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# **EMERGENCY MANAGEMENT PERFORMANCE GRANT**

## **COVID-19 SUPPLEMENTAL FY2020 GRANT GUIDANCE & APPLICATION**

**Application and Grant Agreement  
Due by August 1, 2020**

**OHIO EMERGENCY MANAGEMENT AGENCY**  
2855 West Dublin-Granville Road, Columbus, Ohio 43235

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## INTRODUCTION

The FY2020 EMPG-S plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal (the Goal) of a secure and resilient Nation.

The purpose of the Emergency Management Performance Grant (EMPG) Program is to provide federal funds to states to assist state, local, territorial, and tribal governments in preparing for all hazards, as authorized by Section 662 of the *Post Katrina Emergency Management Reform Act* (6 U.S.C. § 762) and the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (42 U.S.C. §§ 5121 et seq.). Title VI of the *Stafford Act* authorizes DHS/FEMA to make grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the Federal Government, states, and their political subdivisions. The Federal Government, through the EMPG Program, provides necessary direction, coordination, and guidance, and provides necessary assistance, as authorized in this title, to support a comprehensive all hazards emergency preparedness system. The FY2020 EMPG will provide federal funds to assist state, local, tribal, and territorial emergency management agencies to obtain the resources required to support the National Preparedness Goal's (the Goal's) associated mission areas and core capabilities. The EMPG program supports the Quadrennial Homeland Security Review Mission to Strengthen National Preparedness and Resilience.

A comprehensive State emergency management system must include local stakeholder input. Local emergency management organizations should remain informed and have the opportunity to provide input to State planning processes. Although DHS expects States to include support for their local jurisdictions in the EMPG Program, each Governor is responsible for determining the appropriate amount of funding to be passed through to support the development or enhancement of local emergency management performance capabilities. As such, Ohio EMA will again commit to passing approximately 65% of EMPG funds through to county EMA.

## KEY CHANGES

### FEDERAL CHANGES

#### EXERCISE COSTS

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FEMA has deemed costs associated with developing and executing Exercises as being Unallowable Costs for use of FY2020 EMPG-S funding

#### IN-KIND MATCH

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In a change from previous EMPG grant cycles, FEMA has removed the 25% cap on in-kind match.

### STATE CHANGES

#### BASELINE WORKPLAN

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A Baseline Workplan will be due to Ohio EMA by July 24, 2020.

#### REIMBURSEMENT REQUESTS & QUARTELY WORKPLAN UPDATES

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Work Plan Updates and Reimbursement Requests are required to be submitted quarterly in a timely manner. If there are no expenses incurred within the quarter, both items are still required along with a cash request with a \$0 balance request. The following schedule will be adhered to by all subrecipients:

- July 30, 2020\*\*\* FY2020 EMPG-S Q1-2 Expenses (01/27/2020 - 06/30/2020)
- October 30, 2020 FY2020 EMPG-S Q3 Expenses (07/01/2020 - 09/30/2020)
- January 30, 2021 FY2020 EMPG-S Q4 Expenses (10/01/2020 - 12/31/2020)
- April 30, 2021 FY2020 EMPG-S Q5 Expenses (01/01/2021 - 03/31/2021)
- July 30, 2021 FY2020 EMPG-S Q6 Expenses (04/01/2021 - 06/30/2021)
- October 30, 2021 FY2020 EMPG-S Q7 Expenses (07/01/2021 - 09/30/2021)

\*\*\*NOTE: Due to the timing of the release of this grant, you may submit a cash request on the July 30, 2020 date or you may wait to submit the 1<sup>st</sup> and 2<sup>nd</sup> quarters with your 3<sup>rd</sup> quarter cash request.

#### PERFORMANCE PERIOD

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The FY2020 EMPG-S Performance Period is from January 27, 2020 to September 30, 2021.

## AWARD INFORMATION

### ISSUED BY

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Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grants Program Directorate (GPD) through Ohio Emergency Management Agency as the State Administrative Agency (SAA)

### ASSISTANCE LISTINGS (AL) NUMBER AND TITLE:

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97.042 – Emergency Management Performance Grant Program

### FUNDING OPPORTUNITY TITLE:

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Emergency Management Performance Grant Program, COVID-19 Supplemental (EMPG-S)

### NOFO NUMBER:

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EMPG – Region V: DHS-20-GPD-042-05-02

### AUTHORIZING AUTHORITY FOR PROGRAM

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Coronavirus Aid, Relief, and Economic Security (CARES) Act, Div. B (Pub. L. No. 116136); section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA), as amended (Pub. L. No. 109-295) (6 U.S.C. § 762); Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Pub. L. No. 93-288) (42 U.S.C. §§ 5121 et seq.); Earthquake Hazards Reduction Act of 1977, as amended (Pub. L. No. 95-124) (42 U.S.C. §§ 7701 et seq.); and National Flood Insurance Act of 1968, as amended (Pub. L. No. 90-448) (42 U.S.C. §§ 4001 et seq.)

### APPROPRIATION AUTHORITY FOR PROGRAM

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Coronavirus Aid, Relief, and Economic Security (CARES) Act, Div. B (Pub. L. No. 116136)

### PERIOD OF PERFORMANCE

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The period of performance of this grant will be January 27, 2020 to September 30, 2021. Applicants should be aware that as of September 30, 2021, all activities associated with the FY2020 EMPG-S program must be complete and all equipment/supplies purchased with the grant must be received, installed, and/or placed into service.

It is highly unlikely that extensions to the performance period stated above will be granted by the State Administrative Agency (SAA), which is the Executive Director of Ohio EMA. The subrecipient asking for the extension will need to demonstrate something truly beyond the control of the subrecipient in order to be considered for the extension. Subrecipients should consider the unlikely event of an extension when planning project timelines and when doing bids for projects. Federal Procurement guidelines cannot be avoided based on grant timelines.

## PROGRAM OVERVIEW

### PREVENTION, PREPARATION, AND RESPONSE TO COVID-19

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The FY2020 Emergency Management Performance Grant Program – COVID-19 Supplemental (EMPG-S) assists states, territories, tribes, and local governments with their public health and emergency management activities supporting the prevention of, preparation for, and response to the ongoing Coronavirus Disease 2019 (COVID-19) public health emergency. Through this funding opportunity, FEMA will award funding to support planning and operational readiness for COVID-19 preparedness and response, development of tools and strategies for prevention, preparedness, and response, and ongoing communication and coordination among federal, State, local, tribal, and territorial partners throughout the response.

### PERIOD OF PERFORMANCE

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Upon execution of the Grant Agreement, the performance period for FY2020 EMPG-S will be 01/27/2020 – 09/30/2021. As most local governments budget on a calendar year, it is possible that FY2020 EMPG-S funds may span portions of two local budget years. Extensions to the period of performance will be considered only through formal requests to Ohio EMA within 60 days prior to the end of the performance period with specific and compelling justification as to why an extension is required. Extension for personnel costs will not be considered.

### ELIGIBLE APPLICANTS

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County emergency management agencies that meet the following criteria are eligible to apply for FY2020 EMPG-S funding:

- Each sub-recipient must be an emergency management agency which has been established pursuant to Sections 5502.26, 5502.27, or 5502.271 of the Ohio Revised Code.
- Each emergency management agency must have a director. The Ohio Revised Code precludes the appointment of the chief executive of the political subdivision for which the emergency management agency serves to the position of director. Local emergency management agencies should have a full-time emergency management director; however, eligibility may be extended to paid part-time directors with written justification and the advance approval of Ohio EMA. Part-time directors must be employed for EMA purposes for a minimum of 20 hours each week.
  - The Ohio Revised Code and Ohio Administrative Code require EMA Directors to be an employee of the county. Any period which there is not a director or the director is not directly employed by the county will disallow any expenses incurred during that period
  - Part-time directors will need to submit a request to Ohio Emergency Management Agency and receive approval to be eligible to receive EMPG-S funding. The initial request is valid unless anything changes within the county organization, staffing, etc., in which case a new request for approval must be submitted.
- Each emergency management agency must have a current, updated Emergency Operations Plan (EOP) on file with Ohio EMA.
- Each county emergency management agency must demonstrate compliance with the NIMS requirements, for county emergency management agency staff only.

