



Oklahoma Emergency Management Performance Grant

Agreement and Application Packet
GRANTS MANAGEMENT DIVISION



**PREPAREDNESS
RESPONSE
RECOVERY
MITIGATION**

August 1, 2023

Jurisdiction: **Muskogee County**

Subject: FY 2023 EMPG Notice of Intent Approval

The Oklahoma Department of Emergency Management and Homeland Security (ODEMHS) would like to thank you for your interest in the Fiscal Year 2023 Emergency Management Performance Grant (EMPG) Program.

Your Notice of Intent (NOI) for the FY 2023 EMPG has been approved. The amount of **\$26,126.00** will be obligated to **Muskogee County**, Oklahoma, designated as the "Subrecipient" within official documents, pending the completion of the attached application. Once your application is completed and approved, an award letter will be issued by the ODEMHS Director.

The initial application must be submitted by September 15th, 2023, to be eligible for the award. The application must be finalized by September 30th, 2023, to be awarded. Time extensions may be granted with a written request.

Should you have questions, comments, or concerns, please contact the EMPG team at empg@oem.ok.gov or call 405-521-2481 and ask for the EMPG team.

Thank you,

Mark Wegrzynski

Mark Wegrzynski
Grants Financial Analyst



**PREPAREDNESS
RESPONSE
RECOVERY
MITIGATION**

**Oklahoma Department of Emergency Management and Homeland Security
Fiscal Year 2023 Emergency Management Performance Grant (EMPG) Program
Annual Program Funding Opportunity**

Note: All Annual Program grants must submit a Notice of Intent (NOI) to the ODEMHS Grants Management Division (GMD) no later than 6/30/2023. **No** Grants will be approved without an NOI or accepted past the deadline.

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Program Description

Issued By

Oklahoma Department of Emergency Management and Homeland Security (ODEMHS) / Grants Management Division (GMD)

CFDA/Assistance Listings Number

97.042

Program Title

Fiscal Year 2023 Emergency Management Performance Grant – EMT-2023-EP-00005

Grant Type

Subrecipient-Annual

Funding Opportunity Title

FY 2023 Emergency Management Performance Grant Annual Subgrant Program: **Muskogee County**

State Project Title

Project 2: Local Program Pass Through

Announcement Type

Agreement

Program Category

Preparedness: Emergency Management

Authorizing Authority for Program Federal

Authorizing Authorities

- The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. § 5121 et. Seq. (the Stafford Act)
- Post-Katrina Emergency Management Reform Act of 2006, as amended, 6U.S.C. § 762
- FEMA Preparedness Grants Manual, Version 3
- DHS/FEMA NOFO FY 2023 EMPG Program
- Title 2, Code of Federal Regulations (CFR)
- U.S. Department of Homeland Security Presidential Directive 5 (HSPD-5)

State Authorizing Authorities

- Oklahoma Emergency Management Act 2003, 63 O.S. 683. 1 et. Seq.
- State Administrative Plan adopted by the Oklahoma Department of Emergency Management and Homeland Security



Section 1. Program Overview

Objective

To encourage and support local emergency managers to encourage the development of a comprehensive, whole community emergency preparedness program for all hazards for county, municipal, and tribal governments within the State of Oklahoma.

Purpose

The Fiscal Year 2023 (FY 23) Emergency Management Performance Grant (EMPG) is a program that the Oklahoma Department of Emergency Management and Homeland Security (ODEMHS) – designated in this document as the “Recipient”- participates in on an annual basis through the Federal Emergency Management Agency (FEMA). This program focuses on all-hazardous emergency preparedness, including but not limited to the evolving threats and risks associated with climate change. In addition to supporting the 2022-2026 FEMA Strategic Plan, ODEMHS outlines goals and objectives through the 2022-2026 Integrated Preparedness Plan (IPP), and Agency Strategic Plan, and acknowledges and supports approved Regional Strategic Plans.

As part of the Local Program / Pass-Through Funding Project, ODEMHS is presenting the Annual Program Opportunities to county, municipal, and tribal jurisdictions to fund and/or reimburse, primarily, for director and/or emergency management staff salaries, amongst additional EMPG-permitted items as approved on.

Section 2. Program Details and Dates

1. Available Funding:	\$1.8 million
2. Match Requirement:	50/50
3. Match Distribution:	50% Local 50% Federal
4. NOI End Date:	June 30, 2023
5. Projected Application Due Date:	September 15, 2023
6. Period of Performance:	12 Months
7. Projected Period of Performance Start Date:	October 1, 2023
8. Projected Period of Performance End Date:	September 30, 2024
9. Projected Close-Out Date:	December 31, 2024
10. Funding Instrument Type:	Grant - Annual

Section 3. Eligibility Information

Eligible Applicants

Emergency Management Programs associated with Municipal, County, and/or Tribal Governments. These programs are determined through the presence of a listed Emergency Manager / Director within the ODEMHS Emergency Manager Directory by the time of NOI submission.

