

# ATTACHMENT C

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***Cal* OES**

**GOVERNOR'S OFFICE  
OF EMERGENCY SERVICES**

**Fiscal Year 2023  
Emergency Management  
Performance Grant (EMPG)**

***California Supplement to the  
Federal Notice of Funding Opportunity***

*October 2023*

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**ATTACHMENTS**

- A – FY 2023 EMPG Allocations
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**Federal Program Announcement**

In February 2023, the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) issued the Fiscal Year (FY) 2023 Emergency Management Performance Grant (EMPG), [Notice of Funding Opportunity \(NOFO\)](#) and [FEMA Preparedness Grants Manual](#).

Subrecipients must follow the programmatic requirements in the NOFO, FEMA Preparedness Grants Manual, and the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in [Title 2, Code of Federal Regulations \(C.F.R.\) Part 200](#).

**Information Bulletins**

DHS issues [Information Bulletins](#) (IBs) to provide updates, clarification, and new requirements throughout the life of the grant.

**Purpose of the California Supplement**

The FY 2023 EMPG California Supplement to the NOFO (State Supplement) is intended to complement, rather than replace, the [NOFO](#) and the [FEMA Preparedness Grants Manual](#). Applicants are highly encouraged to thoroughly read the NOFO and the Preparedness Grants Manual before referring to the State Supplement. The State Supplement will emphasize differences between the FY 2022 and FY 2023 EMPG and highlight additional California policies and requirements applicable to the FY 2023 EMPG.

**Key Changes to the FY 2023 EMPG**

The National Priorities for the FY 2023 EMPG Program continue to be:

- Equity
- Climate Resilience
- Readiness

A detailed description of allowable investments for each national priority is included in the [FY 2023 EMPG NOFO](#).

**Key Changes to the  
FY 2023 EMPG Cont.**

**National Qualification System (NQS)**

Subrecipients are required to work towards implementation of the NQS by developing an implementation Plan.

Additional information regarding the NQS implementation requirements and be found in the [FEMA Preparedness Grants Manual](#).

**Build America Buy America Act (BABAA):**

FY 2023 EMPG is subject to the BABAA requirements. The BABAA requires all federal agencies, including FEMA, to ensure that no federal Financial Assistance for “Infrastructure” projects is provided unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States. The BABAA requirements only apply to awards or funds obligated on or after January 2, 2023, and do not apply to awards or funds obligated during the waiver period from July 1, 2022 to January 1, 2023.

**Grant Management  
Memoranda**

Cal OES issues [Grant Management Memoranda](#) (GMMs) which provide additional information and requirements regarding EMPG funds.

**Eligible Subrecipients**

Eligible Applicants, referred to as Subrecipients, include Counties/Operational Areas (OAs), and federally-recognized tribes located in California.

**Tribal Allocations**

The NOFO strongly encourages Cal OES to provide EMPG funds directly to tribes in California. To implement this requirement, a special Request for Proposal will be issued to California's federally-recognized tribes. All Subrecipients are encouraged to coordinate with tribal governments to ensure that tribal needs are considered in their grant applications.

**Subrecipient  
Allocations**

FY 2023 EMPG Subrecipient final allocations are included in Attachment A.

**Supplanting**

Grant funds must be used to supplement existing funds, not replace (supplant) funds that have been appropriated for the same purpose. Subrecipients may be required to provide supporting documentation that certifies a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds. Supplanting will result in the disallowance of any activity associated with this improper use of federal grant funds.

**Public/Private Organizations**

Subrecipients may contract with any other public or private organizations to perform eligible activities on approved EMPG projects.

**Debarred/  
Suspended Parties**

Subrecipients must not make or permit any award (subaward or contract) at any tier, to any party, that is debarred, suspended, or otherwise excluded from, or ineligible for, participation in federal assistance programs.

Subrecipients must obtain documentation of eligibility prior to making any subaward or contract funded by EMPG funds, and must be prepared to present supporting documentation to monitors/auditors.

Before entering into a Grant Subaward, the Subrecipient must notify Cal OES if it knows if any of the principals under the subaward fall under one or more of the four criteria listed at [2 C.F.R. § 180.335](#). The rule also applies to Subrecipients who pass-through funding to other local entities.

If at any time after accepting a subaward, Subrecipients learn that any of its principals fall under one or more of the criteria listed at [2 C.F.R. § 180.335](#), immediate written notice must be provided to Cal OES and all grant activities halted until further instructions are received from Cal OES. The rule also applies to subawards passed through by Subrecipients to local entities.

### **FY 2023 Program Priorities**

DHS/FEMA annually publishes the [National Preparedness Report](#) (NPR) to report national progress in building, sustaining, and delivering the core capabilities outlined in the goal of a secure and resilient nation. This analysis provides a national perspective on critical preparedness trends for whole community partners to use to inform program priorities, allocate resources, and communicate with stakeholders about issues of concern.

In developing applications for the FY 2023 EMPG Program, Subrecipients should fund projects that address areas for improvement as they relate to emergency management capabilities, and projects that fall into the state, regional, and National Priority Areas, including:

- Planning
- Operational Coordination
- Community Resilience
- Equity
- Climate Resilience
- Readiness

DHS/FEMA does not prescribe a minimum funding amount for these priorities. However, Subrecipients are required to support local, regional, state, and national efforts in achieving the desired outcomes of these priorities.

### **National Campaigns and Programs**

**Whole Community Preparedness** – Subrecipients should engage with the whole community to advance individual and community preparedness and to work as a nation to build and sustain resilience. In doing so, Subrecipients are encouraged to consider the needs of individuals with access and functional needs and limited English proficiency in the activities and projects funded by the grant.

