The Department of Homeland Security (DHS)  
Notice of Funding Opportunity (NOFO)  
Fiscal Year (FY) 2020 Emergency Management Performance Grant Program  
COVID-19 Supplemental (EMPG-S)

NOTE: To receive an award under this funding opportunity you must have a Data Universal Numbering System (DUNS) number and be currently registered in the System for Award Management (SAM). Please take immediate action to obtain a DUNS Number, if applicable, and then to register immediately in SAM. It may take four weeks or more after you submit your SAM registration before your registration is active in SAM, then an additional 24 hours for Grants.gov to recognize your information. Information on obtaining a DUNS number and registering in SAM is available from Grants.gov at: http://www.grants.gov/web/grants/register.html. Detailed information regarding DUNS and SAM is also provided in Section D of this NOFO, subsection, Content and Form of Application Submission.

Program Description

1. Issued By  
   U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD)

2. Assistance Listings Number (formerly Catalog of Federal Domestic Assistance (CFDA) Number)  
   97.042

3. Assistance Listings Title (formerly CFDA Title)  
   Emergency Management Performance Grant Program

4. Funding Opportunity Title  
   Emergency Management Performance Grant Program, COVID-19 Supplemental (EMPG-S)

5. Funding Opportunity Number

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<thead>
<tr>
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<th>NOFO Number</th>
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<td>EMPG-S – Region I</td>
<td>DHS-20-GPD-042-01-02</td>
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6. Authorizing Authority for Program


7. Appropriation Authority for Program


8. Announcement Type

Formula

9. Program Overview, Objectives, and Priorities

Program Overview

The Fiscal Year (FY) 2020 Emergency Management Performance Grant Program – COVID-19 Supplemental (EMPG-S) assists states, territories, tribes, and local governments with their public health and emergency management activities supporting the prevention of, preparation for, and response to the ongoing Coronavirus Disease 2019 (COVID-19) public health emergency. Through this funding opportunity, FEMA will award funding to support planning and operational readiness for COVID-19 preparedness and response, development of tools and strategies for prevention, preparedness, and response, and ongoing communication and coordination among federal, State, local, tribal, and territorial partners throughout the response.

Objectives

The FY 2020 EMPG-S program will provide funds to assist State, local, tribal, and territorial emergency management agencies with preventing, preparing for, and responding to the COVID-19 public health emergency.

Priorities

In general, the priorities under this funding opportunity will address the States’ response to the COVID-19 public health emergency. In keeping with FEMA Administrator Gaynor’s priorities as outlined in his March 27, 2020 letter to emergency managers, FEMA encourages funding to be used for:

1. Mitigation activities (related to slowing the spread of COVID-19);
2. Integration of emergency management and public health operations;
3. Collection and display of public, private, and governmental data of hospital bed and ventilator capacity and usage;
4. Collection and display of PPE inventories and establishment of burn rates to forecast future needs;
5. Planning for alternate care sites;
6. Identifying all sources to surge medical professionals.
EMPG-S funding also can be used to assist emergency managers with implementing community lifelines to prevent, prepare for, and respond to the COVID-19 public health emergency. The lifelines concept simplifies incident information to provide decision makers with clearly identified impacts to critical community services and root causes that inform response and recovery actions. The Community Lifelines Implementation Toolkit provides whole community partners the information and resources to understand lifelines and to coordinate with entities using lifelines. The toolkit serves as basic guidance for how to implement the lifeline construct during incident response.

Examples of areas eligible for funding under this funding opportunity include, but are not limited to:
1. Data Collection and Analysis
2. Plan Development
3. Jurisdictional Recovery
4. Information Sharing
5. Emergency Public Information and Warning and Risk Communication
6. Logistics and Supply Chain Management
7. Development of Distribution Management Plans

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

B. Federal Award Information

1. Available Funding for the NOFO: $100 million

Funding awarded under this NOFO is separate and distinct from any funding that will be awarded under the FY 2020 EMPG Program NOFO published on February 14, 2020. EMPG-S awards are based on the CARES Act and section 662 of the Post-Katrina Emergency Management Reform Act of 2006, as amended (6 U.S.C. § 762). All 50 States, the District of Columbia, and Puerto Rico each receive a base amount of 0.75 percent of the total available funding appropriated for the EMPG-S program. Four territories (American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands) each receive a base amount of 0.25 percent of the total available funding appropriated for the EMPG-S program. The remaining balance of the funds appropriated for the EMPG-S are distributed on a population-share basis.