## **NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

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Prior to allocation of any Federal preparedness awards in FY2020, recipients must ensure and maintain adoption and implementation of NIMS. Emergency management and incident response activities require carefully managed resources (personnel, teams, facilities, equipment and/or supplies) to meet incident needs. Utilization of the standardized resource management concepts such as typing, credentialing, and inventorying promote a strong national mutual aid capability needed to support delivery of core capabilities.

### **NIMS IMPLEMENTATION ACTIVITIES AND REPORTING**

Recipients receiving EMPG-S funding are required to implement the NIMS, and EMPG-S funds may be used to meet the requirements described below. The NIMS uses a systematic approach to integrate the best existing processes and methods into a unified national framework for incident management. Incident management refers to how incidents are managed across all homeland security activities, including prevention, protection, and response, mitigation, and recovery.

Recipients are required to report on NIMS implementation through the Stakeholder Preparedness Review (SPR). As in previous years, subrecipients will be provided a questionnaire that they will submit to Ohio EMA prior to the end of the calendar year for incorporation into the SPR. EMPG-S Program funds used for training should support the nationwide implementation of NIMS. The NIMS Training Program establishes a national curriculum for NIMS and provides information on NIMS courses; recipients are encouraged to place emphasis on the core competencies as defined in the NIMS Training Program. The NIMS Training Program can be found at

[http://www.fema.gov/pdf/emergency/nims/nims\\_training\\_program.pdf](http://www.fema.gov/pdf/emergency/nims/nims_training_program.pdf).

All EMPG-S Program funded personnel are required to complete the following training requirements and record proof of completion: NIMS Training, Independent Study (IS) 100, IS 200, IS 700, and IS 800, and other Independent Study courses identified in FEMA Professional Development Series. Previous versions of the IS courses meet the NIMS training requirement. A complete list of Independent Study Program Courses may be found at <http://training.fema.gov/is>.

## FUNDING PRIORITIES

EMPG-S recipients may only fund activities and projects that are for the purpose of preventing, preparing for, and responding to the coronavirus and are allowable within the rules prescribed by this NOFO. Funds under this award shall not be used for activities unrelated to coronavirus prevention, preparedness, or response.

In general, the priorities under this funding opportunity will address the States' response to the COVID-19 public health emergency. In keeping with funding priorities outlined in FEMA Administrator Pete Gaynor's April 28, 2020 letter to emergency managers, FEMA expects funding to be used for the following areas:

1. Review, modify and/or execute logistics and enabling contracts to increase capability to stockpile and provide the necessary resources needed to stabilize lifelines (e.g. PPE, food, water, buildout of medical facilities, etc.).
2. Modify evacuation plans to account for limited travel options and increased time needed for health care facilities in a COVID-19 environment.
3. Identify mass care and shelter options that meet CDC guidance and mitigate risks to your communities and most vulnerable citizens.
4. Emphasize collection, analysis, and sharing of data to strengthen decision support capabilities.

EMPG-S funding also can be used to assist emergency managers with implementing community lifelines to prevent, prepare for, and respond to the COVID-19 public health emergency. The lifelines concept simplifies incident information to provide decision makers with clearly identified impacts to critical community services and root causes that inform response and recovery actions. The **Community Lifelines Implementation Toolkit** provides whole community partners the information and resources to understand lifelines and to coordinate with entities using lifelines. The toolkit serves as basic guidance for how to implement the lifeline construct during incident response.

Examples of areas eligible for funding under this funding opportunity include, but are not limited to:

1. Data Collection and Analysis
2. Plan Development
3. Jurisdictional Recovery
4. Information Sharing
5. Emergency Public Information and Warning and Risk Communication
6. Logistics and Supply Chain Management
7. Development of Distribution Management Plans

Consistent with 2 C.F.R. Part 200, none of the funds awarded under this NOFO may duplicate the same costs already paid for with funding from FEMA's Public Assistance Program or any other Federal program. In addition, consistent with section C.4., below, funding in this EMPG-S NOFO is not eligible to be used to pay the non-Federal cost share under other Federal grant programs and/or pay back loans with the Federal government, unless expressly allowed under the terms of the Federal award.

## FUNDING GUIDELINES

Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, subrecipients should consult with Ohio EMA Grants Branch staff prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support the five mission areas—Prevention, Protection, Mitigation, Response, and Recovery—and associated core capabilities within the Goal.

## FUNDING AVAILABILITY

The EMPG-S program provides funding to the County EMA as a cost-share for planning, organizational, equipment, and training related costs specific to EMA activities as identified in the grant application. County reimbursements will not exceed 50% of eligible expenses. The county must match 50% of the federal award with funds from existing EMA accounts or in-kind sources in accordance with 2 CFR, 200 Subpart E. The County EMA may accept contributions and/or cash as their share of the eligible expenses. However, no federal grant funds can be used or included as the County EMA share of the eligible expenses. In extreme circumstances, County EMA directors can request a specific review of a non-federal funding source to be considered as cost-share to the federal EMPG-S Award.

DHS grant funds may only be used for the purpose set forth in the grant, and must be consistent with the statutory authority for the award. In addition, Federal funds may not be used to sue the Federal government or any other government entity.

Award allocations require a fully executed Grant Agreement and will be no less than the amounts shown in the table on the following page. Grant application and original signed grant agreement must be mailed to Ohio EMA (**with a postmark dated no later than August 1, 2020**) or funds may be reallocated.

## COST SHARE MATCH

In FY2020, the EMPG-S Program has a 50 percent (50%) Federal and 50 percent (50%) non-federal cost match (cash or in-kind) requirement, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288), as amended, 42 U.S.C. 5121-5207. Specifically, Title VI, sections 611(j) and 614. **\*\*\*Unless otherwise authorized by law, Federal funds cannot be matched with other Federal funds.** Cost matching requirements are administered in accordance with 2 CFR Part §200.306. To meet matching requirements, the subrecipient contributions must be reasonable, allowable, allocable, and necessary under the grant program and must comply with all Federal requirements and regulations. **In a change with previous EMPG grant cycles, there is now no limit on the use of in-kind match.**

Costs are considered eligible as the non-federal match if they meet the criteria as being eligible for the grant program as follows:

- Local political subdivisions must provide 100 percent funding (General Revenue Funds, Per capita fees, contract deliverable payments, etc.) of the eligible expenses for and through their local emergency management agency. Up to 50 percent of these expenses may be reimbursed through EMPG-S program grant funds, not to exceed the awarded allocation.

- All costs submitted through EMPG-S for reimbursement must be as a result of Emergency Management related work (i.e. listed in EM job description; costs of the EMA) and be related to an approved Work Plan. Costs incurred to complete work on programs funded separately from emergency management are not considered eligible as cost share for EMPG-S and will not be reimbursed. In cases where the EMA Director, or their staff, also fulfills duties assigned through other government agencies or programs funded separately from emergency management, the costs that are attributed to non-emergency management activities are not eligible for reimbursement or to meet the cost share requirement under this grant.
  - For example, a Director who also serves as the county’s Risk Manager or 911 Director. The time spent administering the Risk Management 911 program is not an EMA activity and thus cannot be funded with or used as the match for the EMPG-S funds.
- As part of the Grant Agreement you are certifying that matching funds exist, over the duration of the performance period that allows the county to expend twice the amount of the FY2020 EMPG-S allocation. Counties must ensure that they have read, understood and agreed to this certification prior to submitting for the grant.
- Continued for the FY2020 EMPG-S, counties have the availability to In-Kind match their grant award using volunteer hours or donated resources. Volunteer hours must be for emergency management work related to the response to COVID-19 (i.e. administrative support, planning personnel, EOC communications checks, etc.). Documentation requirements are the exact same as “hard match” costs. Any In-Kind matching of the EMPG-S must be coordinated with the Ohio EMA Grants Branch staff.

