF) in the community and identify 1 personnel assigned to support follow up information sharing, intelligence analysis, and/or investigative actions associated with the collection, examination, and analysis of evidence, as well as the identification of perpetrators.

Capability Change Description

This capability has been exercised during a real-world event in the City of Texarkana where potential IED's and suspicious packages were reported in the summer of 2023. This jurisdiction work with both the FBI and the Joint Terrorism Task Force (JTTF) to coordinate information. This capability has also been exercised during Red River Army Depot in August 2024 full scale exercise, and the Texas A&M Active Shooter Exercise in October 2022, and Texarkana Tri Annual Airport exercise in 2022. Forensic and attribution capabilities are not exercised often, and few real-world events actually occur. The region will need to continue to exercise on forensics and attribution capabilities.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
<ul style="list-style-type: none">• Develop forensic analysis processing plans.
Organization
<ul style="list-style-type: none">• Most jurisdictions need forensic/CID analysis,• law enforcement officers with secret clearance to facilitate intelligence and information sharing.
Equipment

- Jurisdictions need evidence collection equipment, Biometric systems, and crime scene exploration and documentation tools
- forensic analysis systems are needed throughout the region.
- CBRNE material analysis equipment In Lamar and Bowie County
- evidence management systems need by Lamar and Bowie County Hazmat Team to be sustained and improved in order to support this capability.
- Outfitting for Crime Scene trailer in Lamar County
- Radiological Detectors in the City of Paris

Training

Jurisdictions need training for crime scene control, communications and evidence collection.

Additional forensic training classes needed includes:

- AWR-103 Crime Scene Management for Chemical, Biological, Radiological, Nuclear, or Explosive Incidents
- PER-201 Evidence Collection in a Hazardous Materials Environment
- PER-220 Emergency Response to Domestic Biological Incidents
- PER-228 Advanced Forensic Investigations for Hazardous Environments

Exercises

Exercises are needed to validate existing plans and policies within the region that pertain to this capability. Training/exercises for crime scene control, communications and evidence collection for officers would be need as well.

Intelligence and Information Sharing

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 2 hours of the identification or notification of a credible threat, identify/analyze local context of the threat for the respective area of responsibility, and facilitate the sharing of threat information with 5 priority intelligence stakeholder agencies/entities in accordance with the intelligence cycle, and all dissemination protocols.

Estimate of Current Capability

Within 2 hours of the identification or notification of a credible threat, identify/analyze local context of the threat for the respective area of responsibility, and facilitate the sharing of threat information with 5 priority intelligence stakeholder agencies/entities in accordance with the intelligence cycle, and all dissemination protocols.

Capability Change Description

Intelligence and Information Sharing capabilities continue to increase in the ATCOG region through real world experiences. This capability has been exercised during many real-world events such as: the City of Texarkana Cybersecurity Ransom Attack of 2020 and suspicious package events in the City of Texarkana in the summer of 2023. These jurisdictions work closely with FBI, JTTF, TDEM, any many more agencies to validate their intelligence and information sharing capabilities. This capability has been exercised during the Texarkana Airport Exercise October 2022, the Red River Army Depot Active Shooter Exercise August 2024, and the Texas A&M tabletop exercise October 2024. Purchases of license plate readers in Lamar, Franklin County, Delta County, Hopkins County, and the City of Texarkana from 2022-2023 has contributed to the sustainment of this capability as well.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
<ul style="list-style-type: none">• Terrorism response plans and mutual aid agreements should be established in all 9 counties• Enhance Emergency Operation plans in all 9 counties• Update EOP plans in Red River County, and Titus County.
Organization
<ul style="list-style-type: none">• Each county will need at least one Law Enforcement Officer with SECRET clearance to facilitate information sharing.

<ul style="list-style-type: none"> • More officers region wide
Equipment
<ul style="list-style-type: none"> • List Servers all 9 counties
Training
<p>Need training on managing sensitive information. The region needs universal training on operations of systems such as WebEOC, HSIN and IPAWS. Additional classes needed includes:</p> <ul style="list-style-type: none"> • AWR-122 Law Enforcement Prevention and Deterrence of Terrorist Acts • AWR-160-W Terrorism Awareness for Emergency First Responders • AWR-305 Bioterrorism Awareness: Collaboration Among First Responders and Health Professionals • AWR-315 Criminal Intelligence Analysis Essentials
Exercises
<p>Our region needs increased participation from non-governmental, private sector, and elected officials in exercises. Future exercises should include metrics, as applicable, to validate intelligence and information analysis practices. Exercises are needed to evaluate the relay of information when crossing over to other counties and jurisdictions.</p>

Interdiction and Disruption

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 1 hour of the identification or notification of a credible threat, conduct outreach to the fusion center and Joint Terrorism Task Force (JTTF) in the community and identify 1 personnel assigned to support follow up interdiction and disruption activities that may be undertaken against identified suspects and/or contraband.

Estimate of Current Capability

Within 2 hours of the identification or notification of a credible threat, conduct outreach to the fusion center and Joint Terrorism Task Force (JTTF) in the community and identify 1 personnel assigned to support follow up interdiction and disruption activities that may be undertaken against identified suspects and/or contraband.

Capability Change Description

There has been increases to the interdiction and disruption capability level. Lamar County purchased additional Hazmat Detector equipment in 2022 and Law Enforcement training simulators in 2023. The city of Mt Vernon has purchased thermal imaging cameras in 2023 and Red River County purchased radios and body armor in 2023 for SPR teams to aid in interdiction and disruption. LPR readers have been purchased in Lamar County, Franklin County, Delta County, Hopkins County, and the City of Texarkana between 2022-2023 to help close capability gaps. Police barricades were purchased in the City of Paris in 2024, as well as a multitude of communication region wide (mobiles, portable, repeaters, and dispatch consoles) in 2024. There has been some real-world experience during the summer of 2023 such as potential IED threats in The City of Texarkana. Hazmat Teams continue to conduct their regular trainings throughout the year. This capability has been exercised during the Red River Army Depot Active Shooter Exercise in August 2024, the Texarkana Airport Exercise October of 2022, and the Texarkana Texas A&M Active Shooter Drill October of 2022. Trainings have occurred in 2024 includes ics 300-400 in Morris County, and MGT317. The capability continues to grow and is exercised on a daily basis.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Mutual Aid Agreements should be established between jurisdictions.
Organization
<ul style="list-style-type: none">Officers with secret clearance need to be identified in all 9 counties

<ul style="list-style-type: none"> • Law Enforcement agencies need additional officers region wide to support anti-terrorism operations. • More HAZMAT teams and technicians are needed as well in Bowie County and Lamar County • Region needs a bomb squad
Equipment
<ul style="list-style-type: none"> • Law Enforcement agencies need night vision goggles, pole cameras, and ballistic body armor. • Lamar and Bowie County Hazmat team need CBRNE detections and collections tools, and PPE. • Drone needed in Franklin County • All 9 counties need more portable and mobile radios
<ul style="list-style-type: none"> • Training
<p>Training is not held on this subject frequently due to lack of personnel to implement. Hazmat teams in Lamar and Bowie County need refresher training courses and other courses to better implement this capability. Training courses needed includes:</p> <ul style="list-style-type: none"> • AWR-122 Law Enforcement Prevention and Deterrence of Terrorist Acts • PER-320 Personal Protective Measures for Biological Events • PER-905 Advanced Radiological Emergency Response Operations • MGT 346 in Mt Pleasant • ICS 300-400 for all VFDs
Exercises
<p>This capability has been exercised by real world experiences however, additional exercises are needed within the region to validate existing plans.</p>

Screening, Search, and Detection

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **3 hours** of notice of a credible threat, conduct screening, search, and detection operations for **1500** people requiring screening, including **75** people with access and functional needs (requiring screening).*

Estimate of Current Capability

*Within **3 hours** of notice of a credible threat, conduct screening, search, and detection operations for **1000** people requiring screening, including **75** people with access and functional needs (requiring screening).*

Capability Change Description

The Screening, Search, and Detection capabilities are increasing in the ATCOG region. The Texarkana Independent School District have installed metal detectors at all campuses and sporting venues during the 22-23 school year. This has help schools mitigate risk and screen for threats. Additionally, most ISD have hired licensed peace officers, school marshals, and guardians to close these capability gaps in the ISDs. The city of Mt. Vernon has also purchased thermal imaging devices to aide search and detection. Several fire departments are starting to utilize drones to assist with search and detection capabilities as well. Screening, Search and detections capabilities have been exercised during the Texas A&M full scale exercise in 2022, as well as in Red River Army Depot exercise in August of 2024.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Stakeholders and private partners need to be included in the planning process to strengthen this capability.
Organization
More personnel needed for searching and screening bags and people. More law enforcement officers (Region Wide) are needed for physical investigation measures.
Equipment
Metal detectors, x-ray machines, full body thermal scanners are needed at all school districts apart from TISD, as well as at Critical infrastructure locations around the region.
Thermal imaging goggles needed in Lamar County

Training
<p>Need training on proper screening, search and detection protocols including electronic search and screening. Additional courses needed includes:</p> <ul style="list-style-type: none"> • AWR-122 Law Enforcement Prevention and Deterrence of Terrorist Acts • AWR-153 Principles of Detection and Diagnosis - Strategies and Technologies • MGT-335 Event Security Planning for Public Safety Professionals
Exercises
N/A

Access Control and Identity Verification

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 2 **hour** of an event, be prepared to accept credentials from **20** partner organizations involved in incident management.

Estimate of Current Capability

Within 4 **hours** of an event, be prepared to accept credentials from **20** partner organizations involved in incident management.

Capability Change Description

The Access Control and Identity Verification capabilities are increasing in the region due to the implementation of the TDEM PIV system. Most responders across the region has already obtained PIV badges to hold credentials. This capability will continue to grow as the PIV system builds out and agencies gain access and knowledge of the system. Access control capabilities continue to grow across the region as well due to agencies purchasing access control doors, camera systems, and fencing at critical infrastructures. Texarkana Independent school district has also increased access control capabilities in 2023 by fencing in their campuses and limiting entry points. The City of Daingerfield has purchased security camera systems at critical infrastructures in 2023. The city of Texarkana has installed access control doors at some critical locations as well. Lamar County has provided all VFD with identification cards during 2024. Most agencies are working with multifactor authentication for identity verification and access to critical system to help mitigate cyber threats.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Updated plans for controlling cyber and physical access,
Organization
Smaller jurisdictions need additional trained personnel to support access control of critical infrastructure and identity verification of visitors to high-profile targets within the region. Delta County, Morris County, Franklin County, and Red River County need inhouse IT technicians
Equipment
<ul style="list-style-type: none">personnel database solutions that validate certifications

<ul style="list-style-type: none"> • access control doors at critical infrastructures in the City of New Boston, Red River County, Franklin County, and Lamar County • PIV card readers for identity verification in each county
Training
<p>Need training pertaining to controlling cyber access and identity verification.</p> <ul style="list-style-type: none"> • PIV system training
Exercises
<p>Need increased incorporation into exercise objectives and scenarios; capability is rarely included in exercises.</p>

Cybersecurity

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Every **1 year** appropriate authorities review and update cyber incident plans/annexes based on evolving threats covering **75** publicly managed and/or regulated critical infrastructure facilities.*

Estimate of Current Capability

*Every **1 year** appropriate authorities review and update cyber incident plans/annexes based on evolving threats covering **75** publicly managed and/or regulated critical infrastructure facilities.*

Capability Change Description

Cybersecurity capabilities levels have increased across the region and will continue increase through training and real-world experiences. Most jurisdictions review and update their cyber security policies on an annual basis and HSGD grantees are completing the National Cyber Security Review on an annual basis. Jurisdictions are completing annual cyber security trainings as required, and are becoming more vigilant of cyber threats. Vigilance in this capability will continue to increase with the 2023 SB 271 that requires local units of government to report cyber incidents. In 2023 The City of Texarkana purchased data protection hardware to enhance the security of their systems. This cybersecurity capability was also exercised during the City of Texarkana 2020-2021 cyber-attack which lasted over 4 months, and held all of the city's system for ransom. In 2024 there has been ransom attacks at the Titus County hospital as well as at private business in Lamar County. The North East Texas Advisory Committee also held a cyber tabletop in 2024. Cyber Attacks and attempts are still occurring on a regular basis.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Jurisdictions need to evaluate and update COOP plans in event of a cyber attack
Organization
Several jurisdictions such as Red River County, Morris County, Delta County, and Franklin County need in-house IT technicians.
Regional Cyber Security task force/work group needed
Equipment

Data protection hardware is needed in Lamar County

Software servers in Delta, Franklin, and Red River County

Training

Some information technology training has been implemented, but very little emphasis has been placed on providing cybersecurity training within the region or local jurisdictions. Training courses needed includes:

- AWR-135 Promoting Community Cyber Security
- Critical Security Controls: Planning, Implementing and Auditing
- Cybersecurity for Executives and Program Managers: Securely Provisioning Systems for the Future
- Cybersecurity Investigations and Network Forensics Analysis: Practical Techniques for Analyzing Suspicious Network Traffic
- CISA trainings

Exercises

Exercises are need that includes someone access systems to see if they are detected by IT or system software.