FY 2020 EMPG-S Allocations

<table>
<thead>
<tr>
<th>State/Territory</th>
<th>Allocation</th>
<th>State/Territory</th>
<th>Allocation</th>
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<tr>
<td>Alabama</td>
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<td>Nevada</td>
<td>$1,306,974</td>
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<td>Arizona</td>
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<td>Arkansas</td>
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<td>New Mexico</td>
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<td>State/Territory</td>
<td>Allocation</td>
<td>State/Territory</td>
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<td><strong>Total</strong></td>
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2. **Period of Performance:** Twenty-four (24) months
   
   Extensions to the period of performance are allowed only in limited circumstances. For additional information on period of performance extensions, refer to Section H: Additional Information of this NOFO.

3. **Projected Period of Performance Start Date(s):** January 27, 2020

4. **Projected Period of Performance End Date(s):** January 26, 2022

5. **Funding Instrument Type:** Grant

**C. Eligibility Information**

1. **Eligible Applicants**
   
   State or territorial governments (the State Administrative Agency [SAA] or the State’s Emergency Management Agency [EMA]).
2. **Recipient Eligibility Criteria**

All 56 States and territories are eligible to apply for FY 2020 EMPG-S funds. Either the SAA or the EMA is eligible to apply directly to FEMA for EMPG funds on behalf of each state or territory. However, only one application will be accepted from each state or territory.

3. **Other Eligibility Criteria**

**Emergency Management Assistance Compact (EMAC) Membership**

In support of the Goal, EMPG-S recipients must belong to, be located in, or act as an EMAC temporary member state, except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not currently subject to these requirements. All assets supported in part or entirely with FY 2020 EMPG-S funding must, where applicable, be readily deployable to support emergency or disaster operations per existing EMAC agreements.

**National Incident Management System (NIMS) Implementation**

Recipients must ensure and maintain adoption and implementation of NIMS. Emergency management and incident response activities require carefully managed resources to meet incident needs. Use of the standardized resource management concepts such as typing, credentialing, and inventorying promotes a strong national mutual aid capability needed to support delivery of core capabilities. Additional information on resource management and NIMS resource typing definitions and job titles/position qualifications is available on DHS/FEMA’s website under [http://www.fema.gov/resource-management-mutual-aid](http://www.fema.gov/resource-management-mutual-aid).

DHS/FEMA developed the NIMS Guideline for Credentialing of Personnel to describe national credentialing standards and provide written guidance regarding the use of those standards. That guideline describes credentialing and typing processes and identifies tools that Federal Emergency Response Officials (FEROs) and emergency managers at all levels of government may use, both routinely and to facilitate multijurisdictional coordinated responses.


4. **Cost Share**

The FY 2020 EMPG-S program has a cost-share requirement. The recipient contribution can be cash (hard match) or third-party in-kind (soft match). Eligible EMPG-S program recipients shall agree to make available non-Federal funds to carry out an EMPG-S award in amount not less than 50 percent of the total project cost. In other words, the Federal share applied toward the EMPG-S budget shall not exceed 50 percent of the total budget as submitted in the application and approved in the award. If the total project ends up costing more, the recipient is responsible for any additional costs; if the total project ends up costing less, the recipient may owe FEMA an amount required to ensure that the Federal cost share is not in excess of 50 percent. A State must at least equally match (cash or third party in-kind) the Federal contribution pursuant to sections 611(j) and 613(a) of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Pub. L. No. 93-288) (codified as amended at 42 U.S.C. §§ 5196(j), 5196b(a)). Unless otherwise
authorized by law, Federal funds cannot be matched with other Federal funds. The recipient’s contribution should be specifically identified. These non-Federal contributions have the same eligibility requirements as the Federal share.

DHS/FEMA administers cost-matching requirements in accordance with 2 C.F.R. § 200.306. To meet matching requirements, the recipient contributions must be verifiable, reasonable, allowable, allocable, necessary under the grant program, and in compliance with all applicable Federal requirements and regulations.

For example, if the Federal award were at a 50 percent cost share and the total approved budget cost was $100,000, then:

- Federal share is 50 percent of $100,000 = $50,000
- Recipient share is 50 percent of $100,000 = $50,000

However, with this example, if the total cost ended up being $120,000, the Federal share would remain at 50 percent of the total approved budget at the time of application of $100,000. If the total cost ended up being $80,000, then the 50 percent Federal share would decrease to $40,000, and the recipient cost share would be $40,000.

In accordance with 48 U.S.C. § 1469a, cost-match requirements are waived for the insular areas of the U.S. territories of American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

D. Application and Submission Information

Due to the exigent nature of this pandemic, DHS/FEMA has streamlined the application process, requiring submission of minimal information at the time of application. The application review process will be expedited to ensure funding is awarded as quickly as possible, based on the allocations outlined in the table above. No holds will be placed on awarded funds following recipient acceptance of the award. However, by July 30, 2020, recipients will be required to provide an interim EMPG-S Work Plan to DHS/FEMA in order to document how funds have been and/or will be used. Details on what must be included in the Work Plan are found in Appendix B.