Applicant Eligibility Criteria

To be eligible for the Oklahoma Emergency Management Performance Grant (EMPG) Annual Subgrant Program, the local jurisdiction, furtherer referred to as the “Subrecipient”, must meet the following eligibility requirements:



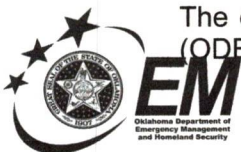
Fiscal Year 2023 Emergency Management Performance Grant (EMPG) Program

1. The Subrecipient must have a paid Emergency Management Director, either full or part-time, who works at least 20 hours a week, and is employed as defined under Oklahoma State Statute, Title 63-683.11 to 13, Emergency Management Compact and the Fair Labor Standards Act.
2. The Subrecipient must have a current and existing Emergency Management Program. These programs must have the capability and capacity to fully complete the Scope of Work in Section 4.
3. EM Program **salary and fringe** expenses directed to the program must be sufficient to meet match and award requirements. The EMPG is based on a **50/50** match (50% local and 50% federal).
 - a. New jurisdictions are required to provide one quarter's payroll at the time of application.
 - b. **Please note:** the Subrecipient cannot replace the Emergency Management Program's budget with EMPG funds. The EMPG funds are supplemental funds for improving and/or increasing the Subrecipient's Emergency Management Program only and cannot be used to supplant existing funds.
4. Grant funds and/or grant matching funds may not be used for 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. Refer to Article 6: Funding Guidelines – Unauthorized Expenditures.
5. A facility or location must be designated as the Subrecipient's Emergency Operations Center (EOC) with the capacity to coordinate response efforts and resource capabilities in the event of an incident.
6. Maintain a 24-hour point of contact who will promptly report to the State Emergency Operations Center (SEOC) Duty Officer at 1-800-800-2481, all significant impacting events happening within the jurisdiction, per State Statute, Title 63-683.11. E.
7. Maintain a current Emergency Operations Plan (EOP) to be updated and/or reviewed annually, per State Statute, Title 63-683.11. D.
8. The jurisdiction must ensure to have an active registration for a Unique Entity Identifier (UEI) through SAM.gov prior to application submission and throughout the duration of the Period of Performance.
9. The jurisdiction must ensure and maintain the adoption and implementation of the National Incident Management System (NIMS) through annual reporting. Additional information regarding NIMS implementation and/or training can be found on the [Oklahoma Office of Homeland Security website](#).
 - a. In addition to NIMS adoption and implementation, special project sub-recipients are encouraged to begin planning for [National Qualification System \(NQS\)](#) implementation efforts at the State and jurisdictional levels.

Section 4. Scope of Work

Advancing the Whole Community approach reinforces the concept that it is the community's responsibility to take necessary and appropriate actions to protect people and property from the consequences of local emergencies and disasters. Communities are challenged to develop collective local abilities to withstand the potential impacts of these events, respond quickly, and recover in a way that sustains and improves the community's overall well-being. Achieving this collective capability calls for innovative approaches in a community-wide effort.

The efforts of the Oklahoma Department of Emergency Management and Homeland Security (ODEMHS) are to assist and support a local Subrecipient's Emergency Management Program



with the capabilities to mitigate against, prevent, protect against, respond to, and recover from both natural and man-made disasters. This includes enhancing the local Subrecipient's Emergency Management Program's existing practices, programs, institutions, and organizations.

The following six (6) activities are the minimum requirements that shall be completed by the Subrecipient.

Please Note: If extraordinary circumstances prevent a jurisdiction from meeting the requirements, the Subrecipient must obtain written approval obtained from Regional Coordinator and Program Director for each occurrence.

Please Note: Program Payroll and Scope of Work Checklist with supporting documents must be submitted quarterly to ODEMHS via the OK EMGrants platform.

A. Planning and Preparedness

1. Quarterly All-Hazard, Whole Community Planning Group Meetings

An All-Hazard, Whole Community Planning Group within your jurisdiction will be formed or continued, consisting of all Community Lifeline / Annexes and/or Emergency Support Function (ESF) representatives, Tribal representatives, Higher Education representatives, and business partners, as well as any other persons the Planning Group deems necessary to promote the "whole community" concept of planning. Meetings must be conducted quarterly at a minimum.

Note: In the case that meetings are not conducted in person due to an unforeseen circumstance, online meetings are allowed and encouraged.

Note: Regional Emergency Management Meetings do not fulfill this requirement.

Measurement Methods / Required Documentation:

- i. Dated sign-in sheets for each quarterly meeting
- ii. Minutes for each quarterly meeting. EOP planning should be reflected within these minutes.

2. Emergency Operations Plan

The Subrecipient must have an Emergency Operations Plan (EOP) to participate in the EMPG program. The All-Hazard, Whole Community Planning Group will be directly involved in the quarterly planning and updates of the Subrecipient's EOP. The EOP will be updated in accordance with the Comprehensive Preparedness Guide (CPG) 101 Version 3.0 (2021).

Note: Approval pages signed outside of the grant cycle will not be accepted.

Measurement Methods / Required Documentation:

- i. An EOP approval page signed annually by each of the Annexes or ESF representatives and the Subrecipient's highest elected (officials) by the 4th quarter report and no later than October 15, 2024.

3. Attendance of the Annual Oklahoma Emergency Management Conference

The Emergency Management Director or designee must attend the Annual Oklahoma Emergency Management Conference for its duration.