Subrecipients should utilize [established best practices for whole community inclusion](#) and engage with stakeholders to advance individual and jurisdictional preparedness and resilience. Subrecipients are encouraged to consider the necessities of all Californians in the activities and projects funded by the grant including children, seniors, individuals with disabilities or access and functional needs, individuals with diverse culture and language use, individuals



### National Campaigns and Programs Cont.

with lower economic capacity, and other underserved populations.

**Active Shooter Preparedness** – DHS has developed a comprehensive [Active Shooter Preparedness website](#), which strives to enhance national preparedness through a whole-community approach by providing the necessary products, tools, and resources to help all stakeholders prepare for and respond to an active shooter incident. Subrecipients are encouraged to review the referenced active shooter resources and evaluate their preparedness needs.

**Soft Targets and Crowded Places** – States, territories, Urban Areas, and public and private sector partners are encouraged to identify security gaps and build capabilities that address security needs and challenges related to protecting locations or environments that are easily accessible to large numbers of people on a predictable or semi-predictable basis that have limited security or protective measures in place, including town centers, shopping malls, open-air venues, outside hard targets/venues perimeters, and other places of meeting and gathering. For more information, please see DHS's [Hometown Security Program](#).

**Community Lifelines** – FEMA created Community Lifelines to reframe incident information and impacts using plain language and unity of effort to enable the integration of preparedness efforts, existing plans, and identifies unmet needs to better anticipate response requirements. Additional information may be found at the [Community Lifelines Implementation Toolkit website](#).

**Strategic Framework for Countering Terrorism and Targeted Violence** – DHS adopted the [DHS Strategic Framework for Countering Terrorism and Targeted Violence](#), which explains how the department will use the tools and expertise that have protected and strengthened the country from foreign terrorist organizations to address the evolving challenges of today.

### **NIMS Implementation**

Prior to allocation of any federal preparedness awards, Subrecipients must ensure and maintain adoption and implementation of the [National Incident Management System](#) (NIMS).

### **Match Requirement**

The FY 2023 EMPG requires a dollar-for-dollar match. This can be cash or third-party in-kind contributions. Refer to [2 C.F.R. § 200.306](#) for specific details. Utilizing the Financial Management Forms Workbook (FMFW) Match Tab, Subrecipients will indicate the appropriate Solution Area and Solution Area Subcategory that accurately represents the specific activity(ies) and cost(s) used to meet the match requirement under the FY 2023 EMPG subaward. Contributions from the Subrecipient should be specifically identified in the match description located on the FMFW Match Tab. The non-federal match contributions have the same eligibility requirements as the federal share. For additional match guidance, see [EMPG Clarifying Guidance IB 458](#).

### **Management and Administration**

The Management and Administration (M&A) allowance for Subrecipients is set at a maximum of five percent for the FY 2023 EMPG.

### **Indirect Costs**

Indirect costs are allowable under the FY 2023 EMPG Program Award.

Subrecipients with an indirect cost rate approved by their cognizant federal agency must claim indirect costs based on the established rate. Indirect costs claimed must be calculated using the base approved in the indirect cost Negotiation Agreement. A copy of the approved Negotiation Agreement is required at the time of application.

Indirect costs are *in addition to* the M&A allowance and must be included in the Grant Award application as a “Project” and reflected in the FMFW on the Indirect Cost Tab if being claimed under the award.

Indirect costs must be claimed no more than once annually, and only at the end of the Subrecipient's fiscal year. An exception to this rule applies if there is a mid-year change to the approved indirect cost rate; in this case,

### **Indirect Costs Cont.**

costs incurred to date must be claimed. At that time, a Grant Subaward Modification reflecting the rate change must also be submitted to Cal OES, along with a copy of the new Indirect Cost Rate Agreement.

### **Equipment Typing/ Identification and Use**

Allowable EMPG equipment is listed on the [FEMA Authorized Equipment List](#) (AEL) website, and includes equipment from the following AEL Sections:

- Personal Protective Equipment (Category 1)
- Information Technology (Category 4)
- Cybersecurity Enhancement Equipment (Category 5)
- Interoperable Communication Equipment (Category 6)
- Detection Equipment (Category 7)
- Power Equipment (Category 10)
- Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Reference Materials (Category 11)
- CBRNE Incident Response Vehicles (Category 12)
- Physical Security Enhancement Equipment (Category 14)
- CBRNE Logistical Support Equipment (Category 19)
- Other Authorized Equipment (Section 21)

Subrecipients 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, refer to 2 C.F.R. including [§ 200.310](#), [§ 200.313](#), and [§ 200.316](#).

Subrecipients that allocate FY 2023 EMPG funds for equipment are required to type and identify the capability associated with that equipment. Also, per FEMA policy, the purchase of weapons and weapon accessories are not allowed with EMPG funds. Special rules apply to critical emergency supplies; refer to Appendix H of the [FEMA Preparedness Grants Manual](#) for additional information.

### **Equipment Maintenance and Sustainment**

Use of EMPG funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable as described in FEMA IBs [336](#) and [379](#), as well as Grant Programs Directorate Policy [FP 205-402-125-1](#).

### **Small Unmanned Aircraft Systems**

All requests to purchase Small Unmanned Aircraft Systems (SUAS) with FEMA grant funding must comply with [FEMA Policy 207-22-0002](#) and include copies of the policies and procedures in place to safeguard individuals' privacy, civil rights, and civil liberties of the jurisdiction that will purchase, take title to, or otherwise use the SUAS equipment. Reference the [Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems](#) for additional information. **All SUAS require FEMA approval prior to making purchase.**

### **Telecommunications Equipment or Services Prohibitions**

Effective August 13, 2020, section 889(f)(2)-(3) of the [John S. McCain National Defense Authorization Act for FY 2019 \(NDAA\)](#), Pub. L. No. 115-232 (2018) and [2 C.F.R. § 200.216, 200.471](#), and Appendix II to 2 C.F.R. Part 200 prohibits DHS/FEMA Recipients and Subrecipients (including their contractors and subcontractors) from using any FEMA funds under open or new awards for the following covered telecommunications equipment or services:

- 1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
- 2) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- 3) Telecommunications or video surveillance services provided by such entities or using such equipment; or
- 4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

### **Telecommunications Equipment or Services Prohibitions Cont.**

Additional guidance is available in [FEMA Policy #405-143-1, Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services](#).