Physical Protective Measures

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **6 months** of completing a risk and vulnerability assessment, appropriate authorities review and update physical security plans covering **3** publicly managed and/or regulated critical infrastructure facilities to incorporate new information from the assessment.*

Estimate of Current Capability

*Within **6 months** of completing a risk and vulnerability assessment, appropriate authorities review and update physical security plans covering **3** publicly managed and/or regulated critical infrastructure facilities to incorporate new information from the assessment.*

Capability Change Description

Physical Protective Measure capabilities have increased in the region by installation of security equipment. Several jurisdictions have purchased and installed surveillance systems during 2022-2023 at critical locations. Christus St. Michaels hospital have upgraded their camera security systems in Texarkana in 2023. Texarkana Independent school district in the City of Texarkana has also increased physical protective measure capabilities in 2023 by fencing in their campuses and limiting entry points. Access control door have been installed in the City of Texarkana during the 2024 year. Police Barricades has been purchased in the City of Paris in 2024, and Law Enforcement training equipment was purchased in Hopkins County in 2023. Sustainment activities include annual risk and vulnerability assessments of critical infrastructure facilities.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Stakeholders and private partners need to be part of the planning process.
Organization
Law enforcement agencies are in of more officers to protect critical infrastructures in all 9 counties.
Equipment
Security cameras are needed in Franklin County and Lamar County Jail
Enhanced security protective measures such as fencing in Morris and Franklin County.

Access control doors at critical infrastructures in the City of New Boston, Red River County, Franklin County, and Lamar County.

Training

The region needs training on protecting critical infrastructure and key resources, courses includes:

- MGT-452 Physical and Cybersecurity for Critical Infrastructure
- PHY-120 Intermediate Physical Security Systems
- PHY-200 Physical Security Performance Testing of Systems
- PER-336 Protective Measures Course
- IS-915 Protecting Critical Infrastructure Against Insider Threats

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Exercises

N/A

Risk Management for Protection Programs and Activities

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every **1 year** appropriate authorities conduct a review of relevant physical and cyber threats and hazards, vulnerabilities, and strategies for risk management covering **75** publicly managed and/or regulated critical infrastructure facilities.

Estimate of Current Capability

*Every **1 year** appropriate authorities conduct a review of relevant physical and cyber threats and hazards, vulnerabilities, and strategies for risk management covering **75** publicly managed and/or regulated critical infrastructure facilities.*

Capability Change Description

Risk Management for Protection Programs and Activates capabilities are sustained due to jurisdictions conducting risk vulnerability assessment of their critical infrastructure. Jurisdictions also review and update their cyber security policies on an annual basis. Additionally, HSGD grantees complete the National Cyber Security Review on an annually. These activities have contributed to growth in the capability.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Stakeholders and private sector partners need to be included in the planning process.
Organization
Additional personnel in all 9 Counties is needed to support risk assessments, analysis, and planning.
Equipment
N/A
Training
To support this capability, training courses needed includes: <ul style="list-style-type: none">• Community Risk Issues and Prevention Interventions• Cultural Competence in Risk Reduction• Executive Analysis of Community Risk Reduction

- Fundamentals of Risk Management

Exercises

Risk Management planning is difficult to exercise. Typically, this is tested in real-world situations rather than training or exercises, but will be considered in future training exercises.

Supply Chain Integrity and Security

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Every **1 year** engage **100** partner organizations involved in incident management to promote awareness of threats, dependencies, vulnerabilities, and strategies to support restoration of private sector supply chains.*

Estimate of Current Capability

*Every **1 year** engage **75** partner organizations involved in incident management to promote awareness of threats, dependencies, vulnerabilities, and strategies to support restoration of private sector supply chains.*

Capability Change Description

The Supply Chain Integrity and Security capabilities have decreased in our region. There has been many threats in our region that has tested the supply chain (Covid-19, Texas Winter Storms of 2021, Tornado Outbreak November 2022 and Storms of Summer 2023, and Hurricane Berly weather event in 2024). Through these events we have determined that the supply chain is fragile. Our regional DHS agency no longer has a warehouse of equipment and supplies. We have determined that the only way to build the supply chain and security capability is to obtain MOA/MOU with local distributor for supplies. The region has worked closely with our Regional Advisory Council to strengthen the security and resilience of the supply chain. We continue to work with our LEPC's, RAC, and COADS to promote awareness of threats, dependencies, vulnerabilities, and strategies.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Stakeholders and private partners need to be included in the planning process.
COAD's need to develop emergency operation plans.
Regional resource directory is needed
Organization
Each county needs to establish an active LEPC or COAD to strengthen the security and resilience of the supply chains.
Equipment
Warehouse to store supplies and regional assets

Training
ICS training is needed for partner organizations such as the COAD and VOADS.
Exercises
This capability has been exercised through real world experiences, but as always more experience is needed.

Community Resilience

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every [1 year], conduct [10] outreach events or activities to increase awareness of locally significant threats and hazards to help the residents be more prepared to prevent, protect against, mitigate, respond to, and recover from those events.

Estimate of Current Capability

Every [1 year], conduct [10] outreach events or activities to increase awareness of locally significant threats and hazards to help the residents be more prepared to prevent, protect against, mitigate, respond to, and recover from those events.

Capability Change Description

The Community Resilience capability level in the ATCOG region is being sustained, jurisdictions in the region continue to conduct outreach events. Most jurisdictions did community outreach events and activities in 2024 including: Fire Prevention Week, Sky-warn Classes, Health Fairs, vaccination clinics, Gun Safety events, Trauma Injury Prevention events, and National Night Out. Bowie and Cass county created a new combined LEPC fall of 2023, which will contribute to the community resilience capabilities. There have been poverty simulation exercises in Bowie County during 2024, as well as Opioid awareness and Narcan training in Bowie County in October 2024. Agencies continue to find new creative ways to keep the community informed and engaged.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Develop a regional public outreach and education plan to promote community resilience among all jurisdictions in the region.
Organization
Each county needs and active LEPC or COAD to help promote community resilience. Jurisdictions also need personnel to help facilitate outreach activities.
CLO officers needed in Hopkins Co.
CERT Teams in Bowie County
Equipment
<ul style="list-style-type: none"> Public Education material to distribute at community events.

<ul style="list-style-type: none"> • Rehab trailer for Lamar County CERT Team
Training
<p>ICS training is needed for some partner organizations. Additional classes needed includes:</p> <ul style="list-style-type: none"> • E0426 Building a Roadmap to Resilience: A Whole Community Training • IS-315.a CERT and the Incident Command System (ICS) • IS-909 Community Preparedness: Implementing Simple Activities for Everyone
Exercises
N/A

Long-term Vulnerability Reduction

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every [1 year], [38] jurisdictions review their building codes, and, if necessary, enact or update risk-appropriate, disaster resilient building codes.

Estimate of Current Capability

Every [1 year], [38] jurisdictions review their building codes, and, if necessary, enact or update risk-appropriate, disaster resilient building codes.

Capability Change Description

Long-term Vulnerability Reduction capabilities are being sustained, jurisdictions are reviewing building codes and performing risk assessments on an annual basis. Plans and annexes are being updated accordingly. Mass notification systems have been purchased in all counties. The City of Texarkana in 2023 purchased hardware and software to reduce cyber vulnerabilities. Cyber-security training and assessments have been done in all counties to reduce vulnerability as well. The update of communication infrastructure across the region in 2023-2024 has help sustain long-term vulnerability reduction capabilities. Franklin Co. installed 5 repeaters, Delta Co. installed 2 repeaters and a dispatch console, and Lamar County installed a new communication tower.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Enhance Emergency Operation plans in all 9 counties
Develop Solar Farm Plans in Lamar Co., Hopkins Co., Delta Co., City of Mt. Pleasant, and City of Bogota
Update Hazard mitigation plans in Morris Co, Red River Co. Franklin Co., and the City of Texarkana
Update EOP plans in Red River County, and Titus County.
Organization
<ul style="list-style-type: none">• Building code inspectors are needed.• HAM radio operators are needed.• More Law Enforcement officers are needed region wide.
Equipment

- updated communication equipment in Red River County, Morris County, Cass County, and Franklin County
- cybersecurity systems to reduce vulnerability in Lamar County

Training

Need training on enhancing critical infrastructure and key resources.

- MGT-343 Disaster Management for Water and Wastewater Utilities
- MGT-345 Disaster Management for Electric Power Systems

Exercises

Long –term vulnerability capabilities need to be included in exercises. More Communication exercises are needed region wide.

Risk and Disaster Resilience Assessment

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Every **1 year** after identifying threats and hazards of concern, model the impacts of **4** threat and hazard scenarios to incorporate into planning efforts.*

Estimate of Current Capability

*Every **1 year** after identifying threats and hazards of concern, model the impacts of **4** threat and hazard scenarios to incorporate into planning efforts.*

Capability Change Description

Risk and Disaster Resilience Assessment capabilities are being sustained. We are developing our regional Threat and Hazard Identification Risk Assessment on an annual basis. Our current THIRA models the impacts of 4 threat and hazard scenarios and are incorporated into regional planning efforts. In (2023-2024) we incorporated DSHS Public Preparedness specialist, Regional Hospital Preparedness Coordinator, and TDEM CLO officers to our THIRA committee. We have also established new LEPC in 2023 for Bowie and Cass County.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Need to involve additional internal agencies, sub-jurisdictions/neighboring jurisdictions, Northeast Texas Regional Advisory Council, Texarkana COAD, and Hopkins County LEPC, and the Miller-Bowie health coalition.
Organization
Region needs more partner organizations (COAD's, VOAD's, LEPC's) involved in the risk and disaster assessment. Such partner organizations include: Northeast Texas Regional Advisory Council, Texarkana COAD, and Hopkins County LEPC, and health coalitions
Equipment
N/A
Training
N/A
Exercises

More exercises are needed that incorporates the impacts of the threat and hazard scenarios.

Threats and Hazards Identification

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Every 1 year engage with 38 jurisdictions and 25 partner organizations involved in incident management to assess the threats and hazards that are realistic and would significantly impact your communities.

Estimate of Current Capability

Every 1 year engage with 38 jurisdictions and 25 partner organizations involved in incident management to assess the threats and hazards that are realistic and would significantly impact your communities.

Capability Change Description

Threats and Hazards Identification capabilities are being sustained. We are developing our regional Threat and Hazard Identification Risk Assessment on an annual basis. We include our partner organizations in this process.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
N/A
Organization
N/A
Equipment
N/A
Training
N/A
Exercises
N/A

Critical Transportation

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **2 hours**' notice of an impending incident, complete the evacuation of **2000** people requiring evacuation, including **75** people with access and functional needs (requiring evacuation).*

*Within **2 hour** of an incident, clear **1** miles of road affected, to enable access for emergency responders, including private and non-profit.*

Estimate of Current Capability

*Within **4 hours**' notice of an impending incident, complete the evacuation of **2000** people requiring evacuation, including **75** people with access and functional needs (requiring evacuation).*

*Within **2 hour** of an incident, clear **1** miles of road affected, to enable access for emergency responders, including private and non-profit.*

Capability Change Description

Critical Transportation capabilities are being sustained. There are MOU/ MOA's in place with school districts, city transportation bus agencies, and nursing facilities to utilize van and busses if critical transportation is needed for mass evacuations. This capability was exercised on a smaller scale during the Texas Winter Storm of 2021; in Hopkins County they utilized police officers and cars to transport dialysis patients to and from treatment facilities. This capability has been tested in during the 2023 Summer Storm in Morris County. Critical transportation such as the ambulance bus was used to transport patients out of a nursing facility that had lost power. The clearing of affected roadway was also exercised and evaluated during the Texas Winter Storm of 2021, the November 2022 Tornado Outbreak, the Summer 2023 and 2024 Storms that affected Bowie, Red River, Hopkins, Morris and Lamar County, and most recently the Hurricane Beryl Storm event in Bowie County 2024.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Review and Enhance emergency transportation plans, and establish mutual aid agreements with transportation agencies.
Review and Enhance debris management plans. Include stakeholder and private partners in the planning process.

