Donations Acceptance Program
FY 2017 Webinar
October 11, 2016
Donations Acceptance Program
Webinar Purpose & Agenda

**Presenter:** Garrett Wright, Branch Chief, Donations Acceptance Program

**Purpose:** To provide participants with the information they need to gauge program interest and to submit a successful donation proposal.

**Agenda**
- Program Background
- Program Implementation
- Legislative Authorities
- Program Framework
- Proposal Submission Options
- Proposal Guidance
- Questions
Program Background
LPOE Funding Challenges & Implications

$146M
Average Annual Appropriations

$5B
Capital Improvement Need
At U.S. Land Ports of Entry

34 Years
To Meet Existing Need

What Are The Implications?

- Undersized facilities
- Outmoded technologies
- Officer safety issues
- Longer wait times
- Higher transport costs
- Supply chain issues
- Less throughput
- Adverse economic impacts

The **CBP Donations Acceptance Program** is a viable mechanism and tool by which to **invest in** and **expedite** U.S. port of entry improvements.
Program Background
Section 559 Overview

Section 559, subsection (a) of the Consolidated Appropriations Act, 2014, (P.L. 113-76), states:

“...the Commissioner of U.S. Customs and Border Protection, in collaboration with the Administrator of General Services, is authorized to conduct a pilot program in accordance with this section to permit U.S. Customs and Border Protection to enter into partnerships with private sector and government entities at ports of entry for certain services and to accept certain donations.”

Section 559, subsection (f), states:

“...the Commissioner and the Administrator may, during the pilot program described in subsection (a), accept a donation of real or personal property (including monetary donations) or nonpersonal services from any private sector or government entity with which U.S. Customs and Border Protection has entered into a partnership.”

Partnerships entered into during the pilot may last as long as required to meet the partnership’s terms and conditions.
Program Implementation
Highlights & Key Benefits

16 Proposals Received Over Two Years

7 Proposals Approved Planning & Development

$50M Infrastructure Improvements at U.S. Ports of Entry

Improving commercial throughput and trade.

Creating local and international jobs.

Supporting local and regional trade industries and tourism.

Reducing border wait times.

Advancing regional border master plan priorities.

Increasing border security and officer safety.
# Program Implementation

## FY15 Approved Proposals

- **7 PROPOSALS RECEIVED**
- **3 PROPOSALS APPROVED**
- **$20 million** in approved U.S. Port of Entry improvements

## City of Donna, TX – Donna-Rio Bravo LPOE

**Scope:** Southbound empty inspection booth and related infrastructure and technologies.

**Benefits:** Expanded operational capacity, streamlined return cargo trips to the U.S., reduced regional wait times, local economic stimulus, increased toll revenues.

## City of El Paso, TX – Ysleta LPOE

**Scope:** Remove two traffic medians leading to primary commercial inspection.

**Benefits:** Uninhibited pre-inspection traffic flow for FAST compliant and other commercial vehicles, decreased wait times, increased throughput and trade value, local economic stimulus.

## City of Pharr, TX – Pharr LPOE

**Scope:** Two commercial inspection booths, two exit booths, and related infrastructure and technologies.

**Benefits:** Enhanced primary commercial inspection capabilities, improved traffic flow and port egress, local economic stimulus, increased toll revenues.
# Program Implementation

## FY16 Approved Proposals

<table>
<thead>
<tr>
<th>City of Donna, TX – Donna-Rio Bravo LPOE</th>
<th>City of Pharr, TX – Pharr LPOE</th>
<th>Redhook Terminals – Port of Freeport SPOE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Scope:</strong> Northbound empty inspection booths and related infrastructure and technologies.</td>
<td><strong>Scope:</strong> Cold inspection facility, expanded secondary commercial dock space, and agricultural training and development facility.</td>
<td><strong>Scope:</strong> High capacity perforating machine to facilitate the processing of titles and other documents.</td>
</tr>
<tr>
<td><strong>Benefits:</strong> Expanded operational capacity, reduced regional wait times and improved operational risk segmentation, local economic stimulus, increased toll revenues.</td>
<td><strong>Benefits:</strong> Enhanced secondary commercial and agricultural inspection capabilities, local economic stimulus, increased toll revenues.</td>
<td><strong>Benefits:</strong> CBP man hours saved, enhanced multi-functionality, reduced wait times, benefits other tenants, vendors, and terminal operators.</td>
</tr>
</tbody>
</table>
Greater Nogales Santa Cruz County Port Authority – Nogales West LPOE

Scope: Upgrade up to six air conditioned dock spaces at the Nogales West LPOE to fully refrigerated docks.

Benefits: Promotes safe and efficient handling and inspection of seafood, berries, avocados, and other temperature-sensitive commodities; enhanced cold inspection capabilities expected to attract new commodities, foster exporter-buyer relationships; and support the growing volumes and diversification of imported produce crossing into Arizona.