### **Emergency Operations Plans**

Subrecipients should update their Emergency Operations Plan (EOP) at least once every two years to remain compliant with the [Comprehensive Preparedness Guide 101 version 2.0](#). Subrecipients are highly encouraged to include an evacuation plan or annex as part of their EOP as well as plans to exercise and validate the evacuation plan and capabilities.

### **Conflict of Interest**

To eliminate and reduce the impact of conflicts of interest in the subaward process, Subrecipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Subrecipients and pass-through entities are also required to follow any applicable federal, state, local, and tribal statutes or regulations governing conflicts of interest in the making of subawards.

Subrecipients must disclose to their Program Representative, in writing, any real or potential conflict of interest as defined by the federal, state, local, or tribal statutes or regulations, which may arise during the administration of the EMPG subaward within five days of learning of the conflict of interest.

### **Integrated Preparedness Plan (IPP)**

The IPP is a multi-year plan that identifies preparedness priorities and activities. The IPP needs to be reviewed and updated annually. For FY 2023 EMPG, the IPP needs to cover a minimum of two years, from 2024 through 2025 to qualify as a multi-year plan.

### **Prohibited and Controlled Equipment**

Effective May 25, 2022, [Executive Order \(EO\) 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety](#), Section 12(a) directs the Department of Homeland Security to review its grants, and consistent with applicable law, prohibits the use of grant funding to purchase certain types of military equipment by state, local, tribal, and territorial (SLTT) law enforcement agencies (LEAs).

### **Prohibited and Controlled Equipment Cont.**

For all awards issued on or after January 1, 2023, the policy directly prohibits certain types of equipment outright (prohibited equipment), whereas other types of equipment may be controlled, or LEAs are required to submit certifications prior to purchase.

Even if equipment is listed as controlled equipment and is not outright prohibited, that does not automatically make it allowable under a particular FEMA program. Recipients and Subrecipients should refer to applicable program guidance or contact your Program Representative to determine if a particular type of equipment is allowable under that program.

Additional information regarding Prohibited and Controlled Equipment is available on [FEMA Policy 207-22-0002](#).

### **Build America, Buy America Act (BABAA)**

Under FEMA financial assistance programs, the BABAA requirements apply to:

- New awards made on or after January 2, 2023,
- New funding that FEMA obligates to existing awards or through renewal awards on or after January 2, 2023; and
- Infrastructure projects.

Funds provided under this program may not be used for a project for infrastructure unless the iron and steel, manufactured products, and construction materials used in that infrastructure are produced in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Additionally, the Buy America preference does not apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

**Build America,  
Buy America Act  
(BABAA) Cont.**

When necessary, Subrecipients may apply for a waiver from these requirements. Additional information regarding the BABAA can be found on FEMA's website under [Buy America Preference](#).

**California  
Homeland  
Security Strategy  
Goals**

The State has prioritized the following California Homeland Security Strategy Goals for the FY 2023 subawards:

1. Enhance Information Collection, Analysis, and Sharing, in Support of Public Safety Operations Across California;
2. Protect Critical Infrastructure and Key Resources from All Threats and Hazards;
3. Strengthen Security and Preparedness Across Cyberspace;
4. Strengthen Communications Capabilities Through Planning, Governance, Technology, and Equipment;
5. Enhance Community Preparedness;
6. Enhance Multi-Jurisdictional/Inter-Jurisdictional All-Hazards Incident Catastrophic Planning, Response, and Recovery Capabilities;
7. Improve Medical and Health Capabilities;
8. Enhance Incident Recovery Capabilities;
9. Strengthen Food and Agriculture Preparedness;
10. Enhance Homeland Security Exercise, Evaluation, and Training Programs; and
11. Protect Against Effects of Climate Change

**“On Behalf Of”**

Cal OES may, in conjunction with local approval authorities, designate funds “on behalf of” local entities who choose to decline or fail to utilize their subaward in a timely manner.

**Public Alert and  
Warning**

Cal OES encourages Subrecipients to consider use of this funding to assist their jurisdiction's alignment with the [State of California Alert and Warning Guidelines](#) developed pursuant to Senate Bill 833 of the 2018 Legislative Session.



**Financial  
Management  
Forms  
Workbook**

The FY 2023 Cal OES FMFW includes:

**Grant Subaward Face Sheet** – Use the Grant Subaward Face Sheet to apply for grant programs. The Grant Subaward Face Sheet must be signed and submitted in portrait format.

**Authorized Agent Contact Information** – Provides the contact information of Authorized Agents (AA), delegated via the Governing Body Resolution (GBR) or Signature Authorization Form, including staff related to grant activities. More than one person is recommended for designation as the AA; in the absence of an AA, an alternate AA can sign documents.

**Project Ledger** – The Project Ledger is used in the application process to submit funding information and is used for submitting cash requests and Grant Subaward Modifications, and assists with completion of the Biannual Strategy Implementation Report (BSIR).

**Planning Tab** – Provides detailed information on grant-funded planning activities with a final product identified.

**Organization Tab** – Provides detailed information on grant-funded organizational activities.

**Equipment Tab** – Detailed information must be provided under the equipment description for all grant-funded equipment. AEL numbers must be included for all items of equipment. Always refer to the AEL for a list of allowable equipment and conditions, if any.