Organization
<p>To build the critical transportation capability, the region will need to have more CDL bus drivers to assist with transporting a large number of people.</p> <p>Smaller jurisdictions are unable to clear necessary roadways without outside assistance; therefore, debris management teams are needed. Heavy machinery operators are also needed to assist with the road clearing process.</p>
Equipment
<p>More vans and busses that accommodate the access and functional needs community are needed.</p> <p>Heavy machinery such as tractors, dozers, and tree trimmers are needed for the road clearing process.</p> <p>Sandbags</p>
Training
<p>This is a difficult capability to train on, and most rely on real-world events for practice and understanding. Classes that are needed includes:</p> <ul style="list-style-type: none"> • MGT-460 Planning for Disaster Debris Management • IS-632 Introduction to Debris Operations • IS-633 Debris Management Plan Development • Emergency Transportation Operations for Disasters
Exercises
<p>Need more realistic demonstrations of capability; exercises have been limited to tabletops and proof-of-concept.</p>

Environmental Response/Health and Safety

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **2 hours** of an incident, assess, contain, and begin cleaning up hazardous material releases from **1** hazmat release sites.*

*Within **2 hours** of a hazmat incident, complete decontamination procedures for **25** exposed individuals (hazmat-related incidents).*

Estimate of Current Capability

*Within **3 hours** of an incident, assess, contain, and begin cleaning up hazardous material releases from **1** hazmat release sites.*

*Within **2 hours** of a hazmat incident, complete decontamination procedures for **25** exposed individuals (hazmat-related incidents).*

Capability Change Description

The Environmental Response/Health and Safety capabilities are being sustained in the region. The region has one Hazmat team that does containment, but still rely on other hazmat teams from Tyler or Dallas to do full cleanup, which can take up to 4 hours for those teams to arrive after deployment. In 2022 Paris Regional Medical Center has obtained a new Hazmat Trailer, and Christus St. Michael Texarkana has obtained 2 Decon trailers. Bowie County is attempting to redeveloping their 15-person Hazmat team. To sustain this capability training and exercises are being performed region wide. This capability has been evaluated during the City of Texarkana Airport Tri-annual exercise in 2022. This capability is exercised often on highway spills, and waste clean ups at service stations. Contracts have been made with TDOT and other agencies to assist with Hazmat related clean up.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Response partners and stakeholders need to be included in the planning process.
MOA/Contracts with trucking companies to perform decontamination
Organization
Hazmat and Decontamination teams are needed to perform clean up and decontamination procedures.
Equipment

Additional response equipment and supplies is needed for the Bowie and Lamar County HAZMAT team such as decontamination equipment, radiological detection devices, and PPE.

Training

This capability will never reach 100% because the requirements and standards are constantly changing. Need training on most-up-to-date procedures.

- Hazardous Materials Incident Management
- MGT-441 Mass Decontamination for Mass Casualty Incidents
- PER-272 Emergency Responder Hazardous Materials Technician for CBRNE Incidents
- PER-308 Isolation and Quarantine for Public Health and Healthcare Professionals
- PER-309 Environmental Health Training in Emergency Response Operations

Exercises

This capability will never reach 100% because the requirements and standards are constantly changing. Need exercises on health and safety monitoring/assessment, decontamination, and hazardous material response and clean-up.

Fatality Management Services

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **24 hours** of an incident, complete the recovery, identification, and mortuary services, including temporary storage services, for **20** fatalities.*

Estimate of Current Capability

*Within **72 hours** of an incident, complete the recovery, identification, and mortuary services, including temporary storage services, for **20** fatalities.*

Capability Change Description

There has been no significant change in the Fatality Management Services capability, however, we have learned during the Covid-19 pandemic that funeral homes became overwhelmed during the first wave. Plans for fatality management are in place and are being updated/reviewed regularly to sustain this capability level. The region has a morgue trailer located in Hopkins Co. that can hold up to 20 bodies. The region continues to provide upkeep and maintenance on the trailer and has replaced parts and the A/C in 2024. This also helps the region to sustain capabilities.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Response partners need to be included in the planning process.
Review and update fatality management plans regularly
Organization
Personnel can fulfill this capability on a smaller scale in the larger jurisdictions, but smaller jurisdictions are not capable at all. Additional personnel are needed to provide counseling, body recover, mortuary services, and victim identification.
Local Medical Examiner is needed
Equipment
<ul style="list-style-type: none">• Need for additional mobile morgues, body bags, remains identification tags, and other supplies to support a mass fatality.• Generators for morgue trailer

Training

Need to implement multi-agency and/or multi-jurisdictional training to ensure stakeholders function from the same information and execute the same processes. Training courses needed includes:

- AWR-232 Mass Fatalities Planning and Response for Rural Communities
- AWR-309 Mass Fatality Planning and Response for Rural Morticians and Funeral Directors
- Bereavement Counseling Training
- G0386 Mass Fatalities Incident Response Course

Exercises

Need increased focus on large-scale scenarios that identify "breaking points" for capabilities; exercises have been limited to small-scale scenarios. Need to exercise capability with hospital and funeral homes.

Fire Management and Suppression

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within 4 hours of an incident, conduct firefighting operations to suppress and extinguish 5 structure fires.

Estimate of Current Capability

Within 6 hours of an incident, conduct firefighting operations to suppress and extinguish 3 structure fires.

Capability Change Description

Fire Management and Suppression capability are constantly increasing due the use of mutual aid and the purchase of equipment. Several jurisdictions such as (the City of Paris, Hopkins County, and the City of Texarkana) purchased Thermal Imaging to assist with fire suppression in 2022-2024. They City of Texarkana received 2 new Fire Trucks in 2022 as well as 2 more in 2024. Many fire departments also have purchased drones to assist with fire incidents as well. This capability has been evaluated through daily operations. This capability has also been evaluated during the First Baptist Church fire in March of 2020 which required mutual aid from other jurisdictions. Exercises on Fire Management and Suppression includes the Texarkana Tri-Annual Airport Exercise in October 2022.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
N/A
Organization
More full-time firefighters are need across the regions. Due to limited funding, most departments are understaffed.
Volunteer Fire Fighters are needed region wide
Drone pilots
Equipment
Equipment needed to increase this capability includes: <ul style="list-style-type: none">• Thermal imaging• Arson investigation tools• Breathing apparatus

<ul style="list-style-type: none"> • SCBA gear • Training equipment • Drones
Training
<p>Need to implement multi-agency and/or multi-jurisdictional training. Training courses needed includes:</p> <ul style="list-style-type: none"> • PER-296 CBRNE Rural Response Threat Protocol • S-130 Firefighter Training • S-190 Introduction to Wildland Fire Behavior • FFA Drone training
Exercises
N/A

Logistics and Supply Chain Management

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **12 hours** of an incident, identify and mobilize life-sustaining commodities, resources, and services to **1,500** people requiring shelter and **1,500** people requiring food and water. Maintain distribution system for **14 days**.*

Estimate of Current Capability

*Within **48 hours** of an incident, identify and mobilize life-sustaining commodities, resources, and services to **500** people requiring shelter and **1,500** people requiring food and water. Maintain distribution system for **7 days**.*

Capability Change Description

The Logistics and Supply Chain Management capability level has not changed. Jurisdictions have participated in WebEOC training, where they were trained on submitting star request. This capability has also been evaluated during the Covid Pandemic, the Texas Winter Storm in 2020, the Tornado Outbreak in November of 2022, and the Summer Storms in 2023 and the Hurricane Beryl storms in 2024. During the Covid Pandemic and the Texas Winter Storms essential commodities were delivered and distributed by the Regional Advisory Council through STAR request to the state. Red Cross and Salvation Army assisted with distribution during the November 2022 Tornadoes. During the Summer 2023 storms, the region did identify logistic and supply chain deficiencies. During these storms it took 3-5 days to get water, food, generators and other supplies to communities in Morris County. However, During the 2023 tornado, Lamar County was able to set up water and MRE distribution center and have it running for 7 days. Even though shelter plans are in place, our region has not been able to successfully set up shelter during these storm events. Our regional DHS agency no longer have a warehouse of equipment and supplies. We have determined that the only way to build the supply chain and security capability is to obtain MOA/MOU with local distributor for supplies. The region has worked closely with our Regional Advisory Council to strengthen the security and resilience of the supply chain. We continue to work with our LEPC's, RAC, and COADS to promote awareness of threats, dependencies, vulnerabilities, and strategies.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning

Update emergency housing and shelter plans.

Develop mutual aid agreements with surrounding jurisdictions.

Develop MOU agreements with private partners to provide resources and the delivery of resources.
Organization
Volunteers needed to distribute essential resources. Volunteers to staff shelters
Equipment
Generators and fuel trucks needed to support this capability, as well as mobile shelters, portable restrooms, and cots. Physical warehouse storage space is also needed to have commodities and resources on standby.
Training
Training that is needed to support this capability includes: <ul style="list-style-type: none"> • E0417: Mass Care/Emergency Assistance Shelter Field Guide Training • T-420 - Shelter Operations Course • WebEOC training • IS-27 Orientation to FEMA Logistics
Exercises
WebEOC exercises are needed on a quarterly basis

Mass Care Services

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **24 hours** of an incident, provide emergency sheltering, food, and water for **1,500** people requiring shelter and **1,500** people requiring food and water, including **75** people with access and functional needs (requiring accessible shelter) and **75** people with access and functional needs (requiring food and water), and **200** animals requiring shelter, food, and water. Maintain for **7 days**.*

*Within 1 **month** of an incident, move **300** people requiring temporary, non-congregate housing, including **25** people with access and functional needs (requiring accessible, temporary, non-congregate housing), from congregate care to temporary housing.*

Estimate of Current Capability

*Within **48 hours** of an incident, provide emergency sheltering, food, and water for **250** people requiring shelter and **500** people requiring food and water, including **75** people with access and functional needs (requiring accessible shelter) and **75** people with access and functional needs (requiring food and water), and **50** animals requiring shelter, food, and water. Maintain for **7 days**.*

*Within 3 **months** of an incident, move **200** people requiring temporary, non-congregate housing, including **25** people with access and functional needs (requiring accessible, temporary, non-congregate housing), from congregate care to temporary housing.*

Capability Change Description

The Mass Care Services capability for the Region has decreased. Red Cross has been working with jurisdictions to develop shelter plans, and identify organizations willing to shelter. After Red Cross temporary sheltering, there is no long-term shelters or non-congregate shelters available in the region. Many of the hotels and motels are now regularly booked with individuals that do not have permanent housing. The region as a whole need to enhance temporary housing plans and MOA to assist with sheltering. Mass care capabilities have been evaluated during the Summer Storms in 2023, where nursing facilities needed shelter for residents due to loss of power and water. Nursing facilities have agreements with other facilities to take on additional patients for care.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning

Develop shelter, temporary housing, and long-term housing plans.

<p>Identify shelter locations and organizations willing to shelter.</p> <p>Develop commodity distribution plans and contracts to support food and water delivery.</p> <p>Develop MOA with private housing agencies, supply vendors.</p>
Organization
<ul style="list-style-type: none"> • More personnel and community volunteers are needed to support the distribution of food and water. • More personnel and community volunteers are needed to manage shelters.
Equipment
<p>Jurisdictions will need cots, generators, and fuel trucks in regional location</p> <p>Fema trailers</p> <p>Physical animal shelter in most counties</p>
Training
<p>Need increased private sector and/or community outreach and engagement. Training courses includes:</p> <ul style="list-style-type: none"> • E0411 Mass Care/Emergency Assistance Support for Field Operations • E0418 Mass Care/Emergency Assistance Planning and Operations • MGT-403 Response Planning for People with Access & Functional Needs in Rural America
Exercises
<p>Need to develop exercises focused on Mass Care operations.</p>

Mass Search and Rescue Operations

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **48 hours** of an incident, conduct search and rescue operations for **1,500** people requiring rescue.*

Estimate of Current Capability

*Within **72 hours** of an incident, conduct search and rescue operations for **250** people requiring rescue.*

Capability Change Description

The Mass Search and Rescue Operations capability is increasing due to the purchase of specialized equipment across the region. Several jurisdictions have purchased thermal imaging cameras to aide in operations (the City of Mt. Vernon in 2023, Hopkins County in 2022) as well as drones to locate individuals during a search. The region also has a specialized dive team in the City of Paris and a CERT team in Lamar County to assist with operations. Several first responders in the region also participated in ALERRT training in 2022. This capability has been exercised on a smaller scale during the Texas A&M disaster drill in October 2024, the Red River Army Depot exercise August 2024, and during the Tornado Outbreak in November 2022-2023 in Bowie and Lamar County.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
N/A
Organization
<ul style="list-style-type: none">• Additional Search and Rescue teams• Additional Dive Team in Region• Volunteers and cert team in Bowie County• SRT Rope Team in Hopkins County• FFA Certified Drone operators in Delta and Franklin County
Equipment
<ul style="list-style-type: none">• safety ropes, harnesses, and extrication tools for Lamar County Cert Team• thermal imaging goggles in Lamar County• drones in Delta and Franklin County• cadaver dog in region

Training

Still needing additional search and rescue training for regional team as well as other local agencies. Training needed includes:

- PER-213 Wide Area Search
- Swift water Rescue Operations Course
- PER-334 Search and Rescue in Community Disasters
- FFA Drone Certification Class

Exercises

Regional exercises need to be held involving the search team, dive team, and community volunteers. Exercises should include usage of drones.