## FY2020 EMPG-S COUNTY ALLOCATIONS

County	FY20 Allocation
Adams	\$7,090.68
Allen	\$22,401.81
Ashland	\$9,896.86
Ashtabula	\$30,581.79
Athens	\$13,526.99
Auglaize	\$11,348.97
Belmont	\$15,459.90
Brown	\$8,900.19
Butler	\$36,169.92
Carroll	\$11,967.15
Champaign	\$12,858.08
Clark	\$25,888.30
Clermont	\$25,918.23
Clinton	\$15,187.44
Columbiana	\$25,948.44
Coshocton	\$14,486.04
Crawford	\$17,545.73
Cuyahoga	\$77,938.79
Darke	\$15,383.52
Defiance	\$15,829.56
Delaware	\$28,667.97
Erie	\$22,076.91
Fairfield	\$26,792.34
Fayette	\$7,181.31
Franklin	\$99,752.35
Fulton	\$14,128.35
Gallia	\$12,274.10
Geauga	\$22,658.03
Greene	\$14,088.74
Guernsey	\$15,035.81

County	FY20 Allocation
Hamilton	\$70,866.21
Hancock	\$14,689.53
Hardin	\$6,354.22
Harrison	\$11,183.09
Henry	\$15,043.58
Highland	\$9,434.29
Hocking	\$12,325.40
Holmes	\$8,355.26
Huron	\$22,379.58
Jackson	\$12,274.10
Jefferson	\$10,599.68
Knox	\$16,732.17
Lake	\$39,552.59
Lawrence	\$10,511.05
Licking	\$25,888.30
Logan	\$16,249.87
Lorain	\$19,037.02
Lucas	\$51,590.21
Madison	\$17,651.04
Mahoning	\$22,967.27
Marion	\$11,444.73
Medina	\$29,127.33
Meigs	\$12,335.38
Mercer	\$15,635.18
Miami	\$20,287.63
Monroe	\$10,086.67
Montgomery	\$51,610.58
Morgan	\$6,130.21
Morrow	\$9,719.58
Muskingum	\$18,576.74

County	FY20 Allocation
Noble	\$12,624.09
Ottawa	\$14,824.91
Paulding	\$7,351.18
Perry	\$15,545.41
Pickaway	\$19,033.89
Pike	\$12,570.79
Portage	\$29,156.04
Preble	\$12,143.28
Putnam	\$9,162.40
Richland	\$25,745.80
Ross	\$16,102.88
Sandusky	\$18,347.02
Scioto	\$12,726.69
Seneca	\$21,757.13
Shelby	\$13,617.05
Stark	\$23,240.59
Summit	\$51,793.13
Trumbull	\$22,525.51
Tuscarawas	\$19,834.19
Union	\$17,533.76
Van Wert	\$13,935.40
Vinton	\$8,701.26
Warren	\$31,415.44
Washington	\$12,334.52
Wayne	\$25,263.28
Williams	\$13,767.53
Wood	\$26,880.98
Wyandot	\$9,119.07

## ALLOWABLE COSTS

Costs charged to this award must be consistent with the Cost Principles for Federal Awards located at 2 C.F.R. Part 200, Subpart E. Allowable costs include:

### MANAGEMENT AND ADMINISTRATION (M&A) COSTS

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M&A activities are those directly relating to the management and administration of the EMPG-S funds, such as financial management and monitoring. The recipient may retain a maximum of 5 percent of EMPG-S funds awarded for M&A purposes associated with the EMPG-S award. Subrecipients may also retain a maximum of 5 percent of the subaward for M&A purposes associated with the EMPG-S award.

### DIRECT COSTS:

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The following provides a summary of allowable direct costs under this program. Such costs are allowable only to the extent that they support activities associated with preventing, preparing for, and responding to the COVID-19 public health emergency.

1. Planning: Planning costs are allowed.
2. Organization: Organization costs are allowed.
3. Equipment: Equipment costs are allowed.
4. Training: Training costs are allowed.
5. Exercises: **Exercise costs are not allowed under this program.**
6. Consultants/Contractors: Hiring of full-time or part-time contract planners or consultants to assist with planning and training activities is allowable under this program. Hiring public safety personnel fulfilling traditional public safety duties is not an allowable cost under this program.
7. Travel: Domestic travel costs are allowed. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA.
8. Rental of Real Property: Rental of real property space/locations is allowable under this program to support emergency management operations, including planning and training activities in a manner consistent with 2 C.F.R. § 200.432. Recipients are encouraged to use free public space/locations, whenever available, prior to the rental of space/locations.
9. Supplies: Supply costs are allowed.
10. Construction and Renovation: Construction and renovation costs are allowed.
11. Maintenance and Sustainment: Maintenance and sustainment costs are allowed.

## PLANNING

Planning makes it possible to manage the entire life cycle of a potential crisis. Strategic and operational planning establishes priorities, identifies expected levels of performance and capability requirements, provides the standard for assessing capabilities and helps stakeholders learn their roles. The planning elements identify what an organization's Standard Operating Procedures (SOPs) or Emergency Operations Plans (EOPs) should include for ensuring that contingencies are in place for delivering the capability during a large-scale disaster. This includes development of policies, plans, procedures, mutual aid agreements, strategies, and other publications. Planning also involves the collection and analysis of intelligence and information to support development of Incident Action Plans and other strategic, operational, or tactical planning activities.

Allowable planning activities include the development or updating of plans required to support COVID-19 prevention, preparedness, and response. Such plans or planning activities may include, but are not limited to:

- Emergency Operations Plans (EOPs)
- Incident Action Plans
- Communications Plans
- Crisis/Risk Communications
- Emergency Public Information and Warning Plans
- Logistics/Supply Chain Management Planning
- Resource Management and Allocation Plans
- Distribution Management Plans
- Public Health and Safety Plans
- Responder Health and Safety Plans
- Fatality Management Plans
- Medical Countermeasure Plans
- Medical Surge Capacity/Logistics Plans
- Disaster Financial Management Planning
- Updating of Mutual Aid Agreements
- Continuity of Operations and Continuity of Government Planning
- Recovery Planning

## ORGANIZATION

Per the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, Pub. L. No. 93-288, as amended, (42 U.S.C. §§ 5121-5207) and *Coronavirus Aid, Relief, and Economic Security (CARES) Act*, Div. B (Pub. L. No. 116-136), EMPG-S funds may be used for emergency management operations, staffing, and other day-to-day activities in support of preventing, preparing for, and responding to the Coronavirus Disease 2019 (COVID-19) public health emergency. Proposed staffing activities must be linked to accomplishing the activities outlined in the EMPG-S Work Plan. Personnel costs, including salary, overtime, compensatory time off, and associated fringe benefits, are allowable costs with EMPG-S funds. Contracted personnel are also allowable under this category. These costs must comply with 2 C.F.R. Part 200, Subpart E – Cost Principles.

## SUPLANTING

As the FY2020 EMPG-S grant is a supplemental program to regular EMPG funding, subrecipients should be cognizant of the fact that regular personnel budgeted under other funding sources cannot have their salary and benefits reimbursed under EMPG-S as that would be considered supplanting. Subrecipients are permitted to request reimbursement under the following circumstances:

- Existing part-time personnel who work additional hours to plan/prevent/respond to COVID-19 may have those additional hours reimbursed under this grant
- Existing personnel who work over 40 hours to plan/prevent/respond to COVID-19 and receive overtime/compensatory time (per local policy) may have those hours reimbursed under this grant
- New personnel who are hired explicitly to plan/prevent/respond to COVID-19 may have any of their personnel expenses reimbursed under this grant.

Any other personnel costs under this grant would be considered supplanting and are not eligible for reimbursement. Please reach out to your Ohio EMA Grants Management Specialist if you have questions related to eligibility of personnel costs.

**\*\*\*NOTE: Subrecipients must take caution to not seek reimbursement from multiple sources of federal funding (e.g. EMPG-S and Public Assistance) for the same expense.**

## PERSONNEL COSTS

Personnel costs (to include eligible personnel costs in planning, training, organizational, M&A, etc.) including salary, overtime, compensatory time off, and associated fringe benefits, as well as volunteer hours towards In-Kind matching are allowable costs with FY 2020 EMPG-S funds. These costs must comply with 2 CFR Part 200 Subpart E, Cost Principles for State, Local, and Indian Tribal Governments and a copy of the official county position must be submitted. Proposed personnel costs should be linked to achieving objectives outlined in the EMPG-S Work Plan. For your reference and convenience, the appropriate sections of the guidance have been provided below. 2 CFR Part 200 Subpart E, Cost Principles for State, Local, and Indian Tribal Governments clarifies the requirement to properly document and support personnel time being paid by a federal grant. Attachment B, Section 8.h., “Support of salaries and wages”, notes that:

- Charges to Federal awards for salaries and wages, whether treated as direct or indirect costs, will be based on payrolls documented in accordance with generally accepted practice of the governmental unit and approved by a responsible official(s) of the governmental unit.
- No further documentation is required for the salaries and wages of employees who work in a single indirect cost activity.