1. Key Dates and Times

   a. Application Start Date: April 13, 2020
   b. Application Submission Deadline: April 28, 2020 at 5 p.m. EDT

All applications must be received by the established deadline. The Non-Disaster (ND) Grants System has a date stamp that indicates when an application is submitted. Applicants will receive an electronic message confirming receipt of their submission. For additional information on how an applicant will be notified of application receipt, see the section titled “Timely Receipt Requirements and Proof of Timely Submission.”

DHS/FEMA will generally not review applications that are received after the deadline or consider them for funding. DHS/FEMA may, however, extend the application deadline on request for an applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems
outside of the applicant’s control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for DHS/FEMA to make an award.

**Applicants experiencing technical problems outside of their control must notify the respective FEMA Program Analyst as soon as possible and before the application deadline.** Failure to timely notify FEMA of the issue that prevented the punctual filing of the application may preclude consideration of the award. “Timely notification” of FEMA means the following: prior to the application deadline and within 48 hours after the applicant became aware of the issue.

For additional assistance using the ND Grants System, please contact the ND Grants Service Desk at (800) 865-4076 or NDGrants@fema.dhs.gov. The ND Grants Service Desk is available Monday through Friday, 9:00 a.m. – 5:00 p.m. EDT. If applicants do not know their FEMA Program Analyst or if there are programmatic questions or concerns, please contact the Centralized Scheduling and Information Desk (CSID) by phone at (800) 368-6498 or by e-mail at askcsid@fema.dhs.gov, Monday through Friday, 9:00 a.m. – 5:00 p.m. EDT.

c. **Anticipated Award Date:** May 8, 2020

d. **Other Key Dates**

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<tr>
<th>Event</th>
<th>Suggested Deadline for Completion</th>
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</thead>
<tbody>
<tr>
<td>Obtaining DUNS Number</td>
<td>Four weeks before actual submission deadline</td>
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<tr>
<td>Obtaining a valid EIN</td>
<td>Four weeks before actual submission deadline</td>
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<tr>
<td>Updating SAM registration</td>
<td>One day before actual submission deadline</td>
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<td>April 28, 2020 by 5 p.m. EDT</td>
</tr>
<tr>
<td>Final application in the ND Grants System</td>
<td>April 28, 2020 by 5 p.m. EDT</td>
</tr>
</tbody>
</table>

2. **Agreeing to Terms and Conditions of the Award**

By accepting an award under this funding opportunity, recipients agree to comply with the requirements of this NOFO and the terms and conditions of the award, should they receive an award.

3. **Steps Required to Obtain Unique Entity Identifier, and System for Award Management (SAM)**

Applying for an award under the programs covered by this Notice of Funding Opportunity is a multi-step process. To ensure that their applications are submitted on time, applicants are advised to start the required steps well in advance of their application submissions. Failure of an applicant to comply with any of the required steps before the deadline for submitting an application may disqualify that application from funding. To apply for an award under this program, all applicants must:

a. Apply for, update, or verify their Data Universal Numbering System (DUNS) Number from Dun & Bradstreet (D&B) and Employer ID Number (EIN) from the Internal Revenue Service;
b. In the application, provide a valid DUNS number, which is currently the unique entity identifier;

c. Have an account with login.gov;

d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;

e. Create a Grants.gov account;

f. Add a profile to a Grants.gov account;

g. Establish an Authorized Organizational Representative (AOR) in Grants.gov;

h. Register in the ND Grants System;

i. Submit an initial application in Grants.gov;

j. **Submit the final application in the ND Grants System, including electronically signing applicable forms**; and

k. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency.

Applicants are advised that DHS may not make a federal award until the applicant has complied with all applicable DUNS and SAM requirements. Therefore, an applicant’s SAM registration must be active not only at the time of application, but also during the application review period and when DHS is ready to make a federal award. Further, as noted above, an applicant’s or recipient’s SAM registration must remain active for the duration of an active federal award. If an applicant’s SAM registration is expired at the time of application, expires during application review, or expires any other time before award, DHS may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

**Important:** SAM registrations expiring before May 16, 2020 will be afforded a one-time 60-day extension. In conjunction with this exception, GSA has initiated 60-day extensions to SAM.gov registrations that have expiration dates ranging between March 19, 2020 and May 17, 2020. GSA expected to take until March 28, 2020 to complete all extensions. This effort is intended as relief for those otherwise required to renew their SAM registrations during that time frame. At the time of award, the requirements of 2 C.F.R. § 200.205 *Federal awarding agency review of risk posed by applicants* continue to apply. Note that this extension only applies to existing SAM registrations. Applicants who are not currently registered in SAM must still register in order to apply for this funding opportunity.