On-scene Security, Protection, and Law Enforcement

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **2 hours** of an incident, provide security and law enforcement services to protect emergency responders and **5,000** people affected.*

Estimate of Current Capability

*Within **3 hours** of an incident, provide security and law enforcement services to protect emergency responders and **2,500** people affected.*

Capability Change Description

The On-scene Security, Protection, and Law Enforcement capability level is decreasing due to a shortage of Law Enforcement Officers. This capability is strictly scenario based and can change depending on the type of incident. This capability is exercised often in the region during large special events such as the Hopkins County Stew Contest which brings in roughly 6,000 attendees, as well as during festivals, county fairs, and rival football games. This capability was exercised region wide during the April 2024 solar eclipse, which brought thousands of visitors to the region. During these events, Law Enforcement ensures a safe/secure environment for people and communities located within the affected area. Additionally, in 2023 Texarkana Independent School District has add metal detectors and officer screening at all school events, and the City of Paris purchased police barricades to ensure on-scene security and protection. Many agencies purchased radios for their law enforcement in 2023-2024, and the City of Sulphur Springs purchased law enforcement training equipment in 2023 as well to help sustain capabilities.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Plans should be updated to incorporate lessons learned from real world events.
Organization
Additional Law Enforcement officers are needed across the region.
Equipment
More mobile and portable radios are needed in, Cass County, Franklin County, and Titus County
Training

N/A
Exercises
N/A

Operational Communications

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **1 hour** of an incident, establish interoperable communications across **38** jurisdictions affected and with **50** partner organizations involved in incident management. Maintain for **14days**.*

Estimate of Current Capability

*Within **2 hours** of an incident, establish interoperable communications across **38** jurisdictions affected and with **50** partner organizations involved in incident management. Maintain for **14days**.*

Capability Change Description

The Operational Communications capability level continues to increase due to the purchase of addition interoperable communication equipment. Several jurisdictions have purchase new mobile and portable radios. Through SERI funds ATCOG has been able to install 5 repeaters (Franklin County) in 2023-2024, 1 dispatch consoles, and 2 repeaters in (Delta County)2024, 1 communication tower in Lamar County (2024), and working on an additional communication tower in Delta County. Lamar County has also added 3 repeaters at 2 of their ISD locations in 2024, and are working on adding trunking capabilities across the county. The region conducts a monthly repeater test to all Emergency Operation Centers in the region to ensure interoperable communications, and conduct an annual communication exercise each summer that documents responder's ability to operate their mobile and portable radios, as well as access the state interoperability channels. The City of Paris also has a HAM radio operator group that meets on a monthly basis and assesses their capabilities. The region is also hosted a Tri-State Communication exercise for February 2024 in preparation for the April 2024 solar eclipse.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Update Morris County and Cass County communication capability into the Regional Interoperable Communication Plan.
Inclusion in DPS Gaiter system
Organization
More HAM radio operators needed across the region.

Equipment
<p>Mobile and portable radios in all counties</p> <p>Repeaters need in Morris County, and Red River County, and Titus County,</p> <p>Dispatch Consoles needed in Hopkins County, Franklin County, Morris County, and Sulphur Springs, and Titus County</p> <p>Communication Tower needed in Delta County and Hopkins County</p> <p>Regional repeater for hospitals to connect with each other</p>
Training
<p>Additional training on radio operations, patching channels, and interloper channels is needed within the region.</p>
Exercises
<p>Need to implement corrective actions and improvement plans for exercises and real-world events. Need to increase participation in annual communication exercise.</p>

Public Health, Healthcare, and Emergency Medical Services

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **4 hours** of an incident, complete triage, begin definitive medical treatment, and transfer to an appropriate facility **50** people requiring medical care.*

Estimate of Current Capability

*Within **4 hours** of an incident, complete triage, begin definitive medical treatment, and transfer to an appropriate facility **25** people requiring medical care.*

Capability Change Description

The Public Health, Healthcare, and Emergency Medical Services capabilities have remained the same in the region. We have been able to utilize Senate Bill 8 scholarship funding in 2024 to get roughly 60 students through EMT schooling; however, there is still a shortage of nurses and EMTs in the region. We have several ambulances down due to staffing issues. This capability has been exercised in Lamar County with the November 2022 Tornado Outbreak where 13 individuals needed hospital transfer. EMS transport wait times are 20-30 minutes due to these staffing deficiencies. This capability has also been exercised on a smaller scale during the Red River Army Depot full scale exercise in August of 2024 and the Texarkana Airport Tri-Annual Exercise in October of 2022. To increase this capability our region will need to hire more nurses and EMT's to support medical triage, treatment, and transfers.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Develop triage plans.
Develop contracts or MOA for additional nurses and EMT's
Organization
More EMTs and nurses are needed to handle medical triage, treatment, and transfer.
Equipment
Triage trailer is needed in the region.
Medical Tents for triage
Warehouse for efficient storage of regional equipment

First Aid Kits with hemorrhage supplies in for Mt Vernon Police Department
Training
SAMA training for first responders.
Training on setting up medical triage trailer and western shelter
Exercises
More exercises are needed that focuses of triage and transferring of patients.

Situational Assessment

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **1 hour** of incident, and on a **6-hour** cycle thereafter, provide notification to leadership and **20** partner organizations involved in incident management of the current and projected situation. Maintain for **14days**.*

Estimate of Current Capability

*Within **1 hour** of incident, and on a **6-hour** cycle thereafter, provide notification to leadership and **20** partner organizations involved in incident management of the current and projected situation. Maintain for **14days**.*

Capability Change Description

The Situational Assessment capability is increasing in the ATCOG region. This capacity has been tested numerous times during the the Tornado Outbreak in November of 2022, the Summer Storms in 2023, and the Hurricane Beryl weather outbreak Summer of 2024. This capability has been exercised as well during the Red River Army Depot Full scale exercise November 2023, the Texas A&M Texarkana tabletop exercise in October of 2024, and the Texarkana Airport Disaster Drill in October of 2022. This capability is exercised and evaluated during daily incidents, and well. From exercise and real-world events, we have determined that notifications to leadership and partner organizations typically happen on a 12 hour cycle and can be maintained beyond 14 days.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Include all decision makers in the planning process and establish how flow of information should go.
Update EOP Plans in Red River County and Titus County
Organization
CLO officers needed in Hopkins
Equipment
N/A
Training
Basic ICS training for leadership roles (ICS 100, 200, 700, 800, 300, 400)

WebEOC training
Exercises
N/A

Infrastructure Systems

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **72 hours** of an incident, restore service to **2,000** customers without water service.*

*Within **72 hours** of an incident, restore service to **2,000** customers without wastewater service.*

*Within **72 hours** of an incident, restore service to **25,000** customers without communication service.*

*Within **72 hours** of an incident, restore service to **9,000** customers without electricity service.*

Estimate of Current Capability

*Within **72 hours** of an incident, restore service to **2,000** customers without water service.*

*Within **72 hours** of an incident, restore service to **2,000** customers without wastewater service.*

*Within **72 hours** of an incident, restore service to **25,000** customers without communication service.*

*Within **72 hours** of an incident, restore service to **9,000** customers without electricity service.*

Capability Change Description

There have been no significant changes in the Infrastructure Systems capability level. This capability is strictly dependent on the incident and the capabilities of the private sectors. However, this capability has been tested during the Texas Winter Storm of 2021, the November 2022 Tornado outbreak, Summer 2023 Storms, and the Hurricane Beryl Storms in 2024(Texarkana, Morris, Lamar County). This capability has also been tested in Red River County Fall of 2024, when the well infrastructure system went down for over 2 weeks. The City of Paris is also in the process of updating their waste water systems. Planning efforts should be made to include utility, communication, and private sector providers in the planning process.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Include utility, communication and private sector providers in the planning process.
Organization

N/A
Equipment
N/A
Training
<p>Need training on critical infrastructure shut-offs and functionality at the local level. Training courses includes:</p> <ul style="list-style-type: none"> • M-342 Strategic Overview of Disaster Management for Water and Wastewater Utilities • GT-343 Disaster Management for Water and Wastewater Utilities • MGT-345 Disaster Management for Electric Power System • MGT-410 Business Continuity Planning for Rural Power Companies
Exercises
<p>Need increased incorporation into exercise objectives and scenarios; capability is rarely included in exercises.</p>

Economic Recovery

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **1 month** of an incident, reopen **75** businesses closed due to the incident.*

Estimate of Current Capability

*Within **3 months** of an incident, reopen **75** businesses closed due to the incident.*

Capability Change Description

The Economic Recovery capability level has remained the same. However, jurisdictions are conducting annual inspections and updating building codes regularly, having these updated inspections and codes will make the process of reopening business a lot smoother. Additionally, several jurisdictions have been working with their private sectors/stakeholders on COOP plans. Economic recovery capabilities have also been evaluated during the Covid-19 Pandemic as well as the Texas Winter Storm of 2021. Information regarding damage assessments, federal programs and funds have been distributed to assist with the return of economic and business activities. This capability has also been evaluated during the Lamar County tornado outbreak in 2023 and 2024 as well as the Hurricane Beryl Storms in Texarkana 2024.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Work with private sector and stakeholders on COOP plans in Franklin County Include private sector in local EOP planning process.
Organization
Building inspectors are need as well as personnel to assist with writing/reviewing businesses COOP plans.
Equipment
N/A
Training
Need training on continuity of operations and economic recovery. Training courses needed includes: <ul style="list-style-type: none"> • Providing Post-Disaster Substantial Damage Technical Assistance to Communities • MGT-416 Continuity of Government Operations Planning for Rural Communities

- MGT-381 Business Continuity Planning
- IS-395 FEMA Risk Assessment Database
- IS-662 Improving Preparedness and Resilience through Public-Private Partnerships
- Continuity of Operations Planning Program Manager Train-the-Trainer

Exercises

Tabletop exercises with business sectors/stakeholders are needed to evaluate COOP plans.

Health and Social Services

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **1 week** of an incident, restore functions at **5** affected healthcare facilities and social service organizations.*

Estimate of Current Capability

*Within **1 week** of an incident, restore functions at **5** affected healthcare facilities and social service organizations.*

Capability Change Description

The Health and Social Services capability level continues to increase. Sustainment activities includes developing and enhancing COOP plans at healthcare and critical services agencies. Healthcare Coalitions are meeting and planning on a quarterly basis. Regional Healthcare Coordinator has provided several trainings throughout 2024 for healthcare facilities including MGT 317 in August of 2024. DSHS Public Health Preparedness Specialist, and Regional Hospital Preparedness planners continue to be a part of our THIRA committee to help assess health and social service capabilities.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Update hospital and social service organizations COOP plans. Include these organizations in local EOP plans
Organization
Healthcare Coalition is needed in Cass Co., Franklin Co., Titus Co., and Hopkins Co.
Equipment
Specialized transportation vehicles for transport of critical patients.
Training
Training needed includes: <ul style="list-style-type: none">E0426 Building a Roadmap to Resilience: A Whole Community TrainingMGT 341, Disaster Preparedness for Healthcare Organizations within the Community Infrastructure

Exercises

Health and Social Services capabilities need to be incorporated into more exercises. COOP plans need to be exercised on a regular basis. All healthcare facilities need to participate in a regional coordinated exercise amongst each other.

Housing

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

Within **1 year** of an incident, **500** people requiring long-term housing, including **75** people with access and functional needs (requiring accessible long-term housing), find and secure long-term housing.

Estimate of Current Capability

Within **1 year** of an incident, **250** people requiring long-term housing, including **25** people with access and functional needs (requiring accessible long-term housing), find and secure long-term housing.

Capability Change Description

The Housing capability level for our region has currently decreased. Due to the decline in the housing market, there are very few homes available to buy or rent. There are limit vacancies in apartment across the region which is forcing individuals to seek hotel and motels for temporary housing. Many of the hotels and motels are now regularly booked with individuals that do not have permanent housing. The region as a whole need to enhance housing plans and MOA to assist with long-term housing.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Long term housing plans need to be develop/enhanced for all jurisdictions. Private housing partners should be identified and included in the planning process.
Organization
Personnel needed to find housing for a large amount of people.
Equipment
Temporary housing units such as trailers/ mobile homes.
Training
Need additional training on implementing housing solutions. Additional training courses needed includes: <ul style="list-style-type: none"> • Administration of Public Assistance for Community Recovery • E0210 Recovery from Disaster: The Local Community Role • G0282.2 Manufactured Homes and the National Flood Insurance Program • Preparing for Post-Disaster Responsibilities • Rapid Needs Assessment • Recovery from Disaster: The Local Government Role • MGT-415 Disaster Recovery in Rural Communities • MGT-416 Continuity of Government Operations Planning for Rural Communities

- IS-368 Including People with Disabilities & Others with Access & Functional Needs in Disaster Operations

Exercises

Need increased incorporation into exercise objectives and scenarios; capability is rarely included in exercises. Future exercises should address housing shortages, housing assessments, and reconstruction/rehabilitation of damaged homes. Exercises should also include key stakeholders such as apartment complex owners, and hotel/motel owners.

Natural and Cultural Resources

SPR Step 1: Assess Capabilities

Capability Target (what the region reasonably expects to achieve in the next 3-5 years)

*Within **6 months** of an incident, restore **3** damaged natural and cultural resources and historic properties registered in the jurisdiction.*

Estimate of Current Capability

*Within **1 year** of an incident, restore **2** damaged natural and cultural resources and historic properties registered in the jurisdiction.*

Capability Change Description

The Natural and Cultural Resources capability level has not changed. However, in October 2019, Hopkins County pipeline incident did affect the historic Turkey Creek properties and restoration is in process as of 2022.

SPR Step 2: Describe Capability Gaps

Capability Gaps

Describe Capability Gaps in the table below, including any gaps in aspects of the Core Capability not addressed by the Capability Target statement, as appropriate. Sustainment of regional programs may be included as potential gaps. If no gaps exist for the POETE element, enter N/A.