- Where employees are expected to work solely on a single Federal award or project, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. These certifications will be prepared at least semiannually and will be signed by the employee or supervisory official having first-hand knowledge of the work performed by the employee.
- Where employees work on multiple activities or cost objectives (i.e. EMPG-S Work Plans or projects paid via other grants), a distribution of their salaries or wages will be supported by personnel activity reports or equivalent documentation.
- Personnel activity reports or equivalent documentation must meet the following standards:
  - They must reflect an after the fact distribution of the actual activity of each employee
  - They must account for the total activity, for which each employee is compensated
  - They must be prepared at least monthly and must coincide with one or more pay periods
  - They must be signed by the employee
  - Budget estimates or other distribution percentages determined before the services are performed do not qualify as support for charges to Federal awards

Keep in mind, in order for any payroll expense to be reimbursed through the EMPG-S program it will be necessary for each sub-recipient to show timesheets and payroll documentation for the full amount of compensated time to include benefits and explain their formula to determine that which is eligible to EMPG-S.

## EQUIPMENT

Allowable equipment categories are listed on the web-based version of the Authorized Equipment List (AEL) at <https://www.fema.gov/authorized-equipment-list>. Unless otherwise stated, equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. Allowable equipment includes equipment from the following AEL sections:

- Personal Protective Equipment (PPE) (Section 1)
- Information Technology (Section 4)
- Interoperable Communications Equipment (Section 6)
- Detection Equipment (Section 7)
- Decontamination Equipment (Section 8)
- Medical Equipment (Section 9)
- Power Equipment (Section 10)
- Physical Security Enhancement Equipment (Section 14)
- CBRNE Logistical Support Equipment (Section 19)
- Other Authorized Equipment (Section 21)

## **GENERAL PURPOSE VEHICLES**

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In addition to the above, general purpose vehicles may be procured in order to carry out the responsibilities of the EMPG-S. If recipients have questions concerning the eligibility of equipment not specifically addressed in the AEL, they should contact their Ohio EMA Grant Management Specialist for clarification. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Large equipment purchases must be identified and explained. For more information regarding property management standards for equipment, please reference 2 C.F.R. Part 200, including 2 C.F.R. §§ 200.310, 200.313, and 200.316.

## **CRITICAL EMERGENCY SUPPLIES**

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Critical emergency supplies—such as shelf stable products, water, and basic medical supplies—are an allowable expense under EMPG-S. Each sub-recipient must have DHS/FEMA’s approval of a five-year viable inventory management plan prior to allocating grant funds for stockpiling purposes. The inventory management five-year plan should include a distribution strategy and related sustainment costs if the grant expenditure is over \$100,000.

## **TRAINING**

EMPG-S funds may be used for a range of emergency management-related training activities to enhance the capabilities of state and local emergency management personnel assigned to support the COVID-19 public health emergency. Allowable training-related costs include the following:

### **FUNDS USED TO DEVELOP, DELIVER, AND EVALUATE TRAINING**

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Includes costs related to administering training, such as planning, scheduling, facilities, materials and supplies, reproduction of materials, and equipment. Training should provide the opportunity to demonstrate and validate skills learned, as well as to identify any gaps in these skills. Any training or training gaps, including those for children and individuals with disabilities or access and functional needs, should be identified in the Multi-Year TEP and addressed in the training cycle. States are encouraged to use existing training rather than developing new courses. When developing new courses, states are encouraged to apply the Analyze, Design, Develop, Implement, and Evaluate (ADDIE) model for instruction design. See: <https://www.firstrespondertraining.gov>.

### **OVERTIME AND BACKFILL**

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Overtime costs, including payments related to backfilling personnel, which are the direct result of attendance at DHS/FEMA and/or approved training courses and programs are allowable. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the state or unit(s) of local government and has the approval of the state or DHS/FEMA, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government and from an award for a single period of time (e.g., 1 p.m. to 5 p.m.), even though such work may benefit both activities.

## TRAVEL

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Travel costs (e.g., airfare, mileage, per diem, and hotel) are allowable as expenses by employees who are on travel status for official business related to previously approved training.

## HIRING OF FULL- OR PART-TIME STAFF OR CONTRACTORS/CONSULTANTS:

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Full- or part-time staff or contractors/consultants may be hired to support direct training-related activities. Payment of salaries and fringe benefits must be in accordance with the policies of the state or unit(s) of local government and have the approval of the state or DHS/FEMA, whichever is applicable.

## CERTIFICATION/RECERTIFICATION OF INSTRUCTORS

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Costs associated with the certification and re-certification of instructors are allowed. States are encouraged to follow the FEMA Instructor Quality Assurance Program to ensure a minimum level of competency and corresponding levels of evaluation of student learning. This is particularly important for those courses which involve training of trainers.

## EXERCISE

Per federal guidance, Exercise costs are not allowable under the FY2020 EMPG-S program.

## UNALLOWABLE COSTS

Grant funds may not be used for:

- Unallowable Equipment: Grant funds must comply with IB 426 and may not be used for the purchase of the following equipment: firearms, ammunition, grenade launchers, bayonets, or weaponized aircraft, vessels, or vehicles of any kind with weapons installed.
- Expenditures for weapons systems and ammunition.
- Costs to support hiring sworn public safety officers for the purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities.
- Activities and projects unrelated to the completion and implementation of the EMPG-S
- Anything unrelated to COVID-19 planning, prevention, or response.
- Consistent with 2 C.F.R. Part 200, none of the funds awarded under this NOFO may duplicate the same costs already paid for with funding from FEMA's Public Assistance Program or any other Federal program.

Subrecipients are cautioned to maintain proper recordkeeping and ensure individual expenditures are not charged to multiple federal awards, consistent with 2 C.F.R. Part 200. Subrecipients should consult with their Ohio EMA Grants Management Specialist prior to making any investment if unsure whether a cost might be duplicative or whether it meets the allowable expense criteria established in this NOFO.

## GRANT ADMINISTRATION

The Grant Administration section is intended to help subrecipients in understanding the rules and regulations associated with administering federally-funded grant awards and the state's process for meeting these requirements. This comprehensive resource will provide subrecipients with standard financial and administrative processes that will ensure compliance with the preparedness grant programs.

## APPLICATION PROCESS

To apply for your FY2020 EMPG-S the following documentation must be completed and forwarded to Ohio EMA: Original signed grant agreement, Assurances, Baseline Work Plan, and NIMS Certification. Details on these items follow:

## BASELINE ASSESSMENT

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FY2020 EMPG-S includes Federal requirements associated with EMPG-S funded staffing, training and exercise. The baseline assessment document allows Ohio EMA to define the population of state and local EMA employees who are funded by the grant and who have to meet the requirements of the grant. Additionally, the baseline assessment will provide the county EMA a method to confirm the amount of the EMPG-S grant that will be matched during the performance period.

## ASSURANCES

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The following assurances are required to be completed and returned to Ohio EMA as part of your grant application. The forms are available on the Ohio EMA website.