Specific instructions on how to apply for, update, or verify a DUNS number or SAM registration or establish an AOR are included below in the steps for applying through Grants.gov. Applicants are advised that DHS/FEMA may not make a federal award until the applicant has complied with all applicable DUNS and SAM requirements. Therefore, an applicant’s SAM registration must be active not only at the time of application, but
also during the application review period and when DHS/FEMA is ready to make a federal award. Further, as noted above, an applicant’s or recipient’s SAM registration must remain active for the duration of an active federal award. If an applicant’s SAM registration is expired at the time of application, expires during application review, or expires any other time before award, DHS/FEMA may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

4. **Electronic Delivery**
DHS/FEMA is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS/FEMA requires applicants to submit their initial applications online through Grants.gov and to submit their final applications through the ND Grants System.

5. **Content and Form of Application Submission**
The following forms or information are required to be submitted in either Grants.gov or the ND Grants System. The Standard Forms (SFs), submitted either through Grants.gov, through forms generated in the ND Grants System, or as an attachment in the ND Grants System, are available at https://www.grants.gov/web/grants/forms/sf-424-family.html.

- **SF-424, Application for Federal Assistance**, submitted through Grants.gov
- **Grants.gov Lobbying Form, Certification Regarding Lobbying**, submitted through Grants.gov
- **SF-424A, Budget Information (Non-Construction)**, submitted via the forms generated by the ND Grants System
- **SF-424B, Standard Assurances (Non-Construction)**, submitted via the forms generated by the ND Grants System
- **SF-LLL, Disclosure of Lobbying Activities**, via the forms generated by the ND Grants System
- **Indirect Cost Agreement or Proposal**, submitted as an attachment in ND Grants if the budget includes indirect costs and the applicant is required to have an indirect cost rate agreement or proposal. See further information below regarding allowability of indirect costs and documentation requirements, including if the applicant does not have or is not required to have an indirect cost rate agreement or proposal, or contact the relevant Program Analyst or Grants Management Specialist for further instructions.

6. **Intergovernmental Review**
An intergovernmental review may be required. Applicants must contact their state’s Single Point of Contact (SPOC) to comply with the state’s process under Executive Order 12372 (See https://www.archives.gov/federal-register/codification/executive-order/12372.html; https://www.whitehouse.gov/wp-content/uploads/2019/02/SPOC-February-2019.pdf).

7. **Environmental Planning and Historic Preservation (EHP) Compliance**
As a federal agency, DHS/FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by
DHS/FEMA, including grant-funded projects, comply with Federal EHP regulations, laws, and Executive Orders, as applicable.

**Recipients and subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, modification of existing buildings, structures, and facilities, must participate in the DHS/FEMA EHP review process.**

The EHP review process involves the submission of a detailed project description along with any supporting documentation requested by DHS/FEMA in order to determine whether the proposed project has the potential to impact environmental resources or historic properties.

In some cases, DHS/FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies.

Additionally, all recipients and subrecipients receiving funding under a program covered by this Manual are required to comply with DHS/FEMA EHP Policy Guidance, FEMA Policy #108-023-1. The EHP screening form is located [https://www.fema.gov/media-library/assets/documents/90195](https://www.fema.gov/media-library/assets/documents/90195), and further EHP guidance can be found at [https://www.fema.gov/media-library/assets/documents/118323](https://www.fema.gov/media-library/assets/documents/118323).

8. **Funding Restrictions**

Federal funds made available through this award may only be used for the purpose set forth in this award and must be consistent with the statutory authority for the award. Award funds may not be used for matching funds for any other Federal award, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity.

EMPG-S recipients may only fund activities and projects that are for the purpose of preventing, preparing for, and responding to the coronavirus and are allowable within the rules prescribed by this NOFO. Funds under this award shall not be used for activities unrelated to coronavirus prevention, preparedness, or response. For additional guidance on funding restrictions, refer to [Appendix A, FY 2020 EMPG-S Funding Guidelines](#).

9. **Allowable Costs**

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

a. **Pre-Award Costs:** Coronavirus-related pre-award costs incurred from October 1, 2019 through the start of the period of performance are allowable if requested with the application. To request pre-award costs, a written request must be included with the application, signed by the Authorized Representative of the entity. The letter must outline what the pre-award costs are for, including a detailed budget break-out of pre-award costs from the post-award costs. Pre-award costs unrelated to coronavirus are not allowable.