Measurement Methods / Required Documentation:

- i. A copy of the Attendance Certificate shall be submitted to OK EMGrants by the 4th quarter report and no later than October 15, 2024.



4. *Attendance of the Regional Workshop*

The ODEMHS Preparedness and Response Division, in conjunction with the Oklahoma Emergency Management Association (OEMA) Area Vice President, and local Emergency Managers within the region, will host a Regional Workshop. The Emergency Management Director or designee must attend their Region's Workshop in its entirety.

Measurement Methods / Required Documentation:

- i. A copy of the sign-in sheet, Certificate, or other documents that demonstrate attendance.

B. Training and Exercises

5. *Two (2) Exercises of Any Type*

The Subrecipient must conduct two (2) exercises of any type annually within their jurisdiction. The exercises should be based on local-approved plans, including but not limited to the Emergency Operations Plan (EOP), Hazard Mitigation Plan, Recovery / Maintenance Plans, etc. The types of exercises are Seminars, Workshops, Tabletops, Games, Drills, Functional, and Full – Scale, and they can be conducted as stand-alone events or in conjunction with an event such as the local planning meeting. All exercises must comply with the Homeland Security Exercise and Evaluation Program (HSEEP) requirements and format.

Note: If extraordinary circumstances prevent a jurisdiction from meeting the requirements, the Subrecipient must obtain written approval obtained from Regional Coordinator and Program Director for each occurrence.

Note: ODEMHS and/or regionally hosted exercises, such as WebEOC Drills and Regional Coordination, will not fulfill this requirement. These exercises must exercise the Subrecipient's jurisdictional Emergency Operations Plan.

Measurement Methods / Required Documentation:

- i. A copy of the Subrecipient After Action Report and Improvement Plan (AAR / IP) for each exercise must be submitted to OK EMGrants by the 4th quarter report and no later than October 15, 2024.

6. *EMPG Required Training*

All paid emergency management staff working for the Subrecipient are required to complete fourteen (14) FEMA courses within one (1) year of their hire date. This includes all courses listed in Group 1, and either all the courses in Group 2 (Independent Study Online- Personal Development Series) **or** all the courses in Group 3 (Basic Academy). Please see the table below regarding these required courses.

Measurement Methods / Required Documentation:

- i. Submit either FEMA Transcript and/or FEMA Course Certificates proving the completion of course work for all paid emergency management staff must be turned in with the application, except for personnel that has not reached their one (1) year anniversary as a paid employee.
- ii. The new staff members will have until the end of the grant cycle following their work anniversary to submit their training documentation.
- iii. Unless otherwise stated, only the listed versions or newer of the courses below are accepted. Any other version, aside from Group 1, will fulfill this requirement.



Group 1	
<ul style="list-style-type: none"> • IS – 100 (any version) • IS – 200 (any version) • ICS – 300 (since 2018) • G – 191 (since 2018) 	<ul style="list-style-type: none"> • IS – 700 (any version) • IS – 800 (any version) • ICS – 400 (since 2018)
Group 2	Group 3
<ul style="list-style-type: none"> • IS – 120 version a or newer • IS – 230 version d or newer • IS – 235 version b or newer • IS – 240.b • IS – 241.b • IS – 242.b • IS-244.b 	<ul style="list-style-type: none"> • IS – 230 version d or newer • E / L 101 • E/L 102 • E/L 103 • E/L 104 or 146 • E/L 105

Section 5. Authorized Representatives

The Agency Director of the Oklahoma Department of Emergency Management and Homeland Security and the Subrecipient’s Director of Emergency Management shall be the authorized representatives to complete work and negotiate changes to this agreement. On a form provided by ODEMHS, the Subrecipient will identify a Director of Emergency Management, an alternate point-of-contact (such as a deputy director), and the Subrecipient’s official mailing address.

The Director of Emergency Management for the Subrecipient will serve as the official point-of-contact (POC), responsible for reporting on or responding to inquiries regarding the six (6) phases of emergency management (mitigation, protection, prevention, response, and recovery) to include incident reporting.

Section 6. Funding Guidelines

EMPG Subgrant funds can only be used for the purposes set forth in this contract. All EMPG Subgrant fund expenditures must be accounted for and follow this funding guidance.

Grant funds may not be used for matching funds for Federal grants, cooperative agreements, lobbying or intervention in Federal regulatory or adjudicatory proceedings.

Additionally, EMPG Subgrant funds may not be used to sue the Federal government or any other government entity.

It is the Recipient’s intent to supplement, **not supplant**, city, county, and tribal Emergency Management program funds. This can only be achieved by the commitment and compliance of EMPG Subrecipients.

Authorized Expenditures

1. *Operations*

FY23 EMPG Subgrant funds may be used for all hazards local Emergency Management operations activities that may include, but are not limited to:

- a. Staffing including salary and personnel costs
- b. Compensatory time off



- c. Overtime
- d. Day-to-day activities in support of Emergency Management
- e. Associated fringe benefits

2. *Planning*

FY23 EMPG Subgrant funds may be used for a range of Emergency Management planning activities that may include, but are not limited to:

- a. Community-based planning to advance the Whole Community, Security, and Emergency Management concept.
- b. Maintaining a current Hazard Mitigation plan inclusive of a Threat Hazard Identification and Risk Assessment (THIRA).
- c. Maintaining current Emergency Operations procedures that conform to the guidelines outlined in CPG 101 v.3.
- d. Developing and/or enhancing comprehensive Emergency Management plans.