For FY2020 a completed application package under EMPG-S consists of eleven parts:

- Signed grant agreement
- 20-16 Summary Sheet for Assurances
- 20-16A Assurances Non-Construction
- 20-16B Assurances Construction Program
- 20-16C Lobbying, Debarment, Suspension and Other Requirements
- 20-SF-LLL Disclosure of Lobbying Activities
- NIMS certification statement
- Baseline Work Plan 2020
- Checklist – FY2020 EMPG-S
- Subaward Financial Management Form (FFATA for subrecipients)
- EHP Screening tool (required unless project is exempt)

## POST AWARD REQUIREMENTS

### GRANT AGREEMENT

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The Grant Agreement and assurances includes important information. It is essential that all Award, Fiscal and General Requirements of the grant have been read, understood and agreed to prior to signing. In order for the Grant Agreement to be accepted, the Subrecipient Grant Manager and Subrecipient Fiscal Contact information must be filled in and the Grant Agreement must be signed and dated by the Subrecipient Grant Manager with an original signature. **This grant agreement must be postmarked with original signature to Ohio EMA by August 1, 2020.** Upon receipt by Ohio EMA, the grant agreement will be signed by the Executive Director of Ohio EMA. A copy of the signed Grant Agreement will then be forwarded to the county EMA along with a letter advising official notice of your award and any other guidance necessary. If found in violation of the grant agreement, sub-recipients can face a number of penalties including, but not limited to, recoupment of funds.

### GRANT PERFORMANCE PERIOD

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The performance period for the FY2020 EMPG-S will be January 27, 2020 through September 30, 2021. Note that all costs must be incurred within the period of performance to include receipt and installation of all equipment. No funds may be spent on activities or costs that occur outside of the defined grant performance period. Extensions to the grant performance period will only be approved if the subrecipient can provide compelling justification for why the approved projects are incomplete.

### STANDARDS FOR FINANCIAL MANAGEMENT

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Subrecipients are required by 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards to have in place an accounting system that maintains records which adequately identify the source and application of funds provided for grant funded projects. The accounting system must include information pertaining to sub-grant awards, obligations, un-obligated balances, assets, liabilities, outlays or expenditures and income. Ohio EMA requirements for subrecipient accounting include the ability to track expenditures by grant program and by federal fiscal of the award (i.e. FY2017 EMPG, FY2020 EMPG, etc.).

## MANAGEMENT AND ADMINISTRATION COSTS (M&A)

M&A activities are those defined as directly relating to the management and administration of EMPG-S Program funds, such as financial management and monitoring. It should be noted that salaries of State and local emergency managers are not typically categorized as M&A, unless the State or local EMA chooses to assign personnel to specific M&A activities.

## STANDARD FINANCIAL REQUIREMENTS

Any subrecipient(s) accepting grant funds from Ohio EMA shall comply with all applicable laws and regulations outlined here. The administrative requirements that apply to most Department of Homeland Security (DHS) award recipients and specifically the awards made to our governmental partners through the grant program(s) included in this guidance arise from 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The requirements for allowable costs/cost principles are contained in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, DHS program legislation, Federal awarding agency regulations, the terms and conditions of the award and the accompanying grant guidance. The applicable costs principles for the grants included in this guidance are:

- 2 CFR 2 Subpart E-Cost Principles
- 48 CFR Part §31.2, Federal Acquisitions Regulations (FAR), Contracts with Commercial Organizations.

The subrecipient is required to ensure that the requirements of the federal grant are met as well as any applicable requirements of the state and local government. Acceptance of a federal grant and its requirements do not relieve the subrecipient of requirements of local and/or state government. In addition, acceptance of federal grant funding means subrecipient Fiscal Agent must comply with and assume financial responsibility for audit findings. You must meet all local, state, and federal guidelines, whichever is stricter.

Subrecipients are required by 2 CFR, 200 Subpart E to have in place an accounting system that maintains records which adequately identify the source and application of funds provided for grant funded projects. The accounting system must include information pertaining to sub-grant awards, obligations, un-obligated balances, assets, liabilities, outlays or expenditures and income. Ohio EMA requirements for subrecipient accounting include the ability to track expenditures by grant program and by federal fiscal year of the award (i.e. FY2017 EMPG-S, FY2018 EMPG-S, etc.).

## ENVIRONMENTAL PLANNING AND HISTORIC PRESERVATION (EHP) COMPLIANCE

FEMA is legally required to consider the potential impacts of all grant-funded projects on environmental resources and historic properties. For EMPG-S and other preparedness grant programs, this is accomplished via FEMA's Environmental Planning and Historic Preservation (EHP) Review. Subrecipients must comply with all applicable EHP laws, regulations, and Executive Orders (EOs) in order to draw down their FY2020 EMPG-S grant funds. Any project with the potential to impact natural resources or historic properties cannot be initiated until FEMA has completed the required FEMA EHP review. Grantees that implement projects prior to receiving EHP approval from FEMA risk de-obligation of funds.

EMPG-S projects that involve the installation of equipment, exercises not specifically excluded from a FEMA EHP review per the GPD Programmatic Environmental Assessment (PEA) (for more information on the PEA see IB 345 and ground-disturbing activities, new construction, including communication towers, or modification/renovation of existing buildings or structures must undergo a FEMA EHP review.

Furthermore, for those proposed construction or renovation projects that are part of larger projects funded from a non-FEMA source (such as an EOC that is part of a larger proposed public safety complex), a FEMA EHP review must be complete before the larger project is initiated. For these types of projects, subrecipients must complete the FEMA EHP Screening Form (available via <https://ema.ohio.gov/PreparednessGrants Toolkit.aspx>) and submit it, with all supporting documentation, to Ohio EMA Grant Branch staff. Refer to IBs 329, 345, and 356 located at <https://www.fema.gov/grant-programs-directorate-information-bulletins> for further details on EHP requirements.

The following activities would not require the submission of the FEMA EHP Screening Form:

- planning and development of policies or processes;
- management, administrative or personnel actions;
- classroom-based training;
- table top exercises and;
- acquisition of mobile and portable equipment (not involving installation).

Projects using EMPG-S funds that were initiated or completed before an EHP review was concluded will be de-obligated. To avoid unnecessary delays in starting a project, grantees are encouraged to pay close attention to the reporting requirements for an EHP review.

## PROCUREMENT

The procurement process is one of, if not the most, scrutinized aspect of the federal grant programs. The emphasis on how procurements are made is based from the 2 CFR200 requirements that “all procurement transactions be conducted in a manner providing full and open competition with the standards of this section (§200.319)”. Additionally, subrecipients must ensure that they meet the procurement requirements of the Ohio Revised Code and local procurement regulations. All subrecipients are strongly urged to seek out their procurement department/individual to seek guidance on implementing the grant requirements into the procurement of any grant funded item or service. In accordance with this requirement, subrecipients will be required to document actions that demonstrate compliance with the “full and open” regulation. 2 CFR 200 (§200.320) offers the following guidance in an effort to help subrecipients navigate the requirements of procurement:

The non-Federal entity must use one of the following methods of procurement:

- **Micro-purchases:** Micro-purchases are defined as the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000 or the local procurement policy, whichever is more stringent. To the extent possible, the non-Federal entity must distribute these purchases equitably among qualified suppliers; micro-purchases may be awarded without soliciting quotes if the price is considered reasonable and the local policy allows for this; in light of the reasonableness requirement Ohio EMA is suggesting subrecipients should still seek quotes where feasible. In order to document that the subrecipient has utilized the strictest of local, state, and federal procurement policies, Ohio EMA will require a copy of the subrecipient’s local procurement policy with each cash request.
- **Small Purchase—**price or rate quotations must be obtained from a minimum of three sources if the cost is less than \$50,000 and the local policy does not establish a different, lower amount
- **Procurement by sealed bid (formal advertising)-**Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is lowest in price; consult 2 CFR 200 §200.320(c)(1) as well as local policy to determine what conditions make a sealed bid feasible
- **Procurement by competitive proposals-**generally used when conditions are not appropriate for the use of sealed bids; consult 2 CFR 200 §320(d) and local policy to determine the requirements that apply if this type of procurement method is used and must list each of the criteria the selection will be based on.
- **Procurement by noncompetitive proposals-** Will not be approved except in RARE circumstances when it is extremely well documented and only due to inadequate competition. Should you only receive one bid or quote you will need to contact the Grants Branch for further approval. Any procurement without 3 quotes or bids must have a pre-approval by Ohio EMA.

Subrecipients should note that the following situations are considered to be restrictive of competition and should be avoided (2 CFR 200 §200.319):

- Placing unreasonable requirements on firms in order for them to qualify to do business,
- Requiring unnecessary experience and excessive bonding,
- Noncompetitive pricing practices between firms or between affiliated companies,
- Noncompetitive awards to consultants that are on retainer contracts,

- Organizational conflicts of interest,
- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance of other relevant requirements of the procurement, and
- Any arbitrary action in the procurement process.