Planning
Develop national preservation recovery plans in all 9 counties Include local national preservation in planning process
Organization
Personnel not capable of meeting this capability due to lack of trained personnel. Additional trained personnel is needed across the region to conduct preliminary assessments.
Equipment
N/A
Training
Training is needed for understanding and estimating impacts on natural and cultural resources to better develop a recovery plan. Additional courses needed includes: <ul style="list-style-type: none">• HEART (Heritage Emergency Response Training)• Protecting Historic Properties during Disaster Response• Coordination NEPA and Section 106
Exercises
This capability is never exercised; future exercises should include planning for damage assessment and environmental and historic preservation.

2024 Priorities

Top 3 Core Capabilities to Sustain in 2024

1. Planning
2. Community Resilience
3. Threats and Hazards Identification

Top 3 Core Capabilities to Build in 2025

1. Operational Communication
Operational Coordination
2. Interdiction and Disruption

Ark-Tex Council of Government

Texas Homeland Security
Strategic Plan
2021-2025

Implementation Plan for 2025

December 31, 2024

Due to the compilation of potentially sensitive data, this Texas Homeland Security Strategic Plan Implementation Plan is marked FOR OFFICIAL USE ONLY (FOUO) when completed. This information may be exempt under the provisions of the Freedom of Information Act, 5 U.S.C. § 552 and is protected under the provisions of Chapter 418 of the Texas Government Code. As such, anyone wishing to disseminate this document outside of the Texas State Government should contact the Ark-Tex Council of Government for disclosure review.

PRIVACY STATEMENT

The disclosure of information in this plan could compromise the security of essential equipment, services, and systems of Ark-Tex Council of Governments or otherwise impact the ability to carry out essential emergency responsibilities. Distribution of this document is limited to those organizations with a need to know the information in order to successfully implement the plan.

Portions of this plan may contain information that raise personal privacy issues. Those portions may be exempt from mandatory disclosure under the Freedom of Information Act. See 5 U.S.C. §552, 41 C.F.R. Part 105-60.

Any decision to disclose information in this plan outside of a Texas or Federal government entity or to withhold information in this plan from a non-Texas or Federal government entity must be coordinated with Ark-Tex Council of Governments Executive Board.

Ark-Tex Council of Governments
Texas Homeland Security Strategic Plan 2021-2025
Implementation Plan for 2025

TABLE OF CONTENTS

Foreword	4
Section I: General	5
Section II: Preparedness Assessment.....	8
Section III: Concept of Implementation	10

Ark-Tex Council of Governments

Texas Homeland Security Strategic Plan 2021-2025 Implementation Plan for 2025

FOREWORD

The Texas Homeland Security Strategic Plan 2021-2025 directs that “Each Council of Governments will develop an annual implementation plan [for the strategy] detailing significant regional and local implementation tasks.”

This implementation plan is for calendar year 2025. It identifies significant HSSP implementation tasks along with performance measures, completion milestones, and required resources.

This homeland security implementation plan also ensures that the Ark-Tex Council of Governments is fully integrated into the Texas Homeland Security Strategic Plan and has identified all resources necessary to achieve homeland security preparedness goals for 2025.

Action items called for in this plan do not represent tasking from the COG nor does this plan represent a statutory mandate to individual jurisdictions or agencies.

Homeland Security Coordinator
Ark-Tex Council of Governments

SECTION I: GENERAL

A. Purpose and Scope

This document establishes the Ark-Tex Council of Government's Implementation Plan in support of the Texas Homeland Security Strategic Plan 2021-2025. It establishes priority actions with specific performance measures to be completed by milestones established in the plan. This plan is a roadmap for our homeland security preparedness and identifies the resources required to implement the plan. Provisions of this document apply to all aspects of the region's homeland security activities, and all jurisdictions within the region share responsibility for implementing this plan.

B. Planning Process

An ATCOG Implementation Plan Working Group was established. The ATCOG Homeland Security Advisory Committee nominated members to participate in the working group alongside ATCOG Homeland Security Program staff, all of which were Emergency Management Coordinators from across the region. This group met as necessary to complete the plan. Other subject matter experts were included as needed for information gathering purposes. Annex A: Threat and Hazards Identification and Risk Assessment was completed first. Annex B: State Preparedness Report was compiled after the THIRA was completed. Then the implementation plan was completed. The completed plan was taken before the ATCOG Homeland Security Advisory Committee, as well as, the ATCOG Board of Directors for final review and approval of the document.

C. Authorities

This plan is governed by the ATCOG Board of Directors, which is made up of two (2) representatives from the Texas House of Representatives, two (2) representatives from the Texas Senate, ten (10) county representatives, forty-five (45) city representatives, thirteen (13) Independent School District representatives, two (2) college representatives, and thirteen (13) Special Purpose District and Authorities representatives. Nothing in this document is intended to supersede the powers, duties, and responsibilities of the presiding officers and governing bodies of a political subdivision of the Texas Disaster Act of 1975, chapter 418, government code.

D. Key Personnel

Position Title	Point of Contact	E-mail Address/ Office Telephone	Area of Responsibility
Homeland Security Coordinator	Whitney Fezell	wfezell@atcog.org 903-255-3554	Regional Overseeing/Plan Development/Data Gathering
EMC, City of Atlanta	Rickey Draper	rdraper@atlantatexas.org 903.799.4062	Local Overseeing
EMC, City of Texarkana	Chris Black	cblack@txkusa.org 903.798.3994	Local Overseeing
EMC, Lamar County	Quincy Blount	qblount@co.lamar.tx.us 903.491.9577	Local Overseeing
EMC, City of Paris	Randy Tuttle	rtuttle@paristexas.gov 903.737.4130	Local Overseeing
EMC, Titus County	Larry McRae	lmcrae@mpcity.org 903.575.4144	Local Overseeing
EMC, Bowie County	Lance Hall	lhall@txkusa.org 903-628-6776	Local Overseeing
EMC, Delta County	Robert Hurst	delta-oem@deltacountytx.com 903-395-4400	Local Overseeing
EMC, Franklin County	Max Cannaday	mcannaday@co.franklin.tx.us 903-537-4539	Local Overseeing
EMC, Hopkins County	Andy Endsley	aendsley@hopkinscountytexas.org 903-439-6217	Local Overseeing
EMC, City of Sulphur Springs	Jason Ricketson	jricketson@sspd.us 903-885-5443	Local Overseeing
EMC, Morris County	Brandon Singletary	Brandon.singletary@co.morris.tx.us 903-563-4103	Local Overseeing
EMC, Red River County	Vacant	emc@co.red-river.tx.us 903-427-2679	Local Overseeing

Figure I-1. Identification of Key Personnel

E. References

1. The Texas Homeland Security Strategic Plan 2021-2025, January 2021
2. State of Texas Emergency Management Plan, February 2020
3. The National Incident Management System (3rd Ed.), October 2017
4. The National Prevention Framework (2nd Ed.), June 2016
5. The National Protection Framework (2nd Ed.), June 2016
6. The National Mitigation Framework (2nd Ed.), June 2016
7. The National Response Framework (4th Ed.), October 2019
8. The National Disaster Recovery Framework (2nd Ed.), June 2016
9. The National Preparedness Goal (2nd Ed.), September 2015
10. The National Preparedness System, November 2011
11. Homeland Security Exercise and Evaluation Program, January 2020
12. National Infrastructure Protection Plan, December 2013
13. Texas Division of Emergency Management Fiscal Year 2025 Training Calendar

SECTION II: PREPAREDNESS ASSESSMENT

A. Regional Overview

The ATCOG region is comprised of nine counties including Lamar, Hopkins, Delta, Franklin, Red River, Titus, Morris, Bowie, and Cass. Geographically the region is made up a mixture of open cattle ranges on rolling hills and timber that spans over 6,400 square miles. The regional population is approximately 290,000 for Texas counties and approximately 334,000 if Miller County, Arkansas, is included (Miller County is a member of ATCOG's Board of Directors). The largest city in the region is Texarkana which has a population of over 67,000 and is divided by two states Texas and Arkansas. The region has six (6) lakes which provide the majority of the drinking water for the region. The lakes also provide recreational opportunities and four (4) of the lakes are also near State Parks. The Red River is the region's northern border with the State of Oklahoma. Titus County, has a higher Hispanic population than any other county in the region. The Hispanic population in Titus County is approximately 50%, therefore, more bilingual resources are needed in this area. Higher education institutions in the region includes (2) universities and three (3) colleges. There are nine (9) hospitals that provide medical care to the ATCOG population as well as numerous clinics and specialty care facilities. Several key industries in the region include timber, dairy, ranches, chicken processing plants, coal mining, trailer production, Campbell's Soup production, Kimberly-Clark Huggies Diapers production, and the International Paper Mill. Critical Infrastructure located within the ATCOG region include four (4) airports, four (4) power plants, natural gas pipelines with five (5) pumping stations, hydrogen sulfide wells, Interstate Highway 30 and railroad yards. Several Federally owned infrastructures located in the ATCOG region include Red River Army Depot, United States Steel Corporation, a federal courthouse, Camp Maxey, as well as Lone Star Steel.

B. Threats and Hazards

The ATCOG region is susceptible to a number of threats and hazards that can have catastrophic consequences. The major highways in our region are prime routes of travel for drug smuggling and human trafficking. Interstate 30, US HWY 82, and State Highway 59 are the highest drug trafficking quarters in the region. Over the past years there has been several seizures of drugs, money, and weapons. There has also been human trafficking bust as recent as 2022. Over the last two years, gang related crimes and gun violence has increased drastically in the metropolitan areas. There has been drug related/ violent crimes in association with cartels, and Pagan's MC gangs. There has been an influx of criminal activity in association with methamphetamines. There has been one mass shooting event in the region during 2021. Other threats and hazards include pipelines running throughout the region. Law enforcement can't adequately patrol and monitor all access points to the pipelines and a terrorist could cause major damage to the region by tampering with this complex system. Not only does the pipeline pose great risk for terrorist attack, it also poses great hazards if malfunctioning occurs. The region has experience pipeline ruptures as recent as 2019. Bomb threats have also increased in the region, several threats involved suspicious packages being in and around buildings. Bomb squad technicians from other regions were deployed in these situations. Technologically speaking, the region is very vulnerable to cyber threats, identity theft, ransom ware, and the breaching of critical systems with the most recent attack occurring December of 2020-2021 in the City of Texarkana. This ransom attack lasted several months and shut down many of the critical infrastructure systems. Other ransom attacks for email domains have occurred in Hopkins county, as well as many smaller attacks at Titus Regional Medical Center, and small local business in the City of Paris.

The primary natural hazards prevalent to the ATCOG region and more prone to occur are tornados, flash flooding, wildfires, and high wind damage to trees and other vegetation. The most likely hazard for the ATCOG area is a tornado. Tornado outbreaks are becoming more frequent in the region with the most severe happening in Lamar County 2022, Bowie County 2022 and 2024. The 2022 tornado outbreak produced 9 tornados in our across 4 counties in our region, with the most violent being an EF4.

Recent trends include extreme drought and extreme flooding. These seem to have cycled in recent years. In the past two years, though, ATCOG's region experienced extreme flooding resulting in a fatality, extreme drought causing large grass fires, and a minor earthquake.

Additionally, the ATCOG region is susceptible to infectious disease outbreaks. All counties in the region has affected by the Covid-19 virus. Combating the Covid virus has been the most critical threat the region has faced in years. In previous years, flu outbreaks became threats at local homeless shelters but were quickly handled by emergency management and local health authorities.

C. Capability Assessment

The ATCOG region is proficient with many of the homeland security capabilities that are applicable to the region itself with a few improvements needed in certain areas. Some capabilities will never be met at the local or regional level and completely rely on mutual aid from other regions, state or federal agencies. The ATCOG region has taken an aggressive approach to the development and sustainment of our Planning, Community Resilience, and Threats and Hazards Identification capabilities. ATCOG has worked with many partner agencies such as COAD's, LEPC's, and RAC's to help build and sustain these capabilities. The greatest and most common gap identified during ATCOG Capability Assessment is Interoperable Communications. Due to the rural nature of the ATCOG region, most agencies have trouble communicating within their own jurisdiction. More equipment such as repeaters, communication towers, and radios are needed to bridge the communication gaps. Improving communications, sustaining first responder capabilities, and supply chain security are major areas to focus on for the ATCOG region in the coming year.

SECTION III: CONCEPT OF IMPLEMENTATION

A. Overview

The ATCOG region plans to maintain all of its current homeland security capabilities in the coming years as well as build and close capability gaps certain areas. ATCOG priorities includes, but are not limited to the following:

1. Planning
2. Threats and Hazards Identification
3. Operational Communication
4. Interdiction and Disruption

B. GOAL 1 - PREVENT: PREVENT TERRORIST ATTACKS AND ORGANIZED CRIMINAL ACTIVITY IN TEXAS.

OBJECTIVE 1.2: Combat the activities of criminal enterprises through coordinated law enforcement operations, investigations, and supporting programs.

a. Recent Accomplishments:

- Purchased license plate readers in Franklin County 2023
- Purchased Law Enforcement Training Simulator in Lamar County (2023)
- Purchased Tactical Radios and Body Armor in Red River County (2023)
- Purchased Flock Camera in Mt Vernon 2024
- Purchased Police Barricades in Paris 2024
- Purchased License Plate Reader in Delt County 2024
- Purchased Security Cameras in Daingerfield in 2024
- Hosted ICS class in Cass County

b. Performance Measures:

- Number of officers trained
- Number of officers provided with equipment

c. Implementation Tasks:

Objective 1.2	Tasks	Responsibility	Cost/Source	Completion Date
Planning	n/a	n/a	n/a	n/a
Organization	n/a	n/a	n/a	n/a

Equipment	Purchase Drone in Delta County	Delta County	\$32,231.77 HSGP Funds	November 31, 2025
Training	ICS 300-400 in Mt. pleasant	ATCOG/TDEM	\$1,000 HSGP funds	December 31, 2025
Exercise		n/a	n/a	n/a

OBJECTIVE 1.4: Increase public awareness and reporting of suspicious activities related to crime and terrorism.