**Training Tab** – Provides detailed information on grant-funded training activities. All training activities must receive Cal OES approval prior to starting the event, including a Training Feedback number. The [Training Request Form](#) must be submitted and approved to obtain a Training Feedback number and should be submitted at **least** 30 days in advance.

**Exercise Tab** – Provides detailed information on grant-funded exercises.

**Financial Management Forms Workbook Cont.**

**M&A Tab** – Provides information on grant-funded M&A activities.

**Indirect Costs Tab** – Provides information on indirect costs.

**Consultant-Contractor Tab** – Provides detailed information on grant-funded consultants, and documents maintenance and sustainment contracts and activities on grant eligible items/equipment.

**Personnel Tab** – Provides detailed information on grant-funded personnel activities.

**Match Tab** – Provides detailed information on match activities.

**Authorized Agent Page** – The Authorized Agent (AA) Page must be submitted with the application, all cash requests, and Grant Subaward Modifications. The AA page must include a valid signature on file with Cal OES and the date.

**Subrecipient Grants Management Assessment**

Per [2 C.F.R. § 200.332](#), Cal OES is required to evaluate the risk of non-compliance with federal statutes, regulations, and grant terms and conditions posed by each Subrecipient of pass-through funding. The [Subrecipient Grants Management Assessment](#) contains questions related to a Subrecipient organization's experience in the management of federal grant awards. It is used to determine, and provide, an appropriate level of technical assistance, training, and grant oversight to Subrecipients during the subaward. The questionnaire must be completed and returned with the Subrecipient's grant application.

**Application Attachments**

**Indirect Cost Rate Agreement** – If claiming indirect costs at a federally-approved rate, please provide a copy of the approved Indirect Cost Rate Agreement.

**Federal Funding Accountability and Transparency Act (FFATA) Financial Disclosure** – Use the [FFATA Financial Disclosure](#) to provide information required by the Federal Funding Accountability and Transparency Act of 2006.

**Application Attachments Cont.**

**Certification Regarding Lobbying** – Use the [Certification Regarding Lobbying form](#) to certify lobbying activities, as stipulated by the Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352.

**Standard Assurances**

The Standard Assurances list the requirements to which the Subrecipients will be held accountable. All Applicants will be required to submit a signed **original** of the FY 2023 Standard Assurances as part of their FY 2023 EMPG application. The required Standard Assurances can be found only in PDF format on the Cal OES website.

**NOTE:** Self-created Standard Assurances will not be accepted.

**Governing Body Resolution**

The GBR appoints AAs (identified by the individual's name or by a position title) to act on behalf of the governing body and the Applicant by executing any actions necessary for each application and subaward. All Applicants are required to submit a copy of an approved GBR with their application. Resolutions may be valid for up to three grant years given the following:

- The resolution identifies the applicable grant program (e.g., EMPG and/or HSGP);
- The resolution identifies the applicable grant years, (e.g., FY 2023, FY 2024, FY 2025); and
- Adheres to any necessary elements required by local protocols, rules, etc., if applicable.

Resolutions that only identify a single grant program will only be valid for that single program. Resolutions that do not identify applicable grant years will only be valid for the grant year in which the resolution was submitted.

**Authorized Agent Information**

For each person or position appointed by the Governing Body, identify the individual in the AA and Contact Information page of the FMFW.

All changes in AA and contact information must be provided to Cal OES in writing. If the GBR identifies the AA by name, a new Resolution is needed when changes are made. If the GBR identifies the AA by position and/or title, changes may be made by submitting a request on the entity's letterhead, signed by an existing AA.

**Authorized  
Agent  
Information  
Cont.**

Cal OES will not accept signatures of an AA's designee, unless authorized by the Governing Body's resolution. A change to an AA's designee must be submitted on agency letterhead and signed by the AA, announcing the change to their designee.

**Application Submission**

Subrecipients must submit an electronic copy of their completed FMFW to their Program Representative for review no later than fourteen calendar days before the final Application due date. After the application is approved, all electronic copies of the FMFW, along with the required documents must be emailed, with original or electronic signatures, by the application due date. During the application process, if it is determined all allocated funds cannot be expended by the end of the period of performance, inform your Program Representative as soon as possible. The completed application documents should be received by Cal OES no later than the date provided in the FY 2023 EMPG Timeline, referenced as Attachment B.

**Late or Incomplete Application**

Late or incomplete applications may be denied. If an application is incomplete, the Program Representative may request additional information. Requests for late submission of applications must be made in writing to the Program Representative prior to the application due date. Cal OES has sole discretion to accept or reject a late or incomplete grant application.

**EMPG Contact Information**

Subrecipient questions, comments, and correspondence should be directed to:

California Governor's Office of Emergency Services  
ATTN: Grants Management (Building F)  
Emergency Management Performance Grants Unit  
3650 Schriever Avenue  
Mather, CA 95655

Carmyn Fields – Regions I & VI	(916) 328-7733
Marjan Warmilee – Region II	(916) 364-4558
Ronak Patel – Region III	(916) 845-8124
Lauren Swearengin – Regions IV & V	(916) 845-8950

**Subaward Approval**

Subrecipients will receive a formal notification of subaward. Subaward letters must be signed and the signed copy be returned to Cal OES within 20 calendar days. Once the completed application along with the signed subaward letter is received and approved, reimbursement of eligible subaward expenditures may be requested using the Cal OES FMFW.

**Payment Request Process**

The EMPG is a reimbursement program. To request a cash reimbursement of EMPG funds, Subrecipients must first complete a payment request using the Cal OES FMFW, returning it to the appropriate Program Representative. Subrecipients who fail to follow the workbook instructions may experience delays in processing the payment request.

Payments can only be made if the Subrecipient has an approved application.

**Semi-Annual Drawdown Requirements**

All Subrecipients must report expenditures and request funds at least semi-annually throughout the period of performance. Semi-annual drawdowns should occur in March and October of each calendar year following final approval of the subaward application, with the exception of the final reimbursement request, which must be submitted within twenty calendar days after the end of the period of performance.