Subrecipients will maintain records sufficient to detail the significant history of any procurement. These records will include, but are not necessarily limited to the following: local procurement policy, rationale for the method of procurement, request for quote correspondence, selection of contract type, contractor selection or rejection, and the basis for the contract price. Subrecipients alone will be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements.

## PRE-PROCUREMENT APPROVAL PROCESS

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Prior to obligating any grant funds for approved projects, grant subrecipients will now be required to submit the Procurement Review form for review and approval by Ohio EMA Grants Branch staff. This form will detail the required documentation that must accompany the submission based on the intended method of procurement. Review and approval will be returned to the subrecipient within five business days (unless the submission requires additional information and/or clarification). The Pre-Procurement Approval Process applies to any procurement above the Micro-Purchase Threshold (\$10,000 and above).

To provide clarification on several areas of procurement interpretations, the following guidelines will now be required in the procurement process:

### MICRO-PURCHASE PROCUREMENT (<\$10,000)

- Subrecipients may utilize the GSA Schedule as a source for procuring items under the micro-purchase threshold.

### SMALL PURCHASE PROCUREMENT (\$10,000 - \$49,999)

- Subrecipients will need to submit Suspension and Debarment verification documentation with their Procurement Process approval form.
- A minimum of **three valid quotes** will be required to proceed with procurement. A valid quote is one that meets all specifications of the Request for Quote. If any quote is deemed ineligible by the subrecipient or Ohio EMA, the subrecipient will be required to send out additional Requests for Quote until they attain the required minimum of three valid quotes.
  - Subrecipients may utilize the GSA Schedule as a source for one of their valid quotes.

### SEALED BID PROCUREMENT (\$50,000 AND ABOVE)

- Subrecipients will need to submit Suspension and Debarment verification documentation with their Procurement Process approval form.
- A minimum of **two valid bids** will be required to proceed with procurement. A valid bid is one that meets all specifications identified in the Invitation to Bid. If any bid is deemed ineligible by the subrecipient or Ohio EMA, the subrecipient will be required to send out additional Requests for Quote until they attain the required minimum of two valid bids.
- Subrecipients may **NOT** utilize the GSA Schedule as a source for one of their valid bids.

## COMPETITIVE PROPOSALS (\$50,000 AND ABOVE)

***\*\*This is only for use when sealed bidding is not possible as the terms of how a project are to be completed must be negotiated.***

- Subrecipients will need to submit Suspension and Debarment verification documentation with their Procurement Process approval form.
- The criteria and weight of all scoring criteria must be very clear in the specifications and must not be restrictive of competition per 2 CFR 200.319.
- A minimum of **two valid proposals** will be required to proceed with procurement. A valid proposal is one that meets all specifications identified in the Request for Proposals. If any proposal is deemed ineligible by the subrecipient or Ohio EMA, the subrecipient will be required to send out additional Requests for Quote until they attain the required minimum of two valid proposals.

- **Inadequate Competition**

***\*\*This is only for use when the minimum amount of quotes, bids, or proposals as specified in the 2 CFR 200 and this guidance are not met.***

- Subrecipients will need to submit Suspension and Debarment verification documentation with their Procurement Process approval form.
- Documentation must be provided to demonstrate the effort involved with attempting to competitively solicit price rates.
  - **For Procurements Requiring Quotes:** After a documented effort has been made to achieve three quotes and has not produced three quotes, a subrecipient may then bid the project. The award should then be made to the lowest bidder
  - **For Procurements Requiring Bids:** After the initial Invitation to Bid (ITB) has been solicited and has not produced two valid bids, to document sufficient competitive effort a subrecipient may then solicit a second ITB and award to the lowest cost, qualified bid.
  - **For Procurements Requiring Proposals:** After the initial Request for Proposals (RFP) has been solicited and has not produced two valid proposals, to document sufficient competitive effort a subrecipient may then solicit a second RFP and award to the lowest cost, qualified proposals considering other clear evaluation criteria.”

Subrecipients are encouraged to work closely with Ohio EMA Grants Branch Staff throughout the procurement process to address any concerns and ensure compliance with federal, state, and local requirements.

## SOCIOECONOMIC CONTRACTING REQUIREMENTS

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This section lists the requirements of 2 CFR 200.321 with regard to contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms. While documentation on compliance with this standard will not be required prior to reimbursement, it **MUST** be in your grant files and available for a monitoring visit by Ohio EMA and FEMA as well as subsequent audits. Subrecipients can use the resources of the Small Business Administration (SBA) to create a list of women and minority owned businesses that they can contact for solicitation. FEMA has created several tools to assist non-Federal entities with meeting the above-requirements. For further information, visit <https://www.fema.gov/procurement-disaster-assistance-team> and view documents under the Other Resources tab.

Keep in mind that each subrecipient must meet its own documented procurement procedures that reflect State and local laws and regulations, provided that the procurements conform to applicable Federal laws and standards established in 2 C.F.R. §§ 200.318 – 200.326.

- For example, if we assume that a city has a Minority and Woman-Owned Business Department, and it requires all of its departments to use the resources available through this department when it procures goods and services, then the city must not only meet this local procurement requirement, but also use the services of the SBA.
- The key for subrecipients is to document in grant files that steps have been taken to meet each of the six requirements of this section. When a subrecipient determines that one of the requirements is infeasible or unnecessary, such as establishing a delivery schedule that encourages participation by small and minority businesses, it needs to document its determination and the facts in the file. This documentation will show that it affirmatively attempted to meet each of the six requirements.
- **IMPORTANT NOTE:** The socioeconomic contracting requirements at 2 C.F.R. 200.321 apply to the following procurement methods: micro-purchases, small purchase procedures, sealed bids, and competitive proposals. Per FEMA legal counsel, “It is possible to follow the requirements, taking into consideration that some have qualitative language (“when economically feasible,” “where the requirements permit”).”

“2 CFR 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

1. The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
2. Affirmative steps must include:
  - a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
  - f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.”

## PROJECT MANAGEMENT

### SOURCE DOCUMENTATION

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2 CFR Part 200 also requires that accounting records be supported by such source documentation as cancelled checks, paid bills, auditor payroll journals, signed (by employee and supervisor) time and attendance records, contract and sub-grant award documents, etc. As such, Ohio EMA Grants Branch requires that subrecipients have source documentation available prior to requesting cash reimbursement. Proper documentation for select items is as follows but not all inclusive but can be used as a minimum guideline:

#### TRAVEL COSTS

- Copy of the government unit travel policy. Please specify if employee is being reimbursed directly by Fiscal Agent Jurisdiction or another local agency and their policy
- Receipts/documentation as required by travel policy
- Federal Per Diem Policy must be followed unless the jurisdiction reimbursing employee has outlined their own specific per diems.

#### PERSONNEL COSTS

- Current official jurisdiction approved position description
- Time and Effort documentation with activity reports reflecting allowable work and accomplishments as it pertains to the program and outlined in 2 CFR 200.
- County Position Description
- Time and Effort documentation with activity reports reflecting allowable work
- Timesheets submitted to reflect time and effort must show the breakdown of how time and funding is split between any alternate funding sources. (i.e. EMPG-S, 911, EMS, etc...)
- Formula to calculate hourly rate and benefits for employees not paid 100% through EMPG-S Grant funds.
- Proof of payment, separated by each employee, the breakout of compensation

#### CONTRACT COSTS

- Procurement Documentation
- Copy of draft contract for eligibility review prior to contract award
- Copy of awarded contract for grant file
- Deliverables and timeline listed in contract
- Terms of payment outlined in contract
- For contracts to an individual, a signature of the “contractor” is required.
- Copy of awarded contract for grant file
- Deliverables listed in contract
- Terms of payment outlined in contract
- For contracts to an individual, a signature of the “contractor” is required.
- All contracts must begin and end within the period of performance.

- Contracts may not be prepaid or prorated.
- Copy of 3 quotes or bids according to the most strict procurement policy between, local, State, and Federal.