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

c. **Indirect Facilities & Administrative (F&A) Costs:** Indirect costs are allowable under this program as described in 2 C.F.R. Part 200, including 2 C.F.R. § 200.414. Applicants with a negotiated indirect cost rate agreement that desire to charge indirect costs to an award must provide a copy of their negotiated indirect cost rate agreement at the time of application. Applicants that are not required by 2 C.F.R. Part 200 to have a negotiated indirect cost rate agreement but are required by 2 C.F.R. Part 200 to develop an indirect cost rate agreement must provide a copy of their proposal at the time of application. Post-award requests to charge indirect costs will be considered on a case-by-case basis and based upon the submission of an agreement or proposal as discussed above.

d. **Direct Costs:** The following provides a summary of allowable direct costs under this program. Such costs are allowable only to the extent that they support activities associated with preventing, preparing for, and responding to the COVID-19 public health emergency. Further details are provided in [Appendix A, FY 2020 EMPG-S Funding Guidelines](#).

1) **Planning:** Planning costs are allowed.

2) **Organization:** Organization costs are allowed.

3) **Equipment:** Equipment costs are allowed.

4) **Training:** Training costs are allowed.

5) **Exercises:** Exercise costs are **not allowed** under this program.

6) **Consultants/Contractors:** Hiring of full-time or part-time contract planners or consultants to assist with planning and training activities is allowable under this program. Hiring public safety personnel fulfilling traditional public safety duties is **not an allowable cost** under this program.

7) **Travel:** Domestic travel costs are allowed. International travel is **not an allowable cost** under this program unless approved in advance by DHS/FEMA.

8) **Rental of Real Property:** Rental of real property space/locations is allowable under this program to support emergency management operations, including planning and training activities in a manner consistent with 2 C.F.R. § 200.432. Recipients are encouraged to use free public space/locations, whenever available, prior to the rental of space/locations.

9) **Supplies:** Supply costs are allowed.

10) **Construction and Renovation:** Construction and renovation costs are allowed.

11) **Maintenance and Sustainment:** Maintenance and sustainment costs are allowed.
E. Application Review Information

1. Application Evaluation Criteria

a. Programmatic Criteria
DHS/FEMA Grant Programs Directorate will conduct an initial programmatic review of all FY 2020 EMPG-S applications to verify completeness and adherence to programmatic guidelines. There is a cost share requirement for EMPG. Failure to note the match on the SF-424 at time of application may delay processing of the application.

A final programmatic review will be conducted by FEMA Regional EMPG-S Managers upon submission of the required FY 2020 EMPG-S Work Plan, which is due by July 30, 2020. No holds will be placed on funds. However, the results of the Work Plan review process may require recipients to revise their submissions and holds may be placed on funds for failure to comply with the Work Plan requirements.

Grant recipients are expected to conform, as applicable, with accepted engineering practices, established codes, standards, modeling techniques, and best practices, and participate in the development of case studies demonstrating the effective use of grant funds, as requested.

b. Financial Integrity Criteria
Prior to making a federal award, DHS/FEMA is required by 31 U.S.C. § 3321 note, 41 U.S.C. § 2313, and 2 C.F.R. § 200.205 to review information available through any OMB-designated repositories of government wide eligibility qualification or financial integrity information. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant:

1) Financial stability.
2) Quality of management systems and ability to meet management standards.
3) History of performance in managing federal award.
4) Reports and findings from audits.
5) Ability to effectively implement statutory, regulatory, or other requirements.

c. Supplemental Financial Integrity Review
Prior to making a Federal award where the anticipated Federal share of a Federal award will be greater than the simplified acquisition threshold, currently $250,000 (see Section 805 of the National Defense Authorization Act for Fiscal Year 2008, Pub. L. No. 115-91, OMB Memorandum M-18-18 at: https://www.whitehouse.gov/wp-content/uploads/2018/06/M-18-18.pdf; see also FEMA GPD Information Bulletin No. 434, Increases and Changes to the Micro-Purchase and Simplified Acquisition Thresholds):
1) DHS/FEMA is required to review and consider any information about the applicant in the designated integrity and performance system accessible through the System for Award Management (SAM), which is currently the Federal Awardee Performance and Integrity Information System (FAPIIS) and is also accessible through the SAM website.

2) An applicant, at its option, may review information in FAPIIS and comment on any information about itself that a Federal awarding agency previously entered.

3) DHS/FEMA will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant’s integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants, as described in 2 C.F.R. § 200.205.

F. Federal Award Administration Information

1. Notice of Award
   The ND Grants System will notify applicants of award approval through an automatic electronic mail to the awardee-authorized official listed in the initial application. The “award date” for the FY 2020 EMPG-S Program will be the date that DHS/FEMA approves the award. The awardee should follow the directions in the notification to confirm acceptance of the award.

   Recipients must accept their awards no later than 60 days from the award date. The recipient shall notify the awarding agency of its intent to accept and proceed with work under the award through the ND Grants System. For instructions on how to accept or decline an award in the ND Grants System, please see the ND Grants Recipient Training Manual.

   Funds will remain on hold until the recipient accepts the award through the ND Grants System and satisfies all other conditions of award, or if the award is otherwise rescinded. Failure to accept the grant award within the 60-day timeframe may result in a loss of funds.