**Modifications**

Post award budget and scope modifications must be requested using the Cal OES EMPG FMFW, signed by the Subrecipient's AA, and submitted to the Program Representative.

The Subrecipient may implement grant modification activities, and incur associated expenses, only after receiving written final approval of the modification from Cal OES.

Subrecipients must provide a written justification with all modification requests. The justification may be included in the body of the e-mail transmitting the request, or a document attached to the transmittal e-mail. Refer to [GMM 2018-17](#) for additional information regarding modification requests.

**Training  
Requirements**

Training activities supported with EMPG Program funds should align to NPG core capabilities identified in each Subrecipient's Training and Exercise Plan. Subrecipients must obtain a Training Feedback Number from Cal OES before beginning any training activities. This includes project components like travel to, materials for, or attendance in training courses. Training Feedback Numbers should be obtained no later than 30 days before the first day of the training or related activities. Subrecipients must complete a [Training Request Form](#) and submit it electronically to Cal OES.

For more information on this or other training-related inquiries, contact the [Cal OES Training Branch](#) at (916) 845-8745 or [Training@CalOES.ca.gov](mailto:Training@CalOES.ca.gov).

All EMPG-funded personnel, including M&A staff, and any staff being used for match, must complete *either* the Independent Study courses identified in the [Professional Development Series \(PDS\)](#) or the [National Emergency Management Basic Academy](#). Final reimbursement of personnel salaries will not be approved until all training requirements have been met. Proof of completion of the training requirements must be kept on file by the Subrecipient and be made available for review upon request. When seeking approval of non-DHS/FEMA developed courses, course materials must be submitted with the approval requests. Conditional approvals are not offered.

**EMPG TRAINING- PDS**

IS 100 (any version), Introduction to Incident Command System (ICS)

IS 200 (any version), ICS for Single Resources and Initial Action Incident

IS 700 (any version), National Incident Management System, An Introduction

IS 800 (any version), National Response Framework, An Introduction

**Training  
Requirements  
Cont.**

IS 120.c An Introduction to Exercises

IS 230.e Fundamentals of Emergency Management

IS 235.c Emergency Planning

IS 240.c Leadership and Influence

IS 241.c Decision Making and Problem Solving

IS 242.c Effective Communication

IS 244.b Developing and Managing Volunteers

**EMPG TRAINING-Basic Academy**

IS 100 (any version), Introduction to the Incident Command System (ICS)

IS 700 (any version), National Incident Management System (NIMS), An Introduction

IS 800 (any version), National Response Framework, An Introduction

IS 230.e Fundamentals of Emergency Management

E/L101, Foundations of Emergency Management

E/L102, Science of Disaster

E/L103, Planning Emergency Operations

E/L105, Public Information & Warning

E/L146, Homeland Security Exercise and Evaluation Program Training

In the event that any of the listed courses have been updated and the required version is no longer available, it is acceptable to take the updated course in place of the listed course (i.e., since IS-120.a has been replaced with IS-120.c, the latter may be used in the place of the original course). The courses listed above are the minimum accepted versions for FY 2023 EMPG.



**Training Requirements Cont.**

Training activities should align to a current IPP, developed through an annual IPP Workshop. The training should help build core capabilities and fill gaps identified in real-world incidents and exercises. Further guidance can be found in the [HSEEP](#).

EMPG and non-EMPG -funded personnel may claim EMPG funds for tuition/travel costs for EMPG eligible trainings, provided that the purpose of the travel and training is to accomplish the objectives of the grant.

**Exercises, Improvement Plans and After Action Reporting**

Subrecipients should engage stakeholders to identify long-term training and exercise priorities. These priorities should address capability targets and gaps identified through a Threat and Hazard Identification and Risk Assessment, real-world events, previous exercises, and national areas for improvement identified in the NPR.

Subrecipients must report on all exercises conducted with EMPG grant funds. An After Action Report (AAR)/Improvement Plan (IP) or Summary Report (for Seminars, Drills & Workshops) must be completed and submitted to Cal OES within 90 days after the exercise/seminar/drill/workshop is conducted.

It is acceptable to submit an *Exercise Summary Report for Seminars, drills, and Workshops* in lieu of a full AAR/IP.

AARs/IPs and Summary Reports should be e-mailed to:

- [hseep@fema.dhs.gov](mailto:hseep@fema.dhs.gov)
- [exercise@caloes.ca.gov](mailto:exercise@caloes.ca.gov)
- Your Program Representative

All EMPG-funded personnel, including M&A staff and any staff being used for match, must participate in no less than two exercises between July 1, 2023, and June 30, 2025. These exercises must align to one of the priority areas via the Performance Reports. The Great Shakeout drop, cover, and hold drill is ineligible for the purpose of the two exercise requirement.

Final reimbursement of personnel salaries will not be approved until all exercise requirements have been met.

**Exercises,  
Improvement  
Plans and After  
Action Reporting  
Cont.**

Exercises used to meet this requirement during one period of performance cannot be used to meet the requirement in another. Extensions to the grant do not apply to this requirement or its due date. There is no specific requirement for level of participation in the exercises and the exercises can be of any type, provided they are related to the Subrecipient's identified long-term training and exercises priorities. Proof of completion of the exercise requirements must be kept on file by the Subrecipient and be made available for review upon request.

For exercise-related issues and/or questions, email the Cal OES Exercise Team at [exercise@caloes.ca.gov](mailto:exercise@caloes.ca.gov).

Exercise costs will not be considered for reimbursement until an AAR/IP is received by Cal OES.