#### EQUIPMENT COSTS

- Procurement
- Contracts
- Invoice (not quote) for equipment purchased
- Documentation that equipment is received on site and installed as necessary
- Invoice (not quote) for equipment purchased
- Copy of proof that equipment is listed on the AEL
- Documentation that equipment is received on site and installed as necessary
- Proof of payment containing amount, date, warrant number, cost allocation plan, countywide policy, etc. (i.e. expense detail, auditor's ledger, pay deposit slip)
- Copy of 3 quotes or bids according to the most strict procurement policy between, local, State, and Federal.

#### MEETING/CONFERENCE/TRAINING COSTS

- Procurement Documentation
- Invoices
- Contracts
- Agenda/Course Description
- Attendance roster or Certification (certificate required for training)
- LEPC resolution or contract for those EMA Offices that work on LEPC activity not to include compliance related activity.

#### EQUIPMENT AND SUPPLIES REQUIREMENTS

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Utilization of EMPG-S funds for equipment purchases requires that subrecipients maintain specific documentation on each item through its useful life until final disposition occurs. Per 2 CFR 200, procedures for managing equipment (including replacement equipment), whether acquired in whole or in part with grant funds, until disposition takes place will, as a minimum, meet the following requirements:

- Property records must be maintained that include (2 CFR 200 §200.313(d) Management requirements):
  - A description of the property,
  - A serial number or other identification number,
  - Source of funding for the property (including CFDA and FAIN)
  - Who holds title,
  - The acquisition date
  - Cost of the property,
  - The source of property,
  - Percentage of Federal participation in the cost of the property,

- The location of the property,
- Use and condition of the property, and
- Any ultimate disposition data including the date of disposal and sale price of the property.
- A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated.
- Adequate maintenance procedures must be developed to keep the property in good condition.
- If the subrecipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.
- Subrecipients who have purchased equipment with Federal funds must submit an annual inventory certification along with a current Master Asset Listing to the Grants Branch no later than January 31 of each year. The Master Asset Listing must be submitted in electronic format (Excel or .csv). The form is located on the [Ohio EMA Grants Toolkit website](#).

When the equipment is no longer needed for the original project and/or has outlasted its useful life, 2 CFR 200 §200.313(e) prescribes the following requirements for final disposition:

- Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
- Except in limited circumstances, items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the awarding agency (FEMA through Ohio EMA) shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.
- The non-Federal entity may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the non-Federal entity must be entitled to compensation for its attributable percentage of the fair market value of the property.
- In cases where a recipient or subrecipient fails to take appropriate disposition actions, the awarding agency may direct the recipient or subrecipient to take excess and disposition actions.

**Equipment** is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000.

**Supplies** is defined as tangible personal property other than “equipment” for use in this guidance have a disposition requirement when the residual value of the combined unused inventory exceeds \$5,000. In cases where this may occur, the awarding agency is entitled to its share of the value of the remaining inventory.

## SUB-GRANTING

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No subrecipient receiving FY2020 EMPG-S funding may sub-grant funding to another entity without prior coordination and approval from Ohio EMA. In order to be granted permission to sub-grant, the managing fiscal agent will have to demonstrate an ability to ensure compliance with all terms, conditions and requirements of the federal grant guidance and this guidance.

## RECORD RETENTION

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Counties are required to retain all grant-related documentation for three years after the close of the federal grant program. Ohio EMA will provide notification of each grant closure date when it occurs. Record Retention must follow the standard outlined in 2 CFR 200.333.

## AUDITS

The County EMA is accountable for the use of funds under the EMPG-S program. The County EMA must maintain records that adequately identify the sources and application of funds provided for financially assisted activities. Actual expenditures or outlays will be compared with budgeted amounts to determine if the expenditures qualify as a reimbursable expense under the EMPG-S. This documentation is subject to review at any given time through the record retention period by state or federal auditors as well as EMA officials.

## SINGLE AUDIT REQUIREMENTS

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Subrecipients are responsible for obtaining audits in accordance with 2 CFR 200 Subpart F; the Single Audit Act Amendments of 1996 (31 U.S.C. 7501–7507); 31 U.S.C. 503, 1111; Executive Order 8248; Executive Order 11541; and revised OMB Circular A–133, “Audits of States, Local Governments, and Non-Profit Organizations.” The audits shall be made by an independent auditor in accordance with generally accepted government auditing standards covering financial audits. Subrecipients must ensure that funds received and expended under this grant program are coordinated with the jurisdictions fiscal office (treasurer, auditor, etc.). Counties receiving \$750,000 (all-inclusive countywide) or more in a year in federal awards shall complete a Single Audit. The county EMA needs to consult with the County Auditor/Treasurer to understand how they comply with this requirement. The County EMA should also ensure the most recent Single Audit is submitted to Ohio EMA. County emergency management agencies will be audited by the State Auditor’s Office or a private firm acceptable to the State Auditor’s Office. Counties will comply with audit requirements and resolve any audit findings.

## AUDIT FINDINGS

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As the State Administrative Authority (SAA), Ohio EMA takes seriously the responsibility of administering the grant funds we are entrusted with from DHS/FEMA. This guidance refers to the Super Circular (2 CFR Part 200) and the requirements therein. Subrecipients should refer to the Super Circular and ensure they are meeting all requirements set forth therein. In addition, all requirements set forth in this guidance are passed along to subrecipients. By signing the grant agreement, subrecipients agree to be bound by all requirements set forth in this guidance, the grant agreement, and the Super Circular. As a result, any audit findings that occur with respect to improper procurement or from not abiding by the requirements set forth in this guidance will be the responsibility of the subrecipient. Ohio EMA will assume no financial responsibility for said audit findings, and if forced to pay on behalf of the subrecipient will take all action necessary to recover those costs.

## REPORTING REQUIREMENTS

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Upon official award, applicants acknowledge they agree to complete quarterly reports to the Ohio EMA; and also agree to update the Bi-annual Strategy Implementation Report (BSIR) on the federal Grants Reporting Tool (GRT), due as available from DHS-FEMA and coordinated by Ohio EMA each year until the grant concludes, and then to complete one final BSIR within 120 days of the federal grant closure date. Further information on quarterly and bi- annual reporting will be provided with issuance of the official grant agreement.

## PAYMENT

### REIMBURSEMENT REQUESTS

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In order to be reimbursed from the FY2020 EMPG-S, eligible costs must be submitted on the EMPG-S Cash Request form. Reimbursements must include documentation noting that services have been completed (contract, personnel, etc.) and/or that equipment has been received on site and invoiced. Costs submitted on forms other than the EMPG-S Cash Request (previous years' forms, locally generated forms) will not be accepted. Cash requests will be reviewed by a Grant Specialist to assure completeness when received by Ohio EMA. Cash requests that are incomplete or submitted on the wrong document will be returned for revision and resubmission. Cash Requests MUST be mailed due to size and the authentication of the documents submitted.

If a cash request is not complete, which includes but is not limited to the following items: county name not filled in, wrong fiscal year referenced, lacking proper signature, cash request not completely filled out (missing cells), or lack of proper documentation, the request will be returned to the county for revision. County EMA's are encouraged to utilize their Grants Specialist for technical assistance, as needed, in filling out the cash request and compiling documentation to support the cash request. Detailed instructions have also been provided to assist you in filling out your Cash Requests.

### PROPER DOCUMENTATION

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Cash requests submitted for reimbursement from the FY2020 EMPG-S must be accompanied by proper documentation of each cost. Proper documentation requires "Proof of Cost" (time and effort records, invoices, bills, etc.) and "Proof of Payment" (copies of warrants, canceled checks, auditor's monthly detail). A copy of the auditor's monthly expenditure detail has been found to be a very reliable, single source of proof of payment documentation. To reduce the amount of paper in documentation, counties are encouraged to submit a copy of the detail with applicable expenses highlighted and numbered according to the order listed on the reimbursement form. Food costs associated with EMA actions (meetings, trainings, etc.) must be documented by proof of cost, proof of payment, purpose of event (agenda, invitation, etc.) and a roster or sign in sheet of persons attending. Food and beverages are only allowable for eligible EMA meetings and will not be allowed for any other activity or for the EMA office. Food costs submitted for reimbursement without all listed documentation will be un-allowed.