   **Obligation or Transfer to State EMA and Pass-Through Funding**
   Each State or territory shall obligate 100 percent of its total EMPG allocation to the designated State-level EMA. If the SAA is also the EMA, this requirement is automatically met. If the SAA is a separate agency or has a separate budget process, then all EMPG funds must be obligated to the EMA within 15 days of the grant award date. In instances where the State EMA is making sub-awards to local jurisdictions, DHS/FEMA expects the State EMA to make these awards as expeditiously as possible.

2. Administrative and National Policy Requirements
   All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at: DHS Standard Terms and Conditions.
The applicable DHS Standard Terms and Conditions will be those in effect at the time the award was made, unless the application is for a continuation award. In that event, the terms and conditions in effect at the time the original award was made will generally apply. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

Before accepting the award, the AOR should carefully read the award package for instructions on administering the grant award and the terms and conditions associated with responsibilities under federal awards. Recipients must accept all conditions in this NOFO as well as any special terms and conditions in the Notice of Award to receive an award under this program.

3. Reporting

Recipients are required to submit various financial and programmatic reports as a condition of award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent.

a. Federal Financial Reporting Requirements


2) Financial Reporting Periods and Due Dates: An FFR must be submitted quarterly throughout the period of performance (POP), including partial calendar quarters, as well as in periods where no grant award activity occurs. Future awards and fund drawdowns may be withheld if these reports are delinquent, demonstrate a lack of progress, or are insufficient in detail.

The following reporting periods and due dates apply for the FFR:

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>Report Due Date</th>
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</thead>
<tbody>
<tr>
<td>October 1 – December 31</td>
<td>January 30</td>
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<tr>
<td>January 1 – March 31</td>
<td>April 30</td>
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<tr>
<td>April 1 – June 30</td>
<td>July 30</td>
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<tr>
<td>July 1 – September 30</td>
<td>October 30</td>
</tr>
</tbody>
</table>

b. Program Performance Reporting Requirements

1) Performance Progress Reports (PPR): Recipients are responsible for providing updated performance reports to FEMA using a Microsoft Word (Word) document summary attached in the ND Grants System on a quarterly basis. As explained in the Standardized Programmatic Reporting section below, the Quarterly Performance Progress Reports must be based on the approved EMPG-S Work Plan and are due no later than 30 days after the end of the quarter (i.e., on January 30, April 30, July 30, and October 30).
Recipients must complete the summary of activities and submit it as an attachment to the ND Grants System.

Recipients are required to report quarterly on progress toward completing activities and projects approved in their EMPG-S Work Plans and how expenditures have supported prevention, preparedness, and response activities associated with the COVID-19 public health emergency.

2) *Program Performance Reporting Periods and Due Dates*

The following reporting periods and due dates apply for the Program Performance Reports:

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>Report Due Date</th>
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<tbody>
<tr>
<td>October 1 – December 31</td>
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<td>July 1 – September 30</td>
<td>October 30</td>
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</tbody>
</table>

3) *Standardized Programmatic Reporting for EMPG-S*

The [FY 2020 EMPG-S Work Plan template](#) includes three components: (1) Program and Budget Narrative, (2) Personnel Data Table, and (3) Grant Activities Outline. Baseline data on personnel and training, as well as the Grant Activities Outline, must be provided in the EMPG-S Work Plan at the time of application and will form the basis of the Quarterly Performance Progress Report Word document submissions. The Grant Activities Outline is structured to enable reporting of quarterly activities according to Emergency Management Function (EMF) projects, as well as standardized reporting of activity completion status.

c. **Close Out Reporting Requirements**

Within 90 days after the end of the POP for the prime award or after an amendment has been issued to close out an award, whichever occurs first, recipients must submit the following documentation in the ND Grants System:

1) The final request for payment, if applicable;
2) The final FFR (SF-425);
3) Final PPR;
4) A qualitative narrative summary of the impact of those accomplishments throughout the entire POP submitted to the respective FEMA Program Analyst; and
5) Other documents required by program guidance, NOFOs, appendices to this Manual, or terms and conditions of the award.

In addition, any recipient that issues subawards to any subrecipient is responsible for closing out those subawards as described in 2 C.F.R. § 200.343. Recipients must ensure that they complete the closeout of their subawards in time to submit
all necessary documentation and information to DHS/FEMA during the closeout of their prime award.

After the prime award closeout reports have been reviewed and approved by DHS/FEMA, a closeout notice will be completed. The notice will indicate the POP as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the award records for at least three years from the date of the final FFR. The record retention period may be longer than three years due to an audit, litigation, or other circumstances outlined in 2 C.F.R. § 200.333.