**Procurement  
Standards and  
Written  
Procedures**

Subrecipients must conduct procurement using documented local government procurement procedures, or the federal procurement standards found in [2 C.F.R. Part 200](#), whichever are more strict. Subrecipients must also have written conflict of interest policies governing the actions of its employees engaged in the selection, award and administration of contracts, including disciplinary actions for violations of such standards.

**Procurement  
Documentation**

Non-federal entities, other than states and territories, are required to maintain and retain records sufficient to detail the history of procurements, covering at least the rationale for the procurement method, contract type, contractor selection or rejection, and the basis for the contract price. For any cost to be allowable, it must be adequately documented. Examples of the types of documents that would meet this requirement include, but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
- Responses to solicitations, such as quotes, bids, or proposals;
- Pre-solicitation independent cost estimates and Post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
- Contract documents and amendments;

### **Procurement Documentation Cont.**

- Documents demonstrating inclusion of required contract provisions, and
- Other documents required by federal regulations applicable at the time the grant was awarded to the Subrecipient.

### **Procurement Thresholds**

Effective June 20, 2018, the micro-purchase threshold was increased from \$3,500 to \$10,000 and the simplified acquisition threshold was increased from \$150,000 to \$250,000. These increases apply to all Subrecipient procurements executed on or after June 20, 2018. Refer to [IB 434](#) for additional information.

### **Noncompetitive Procurements**

All noncompetitive procurements exceeding the simplified acquisition threshold require Cal OES prior written approval to be eligible for reimbursement. This method of procurement must be approved by the local Purchasing Agent prior to submitting a request for Cal OES approval. A copy of the Purchasing Agent's approval must be included with the Cal OES [Request for Noncompetitive Procurement Authorization form](#). Cal OES may request additional documentation that supports the procurement effort.

### **Environmental Planning and Historic Preservation**

DHS/FEMA is required to ensure all activities and programs that are funded by the agency comply with federal Environmental Planning and Historic Preservation (EHP) regulations. Subrecipients proposing projects or activities (including, but not limited to, training, exercises, the installation of equipment, and construction or renovation projects) that have the potential to impact the environment or a historic structure must participate in the EHP review process. EHP Screening Memos must include detailed project information, explain the goals and objectives of the proposed project, and include supporting documentation.

DHS/FEMA may also require that the Subrecipient provide a confidential California Historical Resources Information System (CHRIS) report in addition to the [EHP Screening Form](#). Determination on the necessity of a CHRIS report is based upon information disclosed on the EHP Screening Form. Program Representatives will provide additional instructions should this report be required.

**Environmental Planning and Historic Preservation Cont.**

EHP requests should be submitted to Cal OES as early as possible. All projects/activities triggering EHP must receive DHS/FEMA written approval prior to commencement of the funded activity.

Updated information may be referenced in the [FEMA GPD EHP Policy Guidance](#).

**Construction and Renovation**

When applying for construction activity at the time of application, including communications towers, Subrecipients must submit evidence of approved zoning ordinances, architectural plans, any other locally required planning permits, and a notice of federal interest. Additionally, Subrecipients are required to submit a SF-424C Budget and Budget Detail that cites the project costs. Communication tower construction requests also require evidence that the Federal Communications Commission's Section 106 review process has been completed.

Subrecipients using funds for construction projects must comply with the Davis-Bacon Act. Subrecipients must ensure that their contractors or subcontractors for construction projects pay workers no less than the prevailing wages for laborers and mechanics employed on projects of a character like the contract work in the civil subdivision of the state in which the work is to be performed.

***Written approval for construction must be provided by DHS/FEMA prior to the use of any EMPG funds for construction or renovation. No construction activities (including site preparation, utility installations, and any groundbreaking activities) or equipment installations on existing structures, may begin until the EHP review process is complete.***

**Inventory Control and Property Management**

Subrecipients must use standardized resource management concepts for resource typing and credentialing, in addition to maintaining an inventory by which to facilitate the effective identification, dispatch, deployment, tracking and recovery of resources.

Subrecipients must have an effective inventory management system, to include:

### **Inventory Control and Property Management Cont.**

- Property records that document description, serial/ID number, fund source, title information, acquisition date, cost, federal cost share, location, use, condition, and ultimate disposition;
- A physical inventory conducted at least every two years;
- A control system to prevent loss, damage, and theft of grant purchased equipment and supplies; and
- Adequate maintenance procedures must be developed to keep the property in good condition.

### **Equipment Disposition**

When original or replacement equipment acquired under the EMPG is no longer needed for program activities, the Subrecipient must contact their Program Representative to request disposition instructions. See [2 C.F.R. § 200.313\(e\)](#).

### **Performance Reporting**

**BSIR** – Subrecipients must complete a BSIR each Winter and Summer using the DHS/FEMA [Grants Reporting Tool](#) (GRT) for the duration of the subaward period of performance or until all grant activities are completed and the subaward is formally closed by Cal OES. Failure to submit a BSIR could result in subaward reduction, suspension, or termination.

Access to the BSIR may be obtained through the GRT. To create a new account, click the link that reads, “Register for an account” and follow the instructions provided. The Subrecipient will be required to ensure up-to-date project information is entered. The Project Ledger in the FMFW may assist with the BSIR data entry process. For additional assistance with the GRT, contact the appropriate Program Representative.

**Quarterly Performance Reports** – Subrecipients must prepare and submit Performance Reports to the State for the duration of the subaward period of performance, or until all grant activities are completed and the subaward is formally closed by Cal OES. The quarterly reports must include the progress made on identified activities, as well as other required information. Failure to submit a quarterly Performance Report could result in subaward reduction, suspension, or termination.