3. *Training*

FY23 EMPG Subgrant funds may be used for a range of Emergency Management-related training activities for the purposes of enhancing local Emergency Management's personnel capabilities.

Training-related expenses may include, but are not limited to:

- a. Training development, delivery, and/or evaluation
- b. Overtime
- c. Travel, lodging and registration
- d. Hiring of full or part-time staff, contractors, or consultants
- e. Certification or recertification of Instructors

4. *Exercise*

FY23 EMPG Subgrant funds may be used for a range of Emergency Management-related exercise activities for the purposes of testing and improving local Subrecipient's Emergency Management Operations plans. Qualifying exercises are those conducted within the Subrecipient's jurisdictional boundaries.

Exercise-related expenses may include, but are not limited to:

- a. Exercise conduct, design, development, and evaluation
- b. Hiring full or part-time staff, contractors, or consultants
- c. Travel, lodging, and registration
- d. Supplies

5. *Equipment*

In accordance with 2 CFR 200.310, 200.313, and 200.316 allowable equipment categories for the EMPG FY22 program are listed on the web-based version of the Authorized Equipment List (AEL) <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. Additionally, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. All requests to purchase Small Unmanned Aircraft Systems (SUAS) require preapproval and must comply with Information Bulletin (IB) 426.



Unauthorized Expenditures

- a. Reimbursement for the maintenance and/or wear and tear costs of general use vehicles (e.g., construction vehicles). The only vehicle costs that are reimbursable are fuel and/or mileage.
- b. Equipment that is purchased for permanent installation and/or use beyond the scope of exercise conduct (e.g., electronic messaging signs).
- c. Durable and non-durable goods purchased for installation and/or use beyond the scope of exercise conduct.
- d. 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, vehicles, or weapons systems of any kind with weapons installed.
- e. Costs associated with hiring, supplanting, equipping, training, etc. of sworn public safety officers whose primary job responsibilities include fulfilling traditional public safety duties such as law enforcement, firefighting, emergency medical services, or other first responder duties.
- f. Activities unrelated to the completion and implementation of the EMPG.
- g. Other items not in accordance with the authorized expenses listed above.

Section 7. Subgrant Administration Requirements

1. Any tasking the Oklahoma Department of Emergency Management and Homeland Security receives from the U.S. Department of Homeland Security, FEMA or any other federal agency that is Emergency Management related and requires the assistance of the Subrecipient shall also be considered as part of the required tasking elements under the EMPG Subgrant.
2. If the Subrecipient receives \$750,000 or more in Federal funds in Subrecipients EMPG FY23, they are responsible for compliance with the provisions of 2 CFR 200.501. The Subrecipient shall submit a copy of their audit letter signed by the auditor to the Oklahoma Department of Emergency Management and Homeland Security and/or upload it into the Federal Audit Clearinghouse.
3. The FY23 EMPG Subgrant is a performance-based grant. To ensure EMPG requirements compliance, each Subrecipients performance shall be monitored. The Subrecipient must have an active project and should be visited a minimum of four (4) times each year by a Regional Coordinator or other representative of ODEMHS. The field visits shall be conducted at a mutually agreed date, time, and location during each quarter.
4. Within fifteen (15) days following the end of each quarter the EMPG Subrecipient will submit via OK EMGrants a progress report to the Oklahoma Department of Emergency Management and Homeland Security. Submitted documentation shall be maintained by the Subrecipient and ODEMHS for a minimum of three (3) years and shall be compliant with 2 CFR 200.333. In the event the receipt of the progress report is 30 or more days delinquent, it may result in the notification of the Chief Elected Official. If the reporting for two (2) quarters is simultaneously delinquent or incomplete, it can result in Award Reduction or administrative close-out of the grant.



Quarter	Start Date	End Dates	Due Date
1st Quarter	October 1, 2023	December 31, 2023	January 15, 2024
2nd Quarter	January 1, 2024	March 31, 2024	April 15, 2024
3rd Quarter	April 1, 2024	June 30, 2024	July 15, 2024
4th Quarter	July 1, 2024	September 30, 2024	October 15, 2024

Section 8. Payment Terms

All payments will be contingent upon the Subrecipient's payment requests and supporting documentation of the Oklahoma Department of Emergency Management and Homeland Security review of required tasks. Should the Subrecipient meet the EMPG Subgrant performance requirements, the following shall occur:

1. Payment in the amount of 25% of the awarded FY23 EMPG Subgrant will be made by the Oklahoma Department of Emergency Management and Homeland Security for the First Quarter, after January 15, 2024. This is contingent upon receipt of the fully executed agreement and request for reimbursement from the Subrecipient. Documentation of the first quarter's tasks and supporting documentation for expenditures and match requirements are required. Payment will not be made until the terms of the agreement have been met and affirmed by ODEMHS.
2. Payment in the amount of 25% of the awarded FY23 EMPG Subgrant will be made for the Second Quarter after April 15, 2024. This is contingent upon receipt of the request for reimbursement from the Subrecipient. Documentation of the second quarter's tasks and supporting documentation for expenditures and match requirements are required. Payment will not be made until the terms of the agreement have been met and affirmed by ODEMHS.
3. Payment in the amount of 25% of the awarded FY23 EMPG Subgrant will be made for the Third Quarter after July 15, 2024. This is contingent upon receipt of the request for reimbursement from the Subrecipient. Documentation of the third quarter's tasks and supporting documentation for expenditures and match requirements are required. Payment will not be made until the terms of the agreement have been met and affirmed by ODEMHS.
4. Final payment in the amount of 25% of the awarded FY23 EMPG Subgrant will be made for the fourth quarter after October 15, 2024. This is contingent upon receipt of the request for reimbursement from the Subrecipient. Documentation of the fourth quarter's tasks and supporting documentation for expenditures and match requirements are required. Payment will not be made until the terms of the agreement have been met and affirmed by ODEMHS.

Payment requests will be processed within 30 days after submitted.

All payroll documentation must redact all Personal Identifiable Information (PII) prior to the submission of the document with the exception of the employee's name. The follow PII information required to be redacted include the person's:

- a. Personal/ Home address
- b. Personal/Home phone number
- c. Social Security Number (SSN)
- d. Passport Information



- e. Driver's Licence Number
- f. Credit Card Number
- g. Any other personal identification numbers

Section 9. Overmatch Funds

The Subrecipient will provide quarterly payroll and fringe benefit reports with each quarterly report. **Salary and fringe** benefits amounts will be used to meet Subrecipients' 50/50 match requirements. The Subrecipient agrees that ODEMHS may use the documented salary and fringe benefits more than its match / Overmatch to meet its own match requirements.

The Subrecipient may request to retain a portion of its Overmatch by written request and written approval by ODEMHS. The Subrecipient agrees to follow the Code of Federal Regulations (2 CFR) and the FEMA Fiscal Year 2023 Emergency Management Preparedness Grant (EMPG) Notice of Funding Opportunity (NOFO) guidelines. The jurisdiction further agrees that overmatch funds provided to ODEMHS cannot be used to match any other Federal Funds.

Section 10. Time of Completion

The Subrecipient shall complete all work from October 1, 2023, through September 30, 2024. A time extension may be approved through a written request and approval from the ODEMHS Grants Management Division.

Section 11. General Provisions

1. All work shall be completed in a professional manner and in compliance with all applicable laws.
2. To the extent required by law, individuals duly licensed and authorized by law to do so shall perform all work.
3. The Subrecipient warrants that it is adequately insured for injury to its employees and others incurring loss or injury because of the acts of the Subrecipients or its employees or agents.
4. The Subrecipient agrees that neither it nor its employees or agents are covered under insurance paid for by the State of Oklahoma and are not authorized to obligate the State of Oklahoma, its employees, or agents.
5. The Standard Assurances for Federal Funds submitted by the Subrecipient, as part of their application package, are hereby referenced and incorporated into this agreement.

Section 12. Amendments

Any alterations or deviations to this agreement shall be executed only upon written agreement of both parties and if there is a change to the agreement award for such alteration or deviation, it shall be noted.

Section 13. Waiver of Scope of Work Line Items

Waivers relieving the Subrecipient from having to complete a basic scope of work line item (**Article 4 Scope of Work**) may be requested through their Regional Coordinator and may be subject to approval by the ODEMHS Agency Director and/or the Director of Operations.

Section 14. Award Reduction or De-Obligation

If the Subrecipient fails to complete or adhere to the financial or performance-based Subgrant requirements, the award amount is subject to a reduction or full de-obligation. This includes the lack of funding match, incomplete quarterly reports, and/or consistently late submissions of required documentation.

Section 15. Suspension of Subgrant / Debarment from Future Awards

If the Subrecipient fails to complete the agreed scope of work, they may be barred from participation in the Subgrant program and/or Special Project opportunities for the following



Federal Fiscal Year.

The subrecipient must also maintain active status on SAM.gov.