### ELIGIBILITY AND PROCESSING

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The second step of the reimbursement process is a determination of eligibility, data entry of the cash request for tracking/monitoring purposes and preparation for payment. The Ohio EMA Preparedness Grant Branch conducts this step.

## **PAYMENT PROCESSING AND NOTIFICATION**

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The final step of reimbursement is approval of cash request by Ohio EMA fiscal and payment. When a Cash Request has been approved and payment processed, notification will be made to the county that payment will be arriving. As a tool to assist local governments in tracking Electronic Funds Transfers, the State of Ohio has created the “OAKS EFT Remittance Look-Up” website. By entering your OAKS vendor ID (available on your grant agreement as “Subrecipient Vendor ID), ZIP code and query information, you can confirm that payment was made. The EFT remittance web-site can be found at: <http://www.oaks.ohio.gov/remitlookup/>

## **TRACKING AND CLOSE-OUT**

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In addition to notification that payment is in process, Ohio EMA Preparedness Grants will be sending to the county a “payment packet” attached to the e-mail that notified the county of pending payment. The packet includes a copy of the submitted cash request, an explanation of changes (if applicable) and remaining balance in the form of a memo. The intent of this packet is to provide the county with comprehensive documentation for your files on the processing and payment of your EMPG-S cash request. Upon completing full reimbursement of your allocation or end of the program period of the grant, Ohio EMA will send a close-out notification to the local jurisdiction advising of the closure of the sub-grant and the final disposition of any un-spent funds.

## **STANDARDS FOR REVIEW**

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The reimbursement review process includes an initial review for completeness, determination of eligibility and data entry of the cash request for tracking/monitoring. This review is conducted by the Grants Specialist and focuses on accuracy of requests, prior approval of costs in the budget and ensuring complete documentation accompanies the request. Cash requests that are properly executed by the subrecipient will be processed in 10 business days or less.

If a request is not complete (including but not limited to the following items: lack of proper documentation, costs not included on the approved budget, no prior EHP approval, etc.) the request will be rejected to the subrecipient fiscal agent for revision. Subrecipients are encouraged to utilize their Grants Specialist for technical assistance in filling out the cash request and compiling documentation to support the cash request prior to submission in an attempt to expedite the approval process.

## **PAYMENT**

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Upon approval by the Grants Administrator, the subrecipients’ funds will be requested for payment from Ohio EMA’s fiscal unit. The payment process entails requesting money from the federal entity, receiving funds at the state level, vouchering the funds and the dispatching of an EFT or check to the subrecipient. While this process relies heavily on external stakeholders, Ohio EMA will work to ensure the quickest processing of subrecipient payments. Please ensure your agency information is current in the state accounting system.

## **ENFORCEMENT, TERMINATION AND AFTER THE GRANT REQUIREMENTS**

Ohio EMA is required to monitor the subrecipient's compliance with the Federal statutes, regulations, State law and terms and conditions of the sub award as codified in 2 CFR 200.331. If Ohio EMA becomes aware of an area of non-compliance it will inform the subrecipient (regional fiscal agent) through a Notice-of-Non-Compliance. The subrecipient (regional fiscal agent) may be given steps to remedy the area(s) of non-compliance, or if the non-compliance cannot be remedied then Ohio EMA will take action against the subrecipient (regional fiscal agent) congruent to 2 CFR 200.338-339. Ohio EMA can impose any of the following actions for non-compliance: temporary withholding of funding, disallowing costs and/or reimbursements, wholly or partially suspend an award of funds, initiate suspension or other departmental proceedings, withhold further funding or participation in the program, and any other remedy that is legally available. Below is an outline of the monitoring process the subrecipient is agreeing to follow:

### **NOTICE OF NON-COMPLIANCE**

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The Ohio EMA Grants Branch Chief will send electronic notice of Non-Compliance to the subrecipient. The Notice of Non-Compliance will inform the subrecipient of the following: The area(s) of non-compliance; Either (1) the steps required to of the subrecipient to come into compliance and the date by which the subrecipient must demonstrate compliance and the agency action if compliance is not met; or (2) Ohio EMA's action against the sub- recipient if Ohio EMA determines non-compliance cannot be remedied; The method for requesting review of compliance steps or agency action.

### **REVIEW SUBRECIPIENT'S SUBMISSION OF COMPLIANCE**

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In the event the subrecipient submits compliance documentation, Ohio EMA Grants Administrator, in conjunction with the Grants Branch Chief, will review the subrecipient's written submission and determine if there is full compliance. If the subrecipient has not met full compliance, Ohio EMA will take agency action, through a Notice of Action, the subrecipient received notice of in the previously issued Notice of Non-Compliance.

### **METHOD FOR REQUESTING REVIEW**

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Subrecipient will have thirty (30) days from the date of the Notice of Action to request reconsideration with the Executive Director. The sub- recipient must send the request in writing and should include any additional information or documentation within the thirty day period for the Executive Director to consider. The Executive Director will make a decision in writing within sixty (60) days of receipt of the request for reconsideration. However, if the Executive Director needs additional time, the subrecipient will be given notification of the extended time frame. The decision of the Executive Director is final. The subrecipient is not entitled to any further appeals within Ohio EMA, or pursuant to any federal or state regulation, code, or procedure.

## **AVAILABILITY OF PUBLIC RECORDS**

Ohio's Public Records Law generally requires disclosure of information. Ohio Revised Code Section 149.43 sets forth requirements, along with exceptions for disclosure. Specifically, Section 149.433 allows some security information to be exempt from disclosure.

Applicants are encouraged to consult state and local laws and regulations and discuss these requirements with their legal counsel. Subrecipients should be familiar with the regulations governing protected critical infrastructure information (6 C.F.R. Part 29) and sensitive security information (49 C.F.R. Part 1520), as these designations may provide additional protection to certain classes of homeland security information.

## POINTS OF CONTACT

For Grant Fiscal and Administrative needs, contact:

### OHIO EMA GRANTS BRANCH

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#### GRANT ADMINISTRATORS:

Geoffrey Martin, Grants Branch Chief	(614) 799-3836	<a href="mailto:gsmartin@dps.ohio.gov">gsmartin@dps.ohio.gov</a>
Margo Schramm, Grants Supervisor	(614) 799-3843	<a href="mailto:mlschramm@dps.ohio.gov">mlschramm@dps.ohio.gov</a>

#### GRANT MANAGEMENT SPECIALISTS:

Rudi Blaser (Regions 3 & 8)	(614) 799-3825	<a href="mailto:rblaser@dps.ohio.gov">rblaser@dps.ohio.gov</a>
Colin Campbell (Regions 5 & 6)	(614) 799-3828	<a href="mailto:cecampbell@dps.ohio.gov">cecampbell@dps.ohio.gov</a>
Jocelyn Fykes (Region 1 & 2)	(614) 799-3832	<a href="mailto:jbfykes@dps.ohio.gov">jbfykes@dps.ohio.gov</a>
Tim Manns (Regions 4 & 7)	(614) 799-3682	<a href="mailto:trmanns@dps.ohio.gov">trmanns@dps.ohio.gov</a>

#### GRANT MONITORING SPECIALISTS:

Cathy Deck	(614) 799-3684	<a href="mailto:cdeck@dps.ohio.gov">cdeck@dps.ohio.gov</a>
Seth McDonald	(614) 799-3819	<a href="mailto:smcdonald@dps.ohio.gov">smcdonald@dps.ohio.gov</a>

For Training & Exercise needs, contact:

### OHIO EMA PLANNING, TRAINING & EXERCISE BRANCH

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David Nunley, Training & Exercise Supervisor	(614) 799-3677	<a href="mailto:dbnunley@dps.ohio.gov">dbnunley@dps.ohio.gov</a>
Lisa Jones, Training Coordinator	(614) 799-3824	<a href="mailto:ljones@dps.ohio.gov">ljones@dps.ohio.gov</a>
Matthew Jaksetic, Training Coordinator	(614) 799-3666	<a href="mailto:mtjaksetic@dps.ohio.gov">mtjaksetic@dps.ohio.gov</a>