Recipients are responsible for refunding to FEMA any unobligated balances that FEMA paid that are not authorized to be retained per 2 C.F.R. § 200.343(d).

d. **Disclosing Information per 2 C.F.R. § 180.335**

This reporting requirement pertains to disclosing information related to government-wide suspension and debarment requirements. Before a recipient enters into a grant award with DHS/FEMA the recipient must notify DHS/FEMA if it knows if it or any of the recipient’s principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335:

1) Are presently excluded or disqualified;

2) Have been convicted within the preceding three years of any of the offenses listed in 2 C.F.R. § 180.800(a) or had a civil judgment rendered against it or any of the recipient’s principals for one of those offenses within that time period;

3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses listed in 2 C.F.R. § 180.800(a); or

4) Have had one or more public transactions (federal, state, or local) terminated within the preceding three years for cause or default.

At any time after accepting the award, if the recipient learns that it or any of its principals falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to DHS/FEMA in accordance with 2 C.F.R. § 180.350.

e. **Single Audit Report**

For fiscal years beginning on or after Dec. 26, 2014, recipients that expend $750,000.00 or more from all federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report, also known as a “single audit” report.

f. **Reporting of Matters Related to Recipient Integrity and Performance**

Per 2 C.F.R. Part 200, Appendix I § F.3, the additional post-award reporting requirements in 2 C.F.R. Part 200, Appendix XII may apply to applicants who, if upon becoming recipients, have a total value of currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies that exceeds $10 million for any period of time during the period of performance of an award under this funding opportunity. Recipients that meet these criteria must maintain current information reported in FAPIIS about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII at the reporting frequency described in paragraph 4 of Appendix XII.

4. **Monitoring and Evaluation**

Per 2 C.F.R. § 200.336, DHS/FEMA, through its authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and management control systems to review project accomplishments and to provide any required technical assistance. During site visits, DHS/FEMA will review grant recipients’ files related to the grant award. As part of any monitoring and program evaluation activities, grant recipients must permit DHS/FEMA, upon reasonable notice, to review grant-related records and to interview the organization’s staff and contractors regarding the program. Recipients must respond in a timely and accurate manner to DHS/FEMA requests for information relating to the grant program.

EMPG-S recipients will be monitored programmatically and financially annually and as needed by DHS/FEMA Regional staff to ensure that activities, project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Monitoring may be accomplished through either a desk-based review, onsite monitoring visits, or both. Monitoring will involve the review and analysis of the financial, programmatic, performance, compliance and administrative processes, policies, activities, and other attributes of each Federal assistance award and will identify areas where technical assistance, corrective actions, or other support may be needed.

G. **DHS Awarding Agency Contact Information**

1. **Contact and Resource Information**

a. **FEMA Regional Offices**

FEMA Regional offices manage, administer, and close out awards, as well as conduct cash analysis, financial and programmatic monitoring, and audit resolution for the EMPG-S program. This includes review and approval of Work Plans. The Regions also provide technical assistance to EMPG-S awardees. FEMA Regional Office contact information is available at [https://www.fema.gov/fema-regional-contacts](https://www.fema.gov/fema-regional-contacts).

b. **Program Office**
The FEMA Program Office conducts the initial application budget review, creates the award package and approves the awards. Additionally, the Program Office provides support in addressing specific programmatic questions regarding the FY 2020 EMPG-S Program. The Program Office can be reached by e-mail at: FEMA-EMPG-S@fema.dhs.gov.

c. **Centralized Scheduling and Information Desk (CSID)**
CSID is a non-emergency comprehensive management and information resource developed by DHS/FEMA for grants stakeholders. CSID provides general information on all DHS/FEMA grant programs and maintains a comprehensive database containing key personnel contact information. When necessary, recipients will be directed to a Federal point of contact who can answer specific programmatic questions or concerns. CSID can be reached by phone at (800) 368-6498 or by email at ASKCsid@fema.dhs.gov, Monday through Friday, 9 a.m. – 5 p.m. ET.

d. **DHS/FEMA/GPD Award Administration Division**
GPD’s Award Administration Division Business Office provides support regarding financial matters and budgetary technical assistance. Additional guidance and information can be obtained by contacting the FEMA Call Center via email to ASK-GMD@fema.dhs.gov.

e. **GPD Environmental Planning and Historic Preservation (GPD EHP)**
The DHS/FEMA GPD EHP Team provides guidance and information about the EHP review process to recipients and subrecipients. All inquiries and communications about GPD projects or the EHP review process, including the submittal of EHP review materials, should be sent to gpdehpinfo@fema.dhs.gov. EHP Technical Assistance, including the EHP Screening Form, can be found online at https://www.fema.gov/media-library/assets/documents/90195.