Section 16. Duration and Closeout

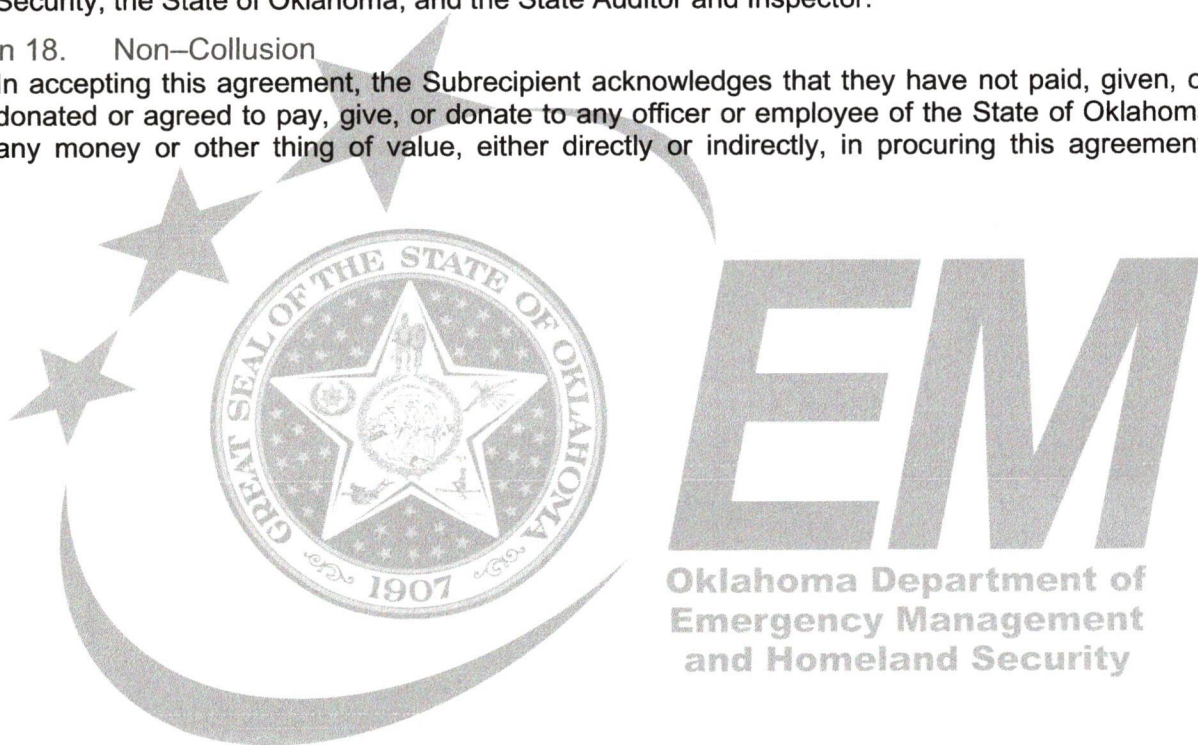
This agreement shall be in full force and effect on October 1, 2023, for both parties and terminate on September 30, 2024. Either party may cancel this agreement by providing 15 days' notice in writing to the other party. ODEMHS may at its discretion extend the term of the closeout of this agreement. If approved, extensions are typically approved for no more than a 30-day period.

Section 17. Audit Clause

In accepting this agreement, the Subrecipient agrees to this audit clause which provides that books, records, documents, accounting procedures, practices, or any other items of the Subrecipient relevant to the agreement are subject to examination by the Federal Emergency Management Agency, the Oklahoma Department of Emergency Management and Homeland Security, the State of Oklahoma, and the State Auditor and Inspector.

Section 18. Non-Collusion

In accepting this agreement, the Subrecipient acknowledges that they have not paid, given, or donated or agreed to pay, give, or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring this agreement.



Appendix 1. Federal Agreement Articles

Article I - USA PATRIOT Act of 2001

Recipients must comply with Section 817 of the Uniting and Strengthening America requirements by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. sections 175-175c.

Article II - Universal Identifier and System of Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article III - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participation of faith-based organizations in individual DHS programs.

Article IV - SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article V - Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgment of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article VI - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article VII - Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.



Article VIII - False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

Article IX - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article X - Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government

Article XI - Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XII - Non-Supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XIII - Best Practices for Collection and Use of Personally Identifiable Information (PII)

Recipients who collect PII are required to have a publicly available privacy policy that describes standards for the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article XIV - National Environmental Policy Act

Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain



conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XV - Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. section 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XVI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XVII - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. section 2225.)

Article XVIII - Trafficking Victims Protection Act of 2000 (TVPA)

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

Article XIX - Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article XX - Acceptance of Post-Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate the recipient acceptance of the changes to the award.



Article XXI - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article XXII - Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

Article XXIII - Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

Article XXIV - Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XXV - Civil Rights Act of 1964 - Title VI

Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article XXVI - Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.



Article XXVII - Lobbying Prohibitions

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XXVIII - Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article XXIX - Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101-8106).

Article XXX - Acknowledgement of Federal Funding from DHS

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article XXXI - Age Discrimination Act of 1975

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article XXXII - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

Article XXXIII - Activities Conducted Abroad

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article XXXIV - DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.



Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.

Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. After the initial submission for the first award under which this term applies, recipients are required to provide this information once every two (2) years as long as they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to the expiration of the 30-day deadline.

Article XXXV - Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article XXXVI - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provides that no person in the United States will, based on sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.



Article XXXVII - Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article XXXVIII - Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XXXIX - Use of DHS Seal, Logo, and Flags

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests, or reproductions of flags or likenesses of Coast Guard officials.

Article XL - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XLI - Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.



Appendix 2. Required Application Documents

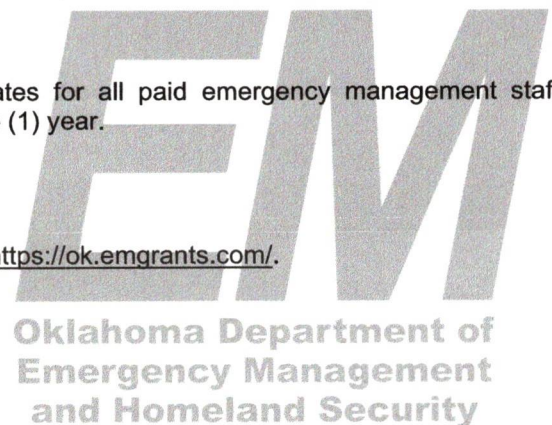
Below are the documents required to complete the FY 2023 EMPG application. All documents are required to be uploaded into OK EMGrants no later than September 15, 2023, to be accepted.