Program Implementation
Approved Small-Scale Proposals

1 Proposals Received
1 Proposals Approved

$500,000 in approved U.S. Port of Entry improvements
## Legislative Authorities
### Section 559 Parameters

<table>
<thead>
<tr>
<th>Donation Types &amp; Examples</th>
<th>Real Property</th>
<th>Personal Property</th>
<th>Non-Personal Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Real Property</strong></td>
<td>• New facilities</td>
<td>• Furniture</td>
<td>• Operations and maintenance</td>
</tr>
<tr>
<td></td>
<td>• Existing facility improvements</td>
<td>• Fixtures</td>
<td>• Installation and deployment of equipment and technologies</td>
</tr>
<tr>
<td></td>
<td>• Real estate</td>
<td>• Equipment</td>
<td>• Design and construction services</td>
</tr>
<tr>
<td><strong>Personal Property</strong></td>
<td>• Technology</td>
<td>• Technology</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Monetary donations</td>
<td>• Monetary donations</td>
<td></td>
</tr>
<tr>
<td><strong>Non-Personal Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Donations May be Accepted at...
- Existing CBP-owned land ports of entry
- New or existing GSA-owned land ports of entry
- Existing air or sea ports of entry at which CBP is providing inspection services

### Donations May Not be Accepted at...
- New or existing GSA-leased land ports of entry

### Limitations & Other Considerations
- Donations **may not** result in a new lease with CBP or GSA
- Donations **may not** be accepted on foreign soil
- Monetary donations **may not** be used for staffing
Program Framework
Congressional Mandate

• Per Congressional requirement, CBP and GSA developed the *Section 559 Proposal Evaluation Procedures & Criteria Framework* (DAP Framework), which describes:

  - The procedures and criteria that CBP and GSA use to receive, evaluate and select viable donation proposals; and

  - The post-selection procedures that CBP and GSA follow in order to plan, develop and formally accept proposed donations in coordination with each Donor.

• DAP Framework posted on the CBP.gov DAP page.
Program Framework
Donations Acceptance Process

Pre-Phase I
Outreach & Engagement

- Connect with and educate external stakeholders and prospective partners.
- Provide front-end feedback re: operational and technical viability.

Phase I
Proposal Evaluation & Selection

- Evaluation Leads and SMEs conduct preliminary review to identify operational concerns, legal implications, IT implications, and areas that require further clarification.
- Prospective partner responds to clarification request.
- Evaluation Leads conclude operational and technical evaluation; reach consensus on proposal recommendation.
- Senior leadership reviews/approves proposal recommendation.
- Approval announced; notification letter issued.

Phase II
Proposal Planning & Development*

- Negotiate and sign MOU formalizing planning and development activities, funding obligations, and roles and responsibilities.
- Plan and develop conceptual proposal into an executable project.
- Confirm project execution readiness.

Phase III
Donation Acceptance Agreement*

- Negotiate and sign Donation Acceptance Agreement formalizing the terms and conditions under which CBP, GSA, or both may accept a donation.
- Proceed to project execution.

* Phase II and III timeframes dependent on the proposal's size, scope and complexity.
# Program Framework

## Operational & Technical Evaluation Criteria

<table>
<thead>
<tr>
<th>Operational Criteria</th>
<th>Technical Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operational Impact</td>
<td>Financial Feasibility</td>
</tr>
<tr>
<td>Operational Benefit</td>
<td>Legal Implications</td>
</tr>
<tr>
<td>Funding Strategy</td>
<td>Real Estate Implications</td>
</tr>
<tr>
<td>Health &amp; Safety Requirements</td>
<td>Environmental &amp; Cultural Resource Implications</td>
</tr>
<tr>
<td>Economic &amp; Community Benefits</td>
<td>Technical Feasibility</td>
</tr>
<tr>
<td>Community Support</td>
<td>Planning Implications</td>
</tr>
<tr>
<td>Other Agency Support for Operations</td>
<td>Proposal Support</td>
</tr>
<tr>
<td>Project Duration &amp; Timeline</td>
<td></td>
</tr>
</tbody>
</table>
# Proposal Submission Options

## Small-Scale vs. Large-Scale Proposals

<table>
<thead>
<tr>
<th>Small-Scale Proposals</th>
<th>Large-Scale Proposals</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3M or less</td>
<td>Above $3M</td>
</tr>
<tr>
<td>Minimal Size, Scope, Complexity</td>
<td>Moderate to Significant Size, Scope, Complexity</td>
</tr>
<tr>
<td>May be submitted year-round</td>
<td>May be submitted during annual submission period</td>
</tr>
</tbody>
</table>

*For additional program information and proposal guidance, please visit CBP.gov/DAP*
Proposal Guidance
Formatting Requirements

Large-scale proposals should:

- Be sent electronically as a .pdf or Microsoft Office compatible file;
- Not exceed 25 total pages in length;
- Contain a one-page proposal synopsis summarizing the scope of the donation;
- Be sent in a single email not to exceed 50 megabytes in size;
- Include one or more photos or graphics depicting the proposed donation(s);
- Not include follow-on documents or submissions;
- Fully address each of the operational and technical criteria provided in the DAP Framework; and
- Be submitted to 559donationsacceptance@cbp.dhs.gov no later than 5 p.m. EST, November 11, 2016.
## Proposal Guidance

### Showstoppers & Common Challenges

<table>
<thead>
<tr>
<th>Showstoppers</th>
<th>Common Challenges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does not fit within the legal scope of 559</td>
<td>Exposes CBP to upfront and downstream costs</td>
</tr>
<tr>
<td>Adversely impacts CBP operations</td>
<td>Entails establishing a new toll mechanism</td>
</tr>
<tr>
<td>Entails entering into a new lease with the federal government</td>
<td>Requires binational commitment / assurances</td>
</tr>
<tr>
<td>Entails locating a new toll mechanism on federal property</td>
<td>Developed without coordinating with the Field and / or port.</td>
</tr>
</tbody>
</table>
Donations Acceptance Program

Questions