### **Performance Reporting Cont.**

In order to ensure that mandated performance metrics and other data required under the subaward is reported accurately, all EMPG Performance Reports must be submitted electronically, via email, to their Cal OES Program Representative for review and vetting. Electronic documents submitted for Cal OES review and vetting should be submitted as soon as possible, but no later than, seven calendar days before the identified due date(s) associated with the Performance Report. Submission of the electronic copy is only to occur after their Cal OES Program Representative's review has concluded and the Subrecipient is directed by their Cal OES Program Representative to submit the signed electronic copy.

### **Extension Requests**

Extensions to the initial period of performance identified in the subaward will only be considered through formal, written requests to the Subrecipient's Program Representative. Upon receipt of the extension request, Cal OES will:

1. Verify compliance with performance reporting requirements by confirming the Subrecipient has submitted all necessary performance reports;
2. Confirm the Subrecipient has provided sufficient justification for the request; and
3. If applicable, confirm the Subrecipient has demonstrated sufficient progress in past situations where an extension was authorized by Cal OES.

Extension requests will be granted only due to compelling legal, policy, or operational challenges, must be project specific, and will only be considered for the following reasons:

1. Contractual commitments with vendors that prevent completion of the project within the period of performance;
2. The project must undergo a complex environmental review which cannot be completed within this timeframe;
3. Projects are long-term by design and therefore; acceleration would compromise core programmatic goals; and
4. Where other special circumstances exist.

**Extension Requests Cont.**

To be considered, extension requests must be received no later than 60 days prior to the end of the Subrecipient's period of performance and must contain specific and compelling justifications as to why an extension is required. All extension requests must address the following:

1. Grant program, fiscal year, and award number;
2. Reason for delay;
3. Current status of the activity/activities;
4. Approved period of performance termination date and new project completion date;
5. Amount of funds drawn down to date;
6. Remaining available funds, both federal and non-federal;
7. Budget outlining how remaining federal and non-federal funds will be expended;
8. Plan for completion, including milestones and timeframes for each milestone and the position/person responsible for implementing the plan for completion; and
9. Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work.

General questions regarding extension requirements and the Extension Request form should be directed to your Program Representative. For additional information, please see [IB 379](#). Extension requests for personnel and salaries do not meet the requirements of [IB 379](#) and will not be granted. Subrecipients are expected to complete all grant-funded personnel activity by the end of the subaward period of performance. Indirect Cost project may not be extended.

**Progress Reports on Grant Extensions**

All Subrecipients that receive Cal OES approval to extend their FY 2023 grant subaward period of performance will be required to submit progress reports indicating completed and future project milestones on all extended projects. Progress reports must be submitted electronically to their Program Representative. Deadlines for the submission of progress reports will be established at the time of extension approval.

### Monitoring

Cal OES Grants Monitoring actively monitors Subrecipients, through day-to-day communications, programmatic site visits, and desk and on-site compliance assessments. The purpose of the compliance assessment is to ensure Subrecipients are in compliance with applicable state and federal regulations, grant guidelines, and programmatic requirements. Monitoring activities may include, but are not limited to:

- Verifying that entries recorded on the FMFW categories are properly supported with source documentation;
- Eligibility of and support for expenditures, typically covering two to three years of data;
- Comparing actual Subrecipient activities to those approved in the grant application and subsequent modifications, including the review of timesheets and invoices as applicable;
- Procurements and contracts;
- Ensuring equipment lists are properly maintained and physical inventories are conducted;
- Ensuring advances have been disbursed in accordance with applicable guidelines; and
- Confirming compliance with:
  - Standard Assurances, and
  - Information provided on performance reports and payment requests

**NOTE:** It is the responsibility of all Subrecipients that pass down grant funds to other entities, to maintain and utilize a formal process to monitor the grant activities of their subawards. This requirement includes, but is not limited to, on-site verification of grant activities, as required. It is common for Subrecipients to receive findings in a programmatic site visit or compliance assessment, which require a Corrective Action Plan (CAP) to be submitted by Subrecipients. Those Subrecipients who fail to submit a CAP, as required, shall have a “hold” placed on any future reimbursements until the “finding” or an “advisory” is resolved.



### **Failure to Submit Required Reports**

Periodic reporting is required by the grant. Subrecipients who miss a single reporting due date may receive a letter addressed to their Board of Supervisors informing them of the failure to report. County OAs and tribes who fail to report twice in a row may have subsequent awards reduced by ten percent until timely reporting is reestablished.

### **Suspension/Termination**

Cal OES may suspend or terminate grant funding, in whole or in part, or other measures may be imposed for any of the following reasons:

- Failure to submit required reports.
- Failure to expend funds in a timely manner consistent with the grant milestones, guidance, and assurances.
- Failure to comply with the requirements or statutory progress toward the goals or objectives of federal or state law.
- Failure to make satisfactory progress toward the goals or objectives set forth in the Subrecipient application.
- Failure to follow Grant Subaward requirements or Special Conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- False certification in the application or other document.
- Failure to adequately manage, monitor, or direct the grant funding activities of their Subrecipients.

Before taking action, Cal OES will provide the Subrecipient reasonable notice of intent to impose corrective measures and will make every effort to informally resolve the problem.

### **Closeout**

Cal OES will close-out Subrecipient awards when it determines all applicable administrative actions and all required work of the federal award have been completed.

Subawards will be closed after:

- Receiving any applicable Subrecipient Performance Report indicating all approved work has been completed, and all funds have been distributed;
- All funds have been requested and reimbursed, or disencumbered;

### Closeout Cont.

- Completing a review to confirm the accuracy of reported information;
- Reconciling actual costs to subawards, modifications and payments; and
- Verifying the Subrecipient has submitted a final BSIR showing all grant funds have been expended.

### Records Retention

The records retention period is three years from the date of the Cal OES Grant Closeout Letter, or until any pending litigation, claim, or audit started before the expiration of the three-year retention period has been resolved and final action is taken. The Cal OES Grant Closeout Letter will notify the Subrecipient of the start of the records retention period for all programmatic and financial grant-related records.