1. State of Oklahoma Designation of Subrecipient Agent
2. Delegation of Authority for a request for payment (Optional)
3. EMPG Training Checklist for all paid emergency management personnel listed on the Subgrant Funding Worksheet
4. Assurances and Certifications
 - a. Assurances: Non – Construction Programs
 - b. Assurances: Construction Programs
 - c. Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
 - d. Disclosure of Lobbying Activities (SF – LLL) (If Applicable)
5. Elected Official, City Manager, Tribal Officials Signature Page

Please provide the following documents.

6. FEMA transcript(s) and FEMA Course certificates for all paid emergency management staff employed for the jurisdiction for an excess of one (1) year.
7. The Subrecipient's NIMS Compliance Certificate

To register or access OK EMGrants, please navigate to <https://ok.emgrants.com/>.



State of Oklahoma Designation of Subrecipient Agent

Subrecipient (Jurisdictional) Information		
Name of Subrecipient:	Muskogee County EM	
Physical Address:	220 State Street Muskogee OK 74402	
Mailing Address (if different):	PO Box 2274 Muskogee OK 74402	
Employer's Identification (EIN):	73-6006395	
Unique Entity Identifier (UEI):	02-1166-1178	FIPS#:

Subrecipient Emergency Management Director (Primary Contact)			
Name:	Jeffrey L. Smith	Agency:	Muskogee Co. EM
Office Physical Address:	220 State Street Muskogee OK 74402		
EOC Address (if different):			
Office #:	918-682-2551	Cell#:	918-348-5014
Email Address:	jsmith@readymuskogee.org		

Subrecipient Emergency Management Alternate (Secondary Contact)			
Name:	Carrie Wages	Agency:	Muskogee Co EM
Office Physical Address:	220 State Street Muskogee OK 74402		
Office #:	918 682 2551	Cell#:	918 316 8260
Email Address:	cwages@readymuskogee.org		

Certification			
<p>The above Primary and Secondary contacts are hereby authorized as the Subrecipient's point of contact (POC) for the purpose of reporting disasters and emergencies and the extent associated with them to the Oklahoma Department of Emergency Management and Homeland Security (ODEMHS). The above-designated points of contact are further authorized to take such action, prepare required documentation, and attend meetings (i.e., applicant briefing or kick-off meetings) as may be required on behalf of the Subrecipient until contrary notice is given to ODEMHS.</p>			
Governing Body (Jurisdiction):	Muskogee County Board of Commissioners		
Certifying Official:	Kenny Payne		
Title:	Chairman		
Office#:	918-682-1910	Email Address:	Kpayne@readymuskogee.org



Delegation of Authority

(Optional)

By means of this document, I, Kenny Payne, hereafter known as "the Delegating Official," delegate the authority herein described to Jeffrey L. Smith, hereafter known as "the Delegate," on the following terms and conditions:

1. The Delegate may request reimbursement(s) under the Emergency Management Performance Grant contractual agreement for an amount not to exceed the award amount within the period of performance.
2. This delegation remains effective for the duration of the FY 2023 ODEMHS EMPG Subgrant Period of Performance unless revoked in writing by the Delegating Official.
3. The authority delegated is not subject to sub-delegation without the prior and express written consent of the Delegating Official.

Kenny Payne
Signature, Delegating Official

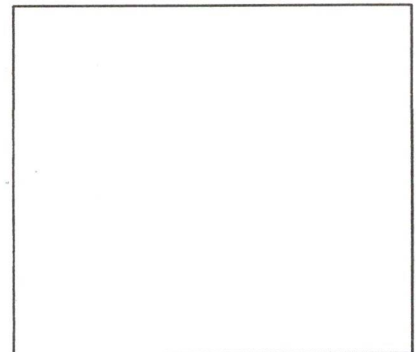
Kenny Payne, Chairman
Name and Title

Date

Jeffrey L. Smith
Signature, Delegate

Jeffrey L. Smith, Director
Name and Title
Oklahoma Department of
Emergency Management
and Homeland Security

09/12/2023
Date



Notary



SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

M.B. No. 3067-0206
Expires February 28, 2007

FOR
FY 2023

CA FOR (Name of Applicant)

Muskogee County Emergency Management

This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for Federal Assistance.

An applicant must check each item that they are certifying to:

- Part I FEMA Form 20-16A, Assurances-Nonconstruction Programs
- Part II FEMA Form 20-16B, Assurances-Construction Programs
- Part III FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Part IV SF LLL, Disclosure of Lobbying Activities (If applicable)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

Jeffrey L. Smith
Typed Name of Authorized Representative

Director
Title

Signature of Authorized Representative

Oklahoma Department of
Emergency Management
and Homeland Security
Date Signed

NOTE: By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

Paperwork Burden Disclosure Notice

"Public reporting burden for this form is estimated to average 1.7 hours per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the form, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0206). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Please do not send your completed form to the above address.