- a. Recent Accomplishments:
 - Sustainment of Neighborhood Watch Programs
 - Sustainment of National Night Out Campaign
- b. Performance Measures:
 - Number of legitimate reports from citizens
 - Number of crimes in crime-prevalent areas
- c. Implementation Tasks:

Objective 1.4	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Bolster existing campaigns and continue to educate the public through planning activities	Local law enforcement	\$5,000 of Local funds-all 9 counties	December 31, 2025
Organization	n/a	n/a	n/a	n/a
Equipment	n/a	n/a	n/a	n/a
Training	Bolster existing campaigns and continue to educate the public through planning activities	Local law enforcement	\$5,000 of Local funds-all 9 counties	December 31, 2025
Exercise	n/a	n/a	n/a	n/a

C. GOAL 2 - PROTECT: REDUCE THE STATE’S VULNERABILITY TO TERRORIST AND CRIMINAL ATTACKS AND NATURAL AND TECHNOLOGICAL DISASTERS.

OBJECTIVE 2.1: Enhance the security and resiliency of Texas critical infrastructure systems, networks, facilities, and assets, with particular emphasis on the lifeline sectors of communications, energy, transportation, and water.

a. Recent Accomplishments:

- Emergency Operation Plans (EOPs) updated in Texarkana, Lamar Co
- Completion of National Cyber Security Review for HSGD applicants
- Purchase cybersecurity software in City of Texarkana (2023)
- Completion of annual cyber security training in all 9 counties (2024)

b. Performance Measures:

- Number of disruptions or disturbances at critical location sites
- Number of people trained
- Number of risk assessments conducted
- Number of plans updated

c. Implementation Tasks:

Objective 2.1	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Update Emergency Operations Plans (EOPs)	Local emergency management and law enforcement	\$5,000 of Local funds – all 9 counties	December 31, 2025
	Update Hazard Mitigation plans in Morris, Red River, Franklin, Texarkana	Morris, Red River, Franklin, Texarkana	\$10,00 local funds	December 31, 2025
Organization	Conduct annual risk assessments on CIKR	Local emergency management and county assessors	n/a	December 31, 2025
Equipment	Sustain existing security and surveillance equipment	Local emergency management and law Enforcement	\$15,000 local funds	September 30, 2025
Training	Cybersecurity Training	ATCOG/all 9-Counties	\$5000 of local funds	August 31, 2025
Exercise	Test equipment frequently for proper functioning	Local emergency management and law enforcement	\$500 of Local funds	December 31, 2025

OBJECTIVE 2.5: Enhance the safety of Texas schools against all threats and hazards.

a. Recent Accomplishments:

- Conducted active shooter training for school districts in the region annually
- Host fire safety week at school around the region October 2024
- Purchased ballistic body armor in Lamar County 2022, and Red River County 2023
- Complete disaster tabletop exercise for Texas A&M November 2024
- Purchase Law Enforcement training simulator in Lamar County 2023
- Purchased Thermal Imaging in Mt Vernon 2023
- Purchased Police barricades in Paris 2024

b. Performance Measures:

- Number of personnel trained
- Number of schools participating in Fire Safety Week
- Number of Stop the Bleed trainings conducted

c. Implementation Tasks:

Objective 2.5	Tasks	Responsibility	Cost/Source	Completion Date
Planning	n/a	n/a	n/a	n/a
Organization	n/a	n/a	n/a	n/a
Equipment	Order equipment such as radios, to support special response teams	The City of Texarkana and Hopkins County	\$109,509.00 HSGP	November 30, 2025
	Order Drone in Delta County	Delta County Mt Vernon	\$32,231.00	December 31, 2025
Training	Train personnel with simulation kits	Lamar County/Hopkins County	\$1000 of local funds	November 30, 2025
	Fire Safety Week at schools in region	Local Fire Departments	n/a	October 31, 2025
	Stop The Bleed Training	Local EMS, NETRAC	No cost, from NETRAC	December 31, 2025
Exercise	Texas A&M annual disaster drill	Texas A&M Texarkana	n/a	August 31 , 2025

OBJECTIVE 2.6: Enhance statewide cyber security efforts to protect information assets.

- a. Recent Accomplishments:
 - Completion of the National Cyber Security review by all HSGP applicants
 - Annual Cyber security training across jurisdictions
 - Purchased Cyber-security software in the City of Texarkana (2022-2023)
- b. Performance Measures:
 - Number of people trained
 - Number of systems updated
 - Number of cyber-attacks/attempts detected
 - Number of NCSR completed
- c. Implementation Tasks:

Objective 2.6	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Review cybersecurity plan	All 9 counties	n/a	December 31, 2025
Organization	n/a	n/a	n/a	n/a
Equipment	na	na	na	na
Training	Conduct annual Cyber-Security training	All 9 counties	\$5,000 local funds	December 31, 2025
Exercise	n/a	n/a	n/a	n/a

D. GOAL 3 - MITIGATE: MINIMIZE THE IMPACT OF TERRORIST AND CRIMINAL ATTACKS AND NATURAL AND TECHNOLOGICAL DISASTERS THROUGH PROACTIVE MITIGATION PLANNING AND PROGRAMS.

OBJECTIVE 3.1: Use mitigation planning to reduce the threats disasters pose to people, property, and critical functions throughout the state.

- a. Recent Accomplishments:
 - Updated Hazard Mitigation Plans
 - Conducted disaster exercise at Texas A&M October 2023
 - Full scale disaster exercise at Red River Army Depot November 2024
 - Conducted Full Scale Airport Exercise October 2022
 - Hosted monthly regional solar eclipse planning meetings 2023
 - Hosted Tri-Annual Communication Exercise 2024
- b. Performance Measures:
 - Number of citizens involved with mass notification systems
 - Number of plans updated
 - Number of people participating in trainings
 - Number of agencies participating in exercises
- c. Implementation Tasks:

Objective 3.1	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Update Hazard Mitigation Plans as needed	ATCOG Hazard Mitigation Program	\$5,000 of Local funds – all 9 counties	September 31, 2025
Organization	n/a	n/a	n/a	n/a
Equipment	Maintain “storm ready” facilities and mass notification systems	All local emergency management	\$250,000 of local funds – all 9 counties	December 31, 2025
Training	Conduct additional Sky Warn classes in region	National Weather Service	National Weather Service conducts training for free	October 31, 2025
Exercise	Conduct monthly test of systems	Local emergency management	\$500 of Local funds – all 9 counties	December 31, 2025
	Conduct disaster exercise at Texas A&M Texarkana	Texas A&M Texarkana PD	No Cost	October 31, 2025
	Conduct Red River Army Depot Full Scale Exercise	Red River Army Depot Emergency Management Team	\$5,000 local funds	August, 31, 2025
	Annual communication exercise	All 9 counties	No cost	December 31, 2025

E. GOAL 4 - RESPOND: INCREASE THE CAPABILITY OF THE STATE'S RESPONSE SYSTEM TO MINIMIZE DAMAGE AND LOSS OF LIFE FROM TERRORIST AND CRIMINAL ATTACKS AND NATURAL AND TECHNOLOGICAL DISASTERS.

OBJECTIVE 4.3: Achieve statewide communications operability and interoperability in Texas.

a. Recent Accomplishments:

- Purchased narrowband compliant and P25 compliant communications equipment in Hopkins County and Sulphur Spring in 2023

- Installed repeaters in Franklin County and Delta County in 2024
 - Purchased dispatch console in Delta County in 2024
 - Purchased Tower in Lamar County in 2024
- b. Performance Measures:
- Number of first responders' able to communicate with others via radio
 - Number of radios with interoperability channels programmed correctly
 - Number of first responders' able to operate radios properly
- c. Implementation Tasks:

Objective 4.3	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Update Standard Operating Procedures as necessary	Local emergency management agencies	\$250 of Local – all 9 counties	December 31, 2025
Organization	n/a	n/a	n/a	n/a
Equipment	Purchase P25 compliant communications equipment (Radios)	City of Texarkana and Sulphur Springs	\$109,509	November 30, 2025
	Purchase and install communication towers	Delta County, Hopkins County	\$550,000 SERI radio infrastructure program funds	October 31, 2026
Training	Conduct annual communications training	Local jurisdictions /Regional Partners	\$5,000 of HSGP funds - Regional	December 31, 2025
Exercise	Conduct annual communications exercise	ATCOG/ Local jurisdictions /Regional Partners	\$5,000 of HSGP funds - Regional	August 31, 2025

OBJECTIVE 4.6: Integrate and coordinate multiple methods to warn and keep the public and local leaders informed about emergencies in their communities.

- a. Recent Accomplishments:
- Tornado sirens purchased in Lamar County and Cass County 2023-2024

- Managed regional mass notification system
 - Installed Warning Sirens in City of Texarkana and Cass County 2022-2023
- b. Performance Measures:
- Number of citizens included and involved with the community listserv, twitter account, webpage, call-down list, and mass notification systems
 - Number of responses from mass notification test
- c. Implementation Tasks:

Objective 4.6	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Bolster existing communication avenues and continue to educate the public through planning	Local jurisdictions /Regional Partners	\$5,000 of local funds – region wide	December 31, 2025
Organization	n/a	n/a	n/a	n/a
Equipment	Maintain mass notification systems and early warning sirens	ATCOG/local jurisdictions/Regional Partners	\$150,000 of local funds (all 9 counties) and \$2,500 of HSGP funds (ATCOG)	November 30, 2025
Training	Bolster existing communication avenues and continue to educate the public through training activities	Local jurisdictions/ Regional Partners	\$1000 of local and HSGP funds regional	August 31, 2025
Exercise	Weekly Siren Testing/Monthly Mass Notification testing	n/a	n/a	n/a

OBJECTIVE 4.7: Ensure updated and validated emergency plans are in place at public agencies that provide vital services, and encourage such planning within private entities.

- a. Recent Accomplishments:
- Updating of all annexes to the Texas Emergency Management Plan every 5 years in all 9 counties.
- b. Performance Measures:
- Number of plans review and updated
 - Number of annexes renewed
- c. Implementation Tasks:

Objective 4.7	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Update and review emergency and disaster-related plans	Local jurisdictions /Regional Partners	\$5,000 of local funds – region wide	December 31, 2025
	Update all annexes to the Texas Emergency Management Plan every 5 years	Local jurisdictions /Regional Partners	\$5,000 of local funds – region wide	December 31, 2025
Organization	n/a	n/a	n/a	n/a
Equipment	n/a	n/a	n/a	n/a
Training	n/a	n/a	n/a	n/a
Exercise	n/a	n/a	n/a	n/a

F. GOAL 5 - RECOVER: ENSURE RAPID, EFFECTIVE, AND COMPREHENSIVE COMMUNITY RECOVERY FOLLOWING TERRORIST OR CRIMINAL ATTACKS AND NATURAL OR TECHNOLOGICAL DISASTERS.

OBJECTIVE 5.2: Strengthen preparedness for whole community recovery through outreach programs, training, and exercise.

a. Recent Accomplishments:

- Assist with coordination and evaluation of Red River Army Depot full scale Exercise in November 2023
- Assist with coordination and evaluation of Texas A&M Texarkana full scale Active Shooter exercise in October of 2023
- Created Joint LEPC in Bowie and Cass County November 2023

b. Performance Measures:

- Number of community trainings and exercises participated in
- Number LEPC meeting attended

c. Implementation Tasks:

Objective 5.2	Tasks	Responsibility	Cost/Source	Completion Date
Planning	Participate in planning process at community LEPC meeting	ATCOG/Local Emergency Management	No Cost	December 31, 2025
Organization	n/a	n/a	n/a	n/a
Equipment	n/a	n/a	n/a	n/a
Training	n/a	n/a	n/a	n/a
Exercise	Conduct Red River Army Depot Full Scale Exercise	Red River Army Depot Emergency Management Team	\$5,000 local funds	November 30, 2025
	Conduct Texas A&M Texarkana fall exercise	Texas A&M Texarkana PD	No Cost	October 31, 2025

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**BYLAWS OF THE
ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG)
HOMELAND SECURITY ADVISORY COMMITTEE (HSAC)**

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

The name of the Committee shall be the Ark-Tex Council of Governments Homeland Security Advisory Committee (HSAC). The Homeland Security Advisory Committee was created by Ark-Tex Council of Governments to advise the Board of Directors in all matters related to regional homeland security and to recommend to the Board of Directors plans and programs which improve the emergency response and recovery throughout the region which support and maintain the State of Texas Goals for Homeland Security in order to maximize effective and efficient use of resources.