Documents related to equipment purchased must be retained for three years after it has been disposed, per [2 CFR 200.313](#).

For indirect cost rate proposals, cost allocation plans, or other rate computation records, the start of the record retention period is dependent on whether the proposal, plan, or other computation is required to be submitted to the federal government (or to the pass-through entity) for negotiation purposes. See [2 C.F.R. § 200.334\(f\)](#).

In order for any cost to be allowable, it must be adequately documented per [2 C.F.R. § 200.403\(g\)](#).

If the State Administrative Agency award remains open after the Subrecipient's submission of the final BSIR, Cal OES will complete any additional BSIR reporting required under the award on behalf of the Subrecipient.

Closed grants may still be monitored and audited. Failure to maintain all grant records for the required retention period could result in a reduction of grant funds, and an invoice to return costs associated with the unsupported activities.

If documents are retained longer than the required retention period, FEMA, the DHS Office of Inspector General, Government Accountability Office, and pass-through entity have the right to access these records as well. See Title [2 C.F.R § 200.334](#) and [200.337](#).

Attachment A – FY 2023 EMPG Allocations | **2023**

Operational Area	Total Award	Operational Area	Total Award
ALAMEDA	451,950	PLACER	205,951
ALPINE	125,238	PLUMAS	128,749
AMADOR	132,975	RIVERSIDE	607,026
BUTTE	164,901	SACRAMENTO	437,035
CALAVERAS	133,916	SAN BENITO	137,959
COLUSA	129,316	SAN BERNARDINO	557,970
CONTRA COSTA	353,899	SAN DIEGO	775,605
DEL NORTE	130,387	SAN FRANCISCO	291,793
EL DORADO	162,695	SAN JOAQUIN	280,224
FRESNO	325,146	SAN LUIS OBISPO	180,559
GLENN	130,690	SAN MATEO	272,379
HUMBOLDT	151,752	SANTA BARBARA	213,105
IMPERIAL	160,491	SANTA CLARA	500,004
INYO	128,756	SANTA CRUZ	177,757
KERN	305,065	SHASTA	160,730
KINGS	155,088	SIERRA	125,639
LAKE	138,341	SISKIYOU	133,674
LASSEN	130,991	SOLANO	213,516
LOS ANGELES	2,076,678	SONOMA	220,474
MADERA	156,151	STANISLAUS	233,748
MARIN	175,890	SUTTER	144,622
MARIPOSA	128,374	TEHAMA	137,875
MENDOCINO	142,812	TRINITY	128,171
MERCED	181,275	TULARE	219,012
MODOC	126,719	TUOLUMNE	135,943
MONO	127,648	VENTURA	289,991
MONTEREY	210,839	YOLO	168,772
NAPA	151,952	YUBA	141,283
NEVADA	145,037	TRIBAL NATIONS	196,804
ORANGE	750,854		
<b>Total</b>		<b>15,202,196</b>	

## Attachment B – FY 2023 EMPG Timeline | 2023

DHS Announcement of FY 2023 EMPG NOFO	February 27, 2023
Cal OES Application due to DHS	May 18, 2023
Subrecipient period of performance begins	July 1, 2023
DHS/FEMA Award to California	September, 2023
Integrated Preparedness Plan (IPP) due	September 30, 2023
Notification of Subrecipient Award	October, 2023
Subrecipient Workshops	October 2023
FY 2023 California Supplement release	October, 2023
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 9/30/2023	October 14, 2023
Subrecipient Final Applications due to Cal OES	December 29, 2023
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 12/31/2023	January 14, 2024
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 3/31/2024	April 14, 2024
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 6/30/2024	July 14, 2024
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 9/30/2024	October 14, 2024
All FY 2023 EMPG EHP-related documents must be received by Program Representative	December 31, 2024
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 12/31/2024	January 14, 2025
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 3/31/2025	April 14, 2025
Subrecipient period of performance ends	June 30, 2025
Submission of the FY 2023 EMPG Performance Report for the period of 7/1/2023 – 6/30/2025	July 14, 2025
Final Request for Reimbursement due	Within 20 calendar days of the subaward expiration date
Cal OES's period of performance ends	September 30, 2025

# Attachment C – FY 2023 EMPG Program Checklist | 2023

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**Subrecipient:** \_\_\_\_\_ **FIPS#:** \_\_\_\_\_

**Program Representative:** \_\_\_\_\_

Financial Management Forms Workbook:

- \_\_\_\_\_ Grant Subaward Face Sheet
- \_\_\_\_\_ Authorized Agent and Contact Tab
- \_\_\_\_\_ Project Ledger Tab
- \_\_\_\_\_ Planning Tab
- \_\_\_\_\_ Organization Tab
- \_\_\_\_\_ Equipment Tab
- \_\_\_\_\_ Training Tab
- \_\_\_\_\_ Exercise Tab
- \_\_\_\_\_ Management and Administration Tab
- \_\_\_\_\_ Indirect Cost Tab
- \_\_\_\_\_ Consultant-Contractor Tab
- \_\_\_\_\_ Personnel Tab
- \_\_\_\_\_ Match Tab
- \_\_\_\_\_ Indirect Cost Rate Summary (If Applicable)
- \_\_\_\_\_ Authorized Agent Sheet

Required Documents:

- \_\_\_\_\_ Counter-signed Award Letter
- \_\_\_\_\_ EHP Screening Form (If Applicable)
- \_\_\_\_\_ FFATA Financial Disclosure
- \_\_\_\_\_ Certification Regarding Lobbying
- \_\_\_\_\_ Governing Body Resolution
- \_\_\_\_\_ Subrecipient Grants Management Assessment form
- \_\_\_\_\_ 2023 EMPG Standard Assurances
- \_\_\_\_\_ Indirect Cost Rate Agreement (If Applicable)