FEDERAL EMERGENCY MANAGEMENT AGENCY
ASSURANCES-NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration) 5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

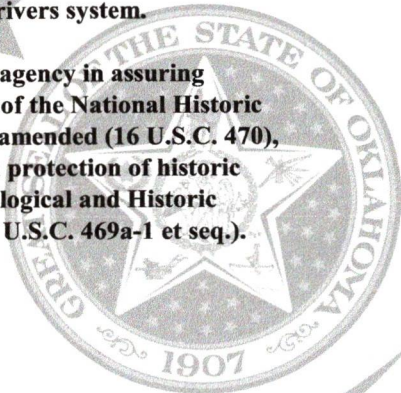
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.



Oklahoma Department of
Emergency Management
and Homeland Security

**FEDERAL EMERGENCY MANAGEMENT AGENCY
CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 28 CFR Part 17, "Government-wide Debarment and suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

A. As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all subrecipients shall certify and disclose accordingly.

Standard Form LLL, "Disclosure of Lobbying Activities" attached.
(This form must be attached to certification if nonappropriated funds are to be used to influence activities.)

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17, Sections 17.615 and 17.620:

A. The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

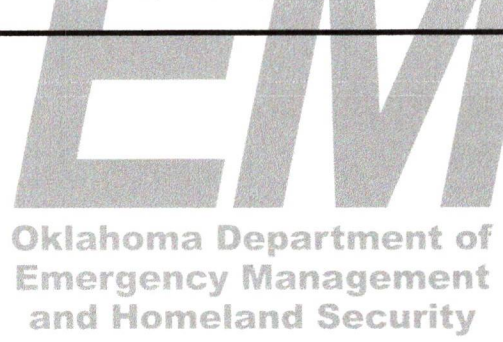
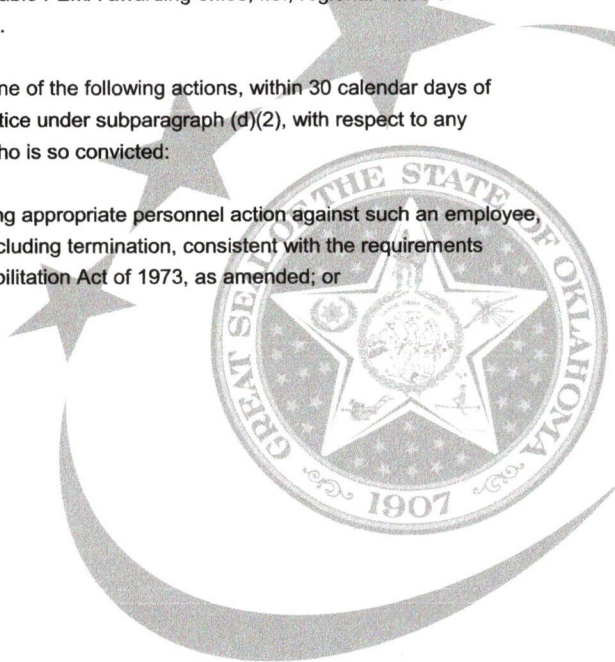
8. the grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

200 State Street
Muskogee OK 74402

Check if there are workplaces on file that are not identified here.

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a Statewide certification.




Elected Officials / City Manager / Tribal Officials

Fiscal Year 2023 Emergency Management Performance Grant (EMPG) Program

By signing below, we are applying for the ODEMHS Fiscal Year 2023 Emergency Management Performance Program Subgrant Program. Our jurisdiction is committed to fulfilling the scope of work and grant requirements listed within the associated Notice of Funding Opportunity, which serves as the grant agreement, and have an understanding that, if our jurisdiction fails to abide by this agreement, the funding is subject to a reduction and full de-obligation for the project.

Approved By:



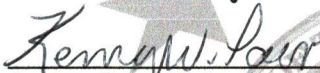
County Commissioner, District 1

City Mayor or Manager

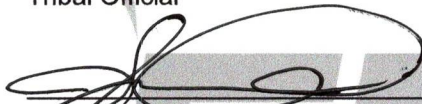


County Commissioner, District 2

Tribal Official

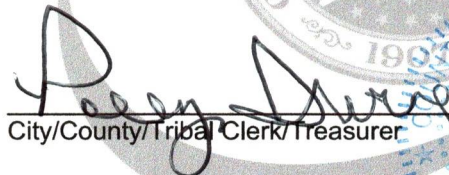


County Commissioner, District 3



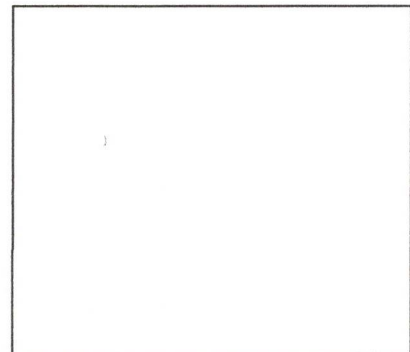
Emergency Management Director

Witnessed By:



City/County/Tribal Clerk/Treasurer

Date 9/18/2023



Notary