HSAC promotes strategies to prevent terrorism and other catastrophic events and to prepare our local communities for the threats and hazards that pose the greatest risk to their security and resilience. Grant funding assists local jurisdictions in building, sustaining, and delivering core capabilities to further the National Preparedness Goal which is, “A secure and resilient Nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.”

Guided by the framework established in the Texas Homeland Security Strategic Plan, HSAC supports investments in homeland security planning, organization, equipment, training, and exercises. Grant funding is used to address gaps identified through the annual State Preparedness Report (SPR) in achieving capability targets set through the annual Threat and Hazard Identification and Risk Assessment (THIRA). These assessments identify capability targets and Texas’ current ability to meet those targets. Precedence is given to high-priority core capabilities where significant gaps exist.

The Committee’s specific responsibilities are:

1. To assist ATCOG in carrying on a continuous planning program to identify Homeland Security problems; in determining the needs of the region; in analyzing the existing Homeland Security Regional Plan and available resources; and in establishing goals and priorities
2. To review and comment to the ATCOG Board of Directors on applications requesting state or federal homeland security funds
3. To advise ATCOG’s member cities, counties, and special districts, directly or through the ATCOG Board of Directors, on matters within their jurisdiction pertaining to homeland security.

ARTICLE II – MEMBERSHIP

Representation

The Committee shall be composed of the following members appointed by the ATCOG Board of Directors Chair:

One representative from each of the nine counties	9
One representative from the two largest cities in the region	2
One representative from both a city and a county law enforcement department	2
One representative from two different fire departments in the region	2
One representative from an emergency medical services provider	1
One representative from the Texas Forest Service	1
One Texas District Chief representing the ATCOG region	1
One Board of Directors Liaison	1
One representative from a state service agency	1
Total	20

Members will be appointed by the ATCOG Board of Directors Chair. The Committee may make recommendations to the ATCOG Board of Directors Chair to fill vacant membership seats. An ATCOG staff member shall serve as HSAC liaison and shall attend each HSAC meeting.

Qualifications

To be eligible for membership on the HSAC, a member must reside in or be employed by the city/county/company the member is to represent unless otherwise designated by the ATCOG Board of Directors. Members must possess experience and/or training in disaster planning or response.

Term

1. The term of membership of the HSAC shall be two (2) years and shall begin on the date of appointment by the ATCOG Board of Directors Chair.
2. In the case of a vacancy, the ATCOG Board of Directors Chair may appoint a replacement to serve for the remainder of the unexpired term.
3. A member may be removed for good cause by the ATCOG Board of Directors

Vacancy

A vacancy occurs when

1. a member dies; or
2. a member's term expires; or

3. a member resigns (resignations shall be in writing to the ATCOG HSAC liaison or the HSAC chair); or
4. a member is removed; or
5. a member no longer meets the qualification requirements

Attendance

1. Members are expected to attend all meetings
2. Attendance records documenting HSAC member absences will be maintained by the ATCOG HSAC liaison. If a member is unable to attend a scheduled meeting, notification must be provided to the HSAC liaison prior to the meeting. If a member is unable to attend a meeting, including funding prioritization meetings, the member may send a representative who assumes all but the voting rights and responsibilities of the member.
3. A member can be removed when, within one calendar year, he or she misses fifty percent (50%) of the regularly scheduled meetings held or two consecutive regularly scheduled meetings. The member will be notified in writing of such removal.
4. Members so removed may appeal in writing to the ATCOG Board of Directors Chair within two (2) weeks of the date of notification. Appeals will be dealt with in a timely manner and the member will be notified in writing of the decision.

ARTICLE III – OFFICERS

Election

The HSAC shall elect a Chair and Vice-Chair from among its members. Election of a Chair and a Vice-Chair will occur at the first meeting of the calendar year.

Term

Officers shall serve for a one-year period beginning on the date of election. Officers may serve a maximum of two (2) consecutive terms.

Vacancy

In the event an Officer is unable to fulfill his or her term, the HSAC shall elect a replacement at a regular or specially called meeting, who serves for the remainder of the unexpired term.

Duties

1. The Chair shall preside at all meetings of the HSAC.
2. In the case of a tie during a vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.

3. The Vice-Chair shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the HSAC.
4. In case the Chair and Vice-Chair are absent or unable to perform their duties, the HSAC may appoint a Chair pro tem.

ARTICLE IV – MEETINGS

Regular

1. The HSAC shall meet at least ~~3 times annually~~ ~~quarterly~~ on a day, time and place specified by the ATCOG Executive Director, the ATCOG HSAC liaison or the HSAC as a whole.
2. HSAC meetings can be conducted in person, via conference call, or via webinar as is allowable by the Texas Open Meetings Act.
3. Written notice, including an agenda, of each regular meeting shall be prepared by the ATCOG HSAC liaison and electronically transmitted to each HSAC member at least five (3) business days before the meeting date.

Special

1. The HSAC shall meet specially if called by the ATCOG Executive Director, the ATCOG HSAC liaison, the HSAC Chair or requested in writing by at least one-third of the membership, excluding vacancies, of the HSAC.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describe the purpose or purposes of the meeting. Only that business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least seventy-two (72) hours prior to the special meeting.
4. Special meetings can be conducted in person, via conference call, or via webinar as is allowable by the Texas Open Meetings Act.

Quorum and Action

1. One third of the total voting membership, excluding vacancies, constitutes a quorum for conducting HSAC business.
2. A majority vote of the members present at a meeting at which a quorum is present is necessary for action by the HSAC. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring a HSAC vote or action must be postponed until next scheduled meeting at which a quorum is established.

Open Meetings and Records

1. All meetings of the HSAC shall be open to the public. The meetings are subject to the Texas Open Meetings Act and corresponding records are subject to the Texas Public Information Act. The HSAC Chair has the option of closing the meetings when homeland security tactical issues are being discussed or when deemed necessary for confidentiality purposes.
2. Minutes of the HSAC meetings, documents distributed and other records are the property of ATCOG. The HSAC liaison shall keep the recordings of all the HSAC meetings according to the Local Government Records Control Schedule. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of HSAC meetings.

Conflict of Interest

1. A HSAC member who is a member of the governing body, an officer, or an employee of an applicant must abstain from voting on any grant application, other than the planning grant application submitted by the COG, during the prioritization process if the member or an individual related to the member:
 - a. Is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded;
 - b. Serves on any governing board that oversees the unit or division that would administer the grant, if awarded;
 - c. Owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency; or
 - d. Receives any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded.

The member is counted in determining the existence of a quorum.

2. A vote cast in violation of this section is not counted.

Professional Conduct

HSAC members should maintain objectivity and professionalism when carrying out business of the HSAC. In the event a HSAC member acts in a manner which brings the work of the HSAC into question or controversy, it shall be the responsibility of the ATCOG Executive Director to address the incident with the Chair of the ATCOG Board of Directors.

ARTICLE V – Regional Grant Process

Grant Application Workshop. All grant applicants must attend the Grant Application Workshop in order to be eligible for grant funding.

The grant application workshop will include the following information:

- a. Who can apply and what activities are eligible under each funding opportunity
- b. Requirements for project problem statements with supporting data, goal statement, project activity explanations, current and target output and outcome measures, and budget categories and line items
- c. The project period for each funding opportunity
- d. Applicable rules, regulations, and certifications required
- e. Any prohibitions
- f. Civil rights rules related to applicant employees and projects or activities
- g. State strategies or funding preferences
- h. Potential jurisdictional funding allocations based on risk-based funding allocation formula
- i. Local policies and procedures that affect the COG's prioritization process
- j. Due dates for applicants to submit and certify applications

ATCOG Staff Review and HSAC Recommendation for Funding.

After the grant workshop, ATCOG staff will provide each jurisdiction's representative(s) with an allocation amount. Projects can be submitted for that allocation amount only. Once all applications are received, the applications are reviewed by ATCOG staff to ensure completion and that all requested items are allowable. The HSAC reviews the projects to ensure all projects are in line with regional priorities (if applicable) and have met the regional eligibility requirement of 75% participation in the monthly ATCOG Communication Repeater Tests.

Applications are then prioritized via ballot based on several factors such as terrorism risks, current capability levels, and the described investment efforts to reduce existing capability gaps as described in the State Preparedness Report and the Regional Implementation Plan (which includes the Threat and Hazards Identification and Risk Assessment). Each HSAC member has plans and reports in possession and may bring these documents to the meeting for reference, but are not required. The committee's involvement provides an overarching knowledge of each jurisdiction within the region, which guides and aids the HSAC during the prioritization of projects. ATCOG's project

will be ranked as number (1) in the prioritization process and shall receive full funding. Any other special projects approved by the HSAC committee will be ranked as number (2) and so forth. In the event of a tie between two or more projects, the lowest rankings on each project involved will be dropped until the tie is broken. Any representative from the agency applying is prohibited from including his or her agency's project in the prioritization due to the conflict of interest policy in ATCOG's HSAC bylaws. All projects must be scalable. If the final regional allocation is reduced or increased by the State, all projects with the exception of ATCOG's project and other special approved projects (if applicable), will be reduced or increased proportionately. If the amounts of LETPA projects submitted do not meet the ~~30~~25% LETPA requirement, ATCOG HSAC can increase the LETPA projects' amounts to meet the requirement.

Final Project Allocation. Following the committee meeting, the project allocation recommendation and prioritization results will be presented to the ATCOG Board of Directors for approval. Once ATCOG receives official notification of State approved projects, all applicants will be notified via email within three (3) business days.

ARTICLE VI – AMENDMENT

By ATCOG Board of Directors

The ATCOG Board of Directors may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

By Homeland Security Advisory Committee

The HSAC may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be recorded at the meeting at which the amendments is discussed and voted upon. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered. An amendment adopted by the HSAC is not effective unless approved by the ATCOG Board of Directors.

Effective Date

An amendment to the bylaws takes effect when approved by the ATCOG Board of Directors unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to the HSAC members by the HSAC liaison.

Review

The HSAC shall review the bylaws annually to keep the document current. HSAC amendment recommendations shall be taken before the ATCOG Board of Directors for final approval. If upon review of the bylaws no amendments are deemed necessary, then no further action is required.

**ARK-TEX COUNCIL OF GOVERNMENTS
REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE
BYLAWS**

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

The name of this body shall be the Regional Criminal Justice Advisory Committee (RCJAC) of the Ark-Tex Council of Governments (ATCOG).

The Committee shall assist and advise the staff and Executive Board of ATCOG on all appropriate matters relating to criminal justice issues in the region. Specifically, it shall:

- ❖ Review and consider recommendations concerning funding of local, State and/or Federal programs.
- ❖ Review and prioritize programs submitted for funding provided through the Office of the Governor – Public Safety Office (PSO), Criminal Justice Division (CJD), in accordance with RCJAC and PSO/CJD rules and regulations as adopted.

ARTICLE II – MEMBERSHIP

The RCJAC shall have a multi-disciplinary representation of members from the region, which includes the following groups or disciplines: ~~non-profit organizations, municipalities, counties, citizens or parents, substance abuse prevention,~~ education, juvenile justice, law enforcement, mental health, prosecution or courts, and victim services, with at least one victim services member from a non-governmental agency. Each individual member may either represent one of the required disciplines or be classified as an "other" discipline. No single ~~group or~~ discipline, including the "other" category, may constitute more than one-third (1/3) of the RCJAC.

County Membership

The RCJAC shall have 29 county members. The membership per county shall be based on population with the following distribution: counties with 50,000 and above shall be allocated five members; counties with 25,000 and above shall be allocated four members; counties with 10,000 and above shall be allocated two members, and counties below 10,000 shall be allocated one member.

Members shall be recommended by the County Judge of the County where a vacancy exists, subject to approval by the ATCOG Board.

Other Membership

A member of the ATCOG Board may be appointed by the ATCOG Executive Committee to serve as a liaison between the Board and the RCJAC.

ATCOG Criminal Justice staff shall perform the necessary staff functions to support the Committee's activities.

Membership Terms and Attendance

Terms of membership shall be two years. Members may be reappointed to serve additional terms. Terms of membership shall begin January 1 of every evenly numbered year.

Members who are absent from three consecutive meetings without a valid excuse shall be considered to have submitted his/her resignation. A member may resign at any time by submitting a written notice to ATCOG.

ARTICLE III - OFFICERS

The officers of the RCJAC shall be Chairman, 1st Vice-Chairman, and 2nd Vice-Chairman. Officers shall serve two-year terms. Officers shall be selected from and by the RCJAC membership during the first quarter of every evenly numbered year. Officers may be elected to serve more than one term.

The Chairman shall preside at all meetings of the RCJAC. The 1st Vice-Chairman shall perform the duties of the Chairman in his/her absence. The 2nd Vice-Chairman shall perform the duties of the 1st Vice-Chairman in his/her absence. If both the Chairman and 1st Vice-Chairman are absent, the 2nd Vice-Chairman shall perform the duties of the Chairman.

ARTICLE IV – MEETINGS

Open Meetings and Records

All meetings of the RCJAC shall be open to the public. All ATCOG governing board meetings and RCJAC meetings at which PSO/CJD-related matters are discussed must comply with the requirements listed in the Texas Government Code, Chapter 551 (Texas Open Meetings Act).

The RCJAC Chairman or presiding Chairman has the option of closing the meetings when deemed necessary for confidentiality purposes.

Minutes of the RCJAC meetings, documents distributed and other records are the property of ATCOG. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party.

Except where these bylaws require otherwise, Robert's Rules of Order shall govern the conduct of RCJAC meetings.

Quorum and Action

Twenty-five percent (25%) of the total membership will constitute a quorum at any meeting, whether at a location or by teleconference or webinar. If by teleconference or webinar, an official roll call will be taken to ensure a quorum is present.

Action taken by the committee shall be by a simple majority vote of the members present at the meeting by which a quorum is present.

Regular Meetings

The RCJAC shall meet as necessary during the year on a day, time and place specified by the ATCOG Executive Director, the ATCOG Criminal Justice liaison or the RCJAC as a whole.

RCJAC meetings can be conducted at a location, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

Written notice, including an agenda, of each regular meeting shall be prepared by the ATCOG Criminal Justice liaison and electronically transmitted to each RCJAC member at least seventy-two (72) hours prior to the meeting.

Special Meetings

The RCJAC shall hold a special meeting if called by the ATCOG Executive Director, the ATCOG Criminal Justice liaison, the RCJAC Chairman or requested in writing by at least one-third of the RCJAC membership. Only business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.

Notice of any special meeting shall be given at least seventy-two (72) hours prior to the special meeting.

Special meetings can be conducted in person, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

ARTICLE V - SUBCOMMITTEES

The RCJAC Chairman shall appoint temporary subcommittees as the need arises to perform specific tasks related to the business and activities of the RCJAC.

ARTICLE VI - BYLAWS AMENDMENTS

RCJAC Bylaws Review

The RCJAC shall review the bylaws annually to keep the document current. The RCJAC may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be recorded at the meeting at which the amendments are discussed and voted on. RCJAC amendment recommendations shall be presented to the ATCOG Board of Directors for final approval. If upon review of the bylaws no amendments are deemed necessary, then no further action is required.

By ATCOG Board of Directors

The ATCOG Board of Directors may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

Effective Date

An amendment to the bylaws takes effect when approved by the ATCOG Board of Directors unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to the RCJAC members by ATCOG Criminal Justice staff.

ARTICLE VII - GRANT APPLICATION REVIEW PROCEDURES

Local/~~State~~ Priorities & Strategic Plan

Each proposal must provide services — which have been identified as a local priority/need in the ATCOG region and meet the OOG/PSO state priority/eligibility requirement(s). Each applicant should contact ATCOG Criminal Justice staff to determine if the proposed project is listed as a local priority in the ATCOG region. The OOG/PSO state priorities/eligibility requirements are listed in the funding opportunity for each grant on the OOG/PSO eGrants website <https://egrants.gov.texas.gov/>.

The Strategic Plan for the region shall be reviewed and revised as necessary and should not exceed a 5-year cycle without updating, with an effort to follow the format recommended by PSO/CJD. Based on the current requirements by PSO/CJD, the top five local priorities within each category of the Strategic Plan (Victim Services/Mental Health, Juvenile Services, Law Enforcement) will be used in the grant application scoring process and also submitted to PSO/CJD. Focus

groups of the previously mentioned categories will develop a list of recommendations for the top five (can be less than five if necessary) priorities of each category. These recommendations will be reviewed by the RCJAC and ATCOG Board for their approval prior to the scoring process. Since the local priorities are necessary in the application scoring process, the priorities will be reviewed/discussed by the focus groups each year and recommended to the RCJAC and ATCOG Board for approval, regardless if the full Strategic Plan is updated during that particular year. A list of participating representatives present at the Strategic Planning meeting, and their affiliation, should be attached to the Strategic Plan, with the date of review and revision. The Strategic Plan is available to view on the ATCOG website, www.atcog.org.

Grant Application Workshop

Each applicant must attend a Grant Application Workshop presented by ATCOG Criminal Justice staff prior to beginning the application process each year until further notice. The workshop will be conducted at a location, via teleconference, webinar, or by other electronic means as decided by ATCOG CJ Staff each year. Current grantees, potential applicants, and other requestors will be notified of the date, time and location (physical location and/or teleconference/webinar/electronic info) of the workshop, along with deadlines that may apply. This information will be announced with the notification of available grant funding. If the workshop is held at a physical location and/or by teleconference/webinar, Aa one-on-one conference can substitute for workshop attendance if someone is unable to attend. Applicants must have the "Intent to Apply/Grant Workshop Verification Form" signed and returned to ATCOG CJ Staff at least 30 calendar days prior to the PSO/CJD eGrants application submission deadline. The 30-day requirement allows for review of application alignment with regional priorities and reasonableness prior to the application being submitted and also ensures that all applications are received by the region for funding consideration. If this local requirement is not met, the RCJAC and/or the ATCOG Board has the option to recommend less funding than applied for or no funding on any fund source application submitted by an applicant.

Notification of Application Deadlines

Current grantees, potential applicants, and other requestors will be notified of grant application deadlines as soon as they are established.

Under no circumstances will grant applications be accepted after the deadline.

Funding Categories Reviewed by RCJAC

The RCJAC reviews and competitively scores and/or prioritizes, and establishes funding recommendations for the following categories:

General Victim Assistance – Direct Services Program
(Victims of Crime Act – VOCA)
Violent Crimes Against Women Justice and Training Program
Domestic Violence, Sexual Assault, Dating Violence, and Stalking
(Violence Against Women Act – VAWA)
General Juvenile Justice and Delinquency Prevention Programs
(State Criminal Justice Planning Fund - 421)
Truancy Prevention Programs
(Truancy Prevention Grant Program)
Justice Assistance Grant (JAG) Program
(Byrne Justice Assistance Grant)
(State Criminal Justice Planning Fund – 421)

PSO/CJD may also recommend or require the RCJAC to review and score applications in additional funding categories when necessary. At that time, the corresponding scoring instruments or other scoring documents to be used will be reviewed and approved by the RCJAC and made available to those applicant(s) prior to the scoring process.

Fund Specific Requirements

Decreasing Ratio Policy for JAG Applications:

Decreasing ratio and five-year maximum projects shall establish their PSO/CJD request each year by following the percentages listed below (Benchmark is based on the amount awarded by PSO/CJD in the first year of funding). This requirement is in effect for the following funding categories: Criminal Justice Programs (JAG).

1st year – 100% CJD funding (Benchmark amount established)
2nd year - 80% CJD funding
3rd year - 60% CJD funding
4th year - 40% CJD funding
5th year - 40% CJD funding

If a grant applicant is not funded during any year of the cycle, they will be allowed to apply at the same percentage/amount for the following year. (Ex. In 2020 an agency is currently at 80% (yr. 2) applying for \$50,000, but they are not awarded the grant. In 2021, they will be allowed to apply at 80% (yr. 2) for \$50,000. If awarded in 2021, they will then be allowed to apply at 60% (yr. 3) in 2022.)

Grant Application Scoring Guidelines

New projects and continuation projects shall be reviewed, scored, and prioritized for funding each year, as applicable. All projects considered for PSO/CJD funding

must meet the guidelines and requirements established by PSO/CJD annually. The applicant agency/organization must be located within the ATCOG region and provide services within the ATCOG region in order for the application to be recommended for funding in the ATCOG region. If this location requirement is not met, the applicant will receive a score of 0 and will not be recommended for funding.

Review Instrument/Score Sheet

A standard review instrument shall be used to score the projects, and an average score shall be calculated for each proposal. The review instrument used by the RCJAC to score the grant applications is developed by ATCOG staff to accommodate the recommendations/approvals by the RCJAC, based on PSO/CJD requirements, state priorities, and the local priorities in the Regional Criminal Justice Strategic Plan. This review instrument is subject to change each year, as the PSO/CJD requirements, state priorities, and the local priorities are also subject to change.

High/Low Scores Dropped

The high and low score of each grant application will be dropped if the number of eligible RCJAC scoring members (to submit their scores) for the particular funding source is ten or greater.

Tie-Breaker Method

In the event of a tie, the following procedure will be utilized: Staff shall remove the lowest score from the applications that result in a tie and re-average the remaining scores. This process shall be repeated, continuing to remove the lowest remaining score until the tie is broken. The scores resulting from the tie breaking process will only be used for the purpose of breaking the tie. These scores will not be used to change any other rankings in the prioritization process. The RCJAC shall be notified of the tie and the revised results.

Applicant Correspondence with RCJAC Regarding Scoring

A grant applicant, or individual(s) acting on behalf of the applicant, shall not contact any RCJAC member prior to any scoring/prioritization meeting to persuade a score. If an applicant, or individual(s) acting on behalf of the applicant, contacts a scoring member to persuade a score, their application may be disqualified at the discretion of the RCJAC.

If a RCJAC member receives a contact of this nature from an applicant, or individual(s) acting on behalf of the applicant, the scoring member should contact the RCJAC Chairman and/or ATCOG Criminal Justice staff.

Conflict of Interest

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they or an individual related within the third degree by consanguinity or within the second degree by affinity:

- Is employed by the applicant agency and works for the unit or division that would administer the grant if awarded,
- Serves on any governing board that oversees the unit or division that would administer the grant if awarded,
- Owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency,
- Receives any funds, or a substantial amount of tangible goods or services, from the applicant agency as a result of the grant, if awarded.

RCJAC members who have a conflict of interest should contact ATCOG CJ Staff prior to the scoring meeting regarding their conflict.

Applicant Presentation/Scoring Meeting

Mandatory Attendance of Applicant Presentation/Scoring Meeting: Grant applicants are required to have a representative attend the RCJAC Applicant Presentation/Scoring Meeting, to provide a brief presentation regarding their project to the RCJAC. If no representative is present for an applicant, the RCJAC and/or the ATCOG Board has the option to recommend less funding than applied for or no funding on any fund source application submitted by an applicant. Upon receipt of copies of the grant applications and scoring instruments, the RCJAC members must complete the scoring process by the established deadline following applicant presentations.

Prioritization Meeting Outcomes

The RCJAC shall meet to discuss and take further action(s), if necessary, in determining the application funding recommendations, prior to submitting them to the ATCOG Board. The RCJAC and/or the ATCOG Board has the option to recommend more or less funding than applied for, or no funding, on any fund source application submitted by an applicant. Following approval by the ATCOG Board, the results of the funding priorities/recommendations will be emailed to the RCJAC members and grant applicants, and will be submitted to the OOG/PSO/CJD.

Appeal Procedure

Each applicant will be allowed to appeal actions of the Regional Criminal Justice Advisory Committee (RCJAC). Appeals must be based on a verifiable error made during the prioritization or review process and the applicant must be able to show that the error actually caused the application or portion of the application to not be funded. Factors that allow discretion by RCJAC members will not be considered for an appeal. The applicant must submit written documentation in support of the appeal. Letters and phone calls of support will not be considered as part of the official appeal process.

All appeals must be handled as follows:

- An applicant must notify the ATCOG Executive Director in writing of the alleged violation of the RCJAC scoring guidelines and/or the error(s) made in the scoring/prioritization process within ten (10) days following the scoring meeting.
- The ATCOG Board of Directors shall consider all appeals in an open meeting. Documentation submitted by the applicant that meets the criteria as stated above will be considered by the ATCOG Board of Directors. Subsequent notification by ATCOG of a decision concerning funding serves as final notice of approval or denial.

Civil Rights Policies

- ATCOG has an Equal Employment Opportunity Plan in place and the ATCOG Human Resources Manager acts as the EEO Officer and is responsible for implementing the ATCOG EEO Program. Through the EEO Plan and the EEO Officer, employees are notified that ATCOG provides a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression.

In addition to ATCOG's EEO Plan for employees, ATCOG offers the following civic rights information available to employees and also to individuals that participate in (or benefit from) ATCOG's criminal justice grant programs/activities (available on the ATCOG website www.atcog.org/atcog-home/criminal-justice):

- ATCOG's criminal justice programs do not discriminate on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.
- ATCOG's EEO Complaint Process (p.8 in ATCOG EEO Plan - on website) should be used when an ATCOG employee, or an individual that participates in (or benefits from) ATCOG's criminal justice programs, files

a complaint alleging discrimination on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.

- ATCOG does not retaliate against the following individuals:
 - Persons who file discrimination complaints or lawsuits.
 - Persons who participate in discrimination proceedings as witnesses.
- ATCOG provides access to their criminal justice programs/activities to persons who have limited English proficiency (LEP) by using a language translation/interpretation service when necessary.
- ATCOG criminal justice programs comply with the Equal Treatment for Faith-Based Organizations guidelines including efforts to ensure the programs do not use direct federal funding to engage in explicitly religious activities and that the program does not discriminate against program participants and/or vendors on the basis of religion or religious beliefs, a refusal to hold a religious belief, or a refusal to participate in a religious practice.

Reviewed/amended/approved by RCJAC 11-19-24.

To be reviewed/approved by ATCOG Board 12-05-24.