2. **Systems Information**

a. **Grants.gov**
For technical assistance with Grants.gov, please call the Grants.gov, customer support hotline at (800) 518-4726. Grants.gov Applicant Support is available 24/7 (except federal holidays). For more information: https://www.grants.gov/web/grants/support.html.

b. **ND Grants System**
For technical assistance with the ND Grants System, please contact the ND Grants Helpdesk at ndgrants@fema.dhs.gov or (800) 865-4076, Monday through Friday, 9 a.m. – 5 p.m. ET.

c. **Payment and Reporting System (PARS)**
DHS/FEMA uses the DHS/FEMA Payment and Reporting System (PARS) for financial reporting, invoicing, and tracking payments. DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients. To enroll in the DD/EFT, the recipients must complete a Standard Form 1199A, Direct Deposit Form.
H. Additional Information

1. Short-Term Administrative Relief

On March 19, 2020, the Office of Management and Budget (OMB) issued OMB Memorandum M-20-17, Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) due to Loss of Operations, affording Federal awarding agencies with additional flexibilities (exceptions) to provide administrative relief to financial assistance recipients affected by the loss of operational capacity and increased costs due to the COVID-19 crisis.

FEMA issued a Memorandum providing short-term relief for various administrative actions under 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as described in the Memorandum dated March 27, 2020 and available at https://www.fema.gov/media-library/assets/documents/186350. In accordance with M-20-17, these exceptions are time-limited and will be reassessed by OMB within 90 days of the issuance of its memo.

For the duration of this 90-day period, FEMA is implementing the exceptions in M-20-17 to all FEMA disaster and non-disaster grant programs as described in the Memorandum and a chart describing applicability of the exceptions to FEMA’s grant programs, also available at https://www.fema.gov/media-library/assets/documents/186350. The exceptions described in the Memorandum and accompanying chart apply to both grants and cooperative agreements even though only the term “grant” is used. Recipients and subrecipients should maintain a copy of this guidance with any other appropriate records and cost documentation in their grant files (as required by 2 C.F.R. §§ 200.302, 200.333, 200.403(g)). OMB’s exceptions do not provide relief to statutory requirements that apply to Federal financial assistance programs.

Additional information is available at: https://www.fema.gov/media-library/assets/documents/186350.

2. Extensions

DHS/FEMA will generally not extend the period of performance of an award under this NOFO. DHS/FEMA will only grant extensions to an award’s period of performance on request for any recipient who can demonstrate good cause exists to justify extending the period of performance. Good cause for an extension may include technical problems outside of the recipient’s control that prevent completion of the award by the end of the period of performance, or other exigent or emergency circumstances. Extensions based on exigent or emergency circumstances will be made on case-by-case basis, with the final determination resting with DHS/FEMA.

Extensions to the initial POP identified in the award will only be considered through formal, written requests to the recipient’s FEMA Program Analyst and must contain specific and compelling justifications as to why an extension is required. Recipients are advised to coordinate with the FEMA Program Analyst as needed when preparing an extension request. All extension requests must address the following:
• The grant program, fiscal year, and award number;
• Reason for the delay, including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;
• Current status of the activity(ies);
• Approved POP termination date and new project completion date;
• Amount of funds drawn down to date;
• Remaining available funds, both federal and non-federal;
• Budget outlining how remaining federal and non-federal funds will be expended;
• Plan for completion, including milestones and timeframes for achieving each milestone and the position or person responsible for implementing the plan for completion; and
• Certification that the activity(ies) will be completed within the extended POP without any modification to the original Statement of Work, as described in the investment justification and as approved by FEMA.

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

• Contractual commitments by the grant recipient with vendors or subrecipients prevent completion of the project within the existing POP;
• The project must undergo a complex environmental review that cannot be completed within the existing POP;
• Projects are long-term by design, and therefore acceleration would compromise core programmatic goals; or
• Where other special or extenuating circumstances exist.

Recipients should submit all proposed extension requests to FEMA for review and approval at least 90 days prior to the end of the POP to allow sufficient processing time. Extensions are typically granted for no more than a six-month period.

3. Procurement Integrity

Through audits conducted by DHS Office of Inspector General (OIG) and FEMA grant monitoring, findings have shown that some FEMA recipients have not fully adhered to the proper procurement requirements when spending grant funds. Anything less than full compliance with Federal procurement policies jeopardizes the integrity of the grant as well as the grant program. Noncompliance with the Federal procurement rules may result in FEMA imposing specific conditions as described in 2 C.F.R. § 200.207 or other remedies for noncompliance under 2 C.F.R. § 200.338.

The below highlights the Federal procurement requirements for FEMA recipients when procuring goods and services with Federal grant funds. DHS will include a review of recipients’ procurement practices as part of the normal monitoring activities. All procurement activity must be conducted in accordance with Federal Procurement Standards at 2 C.F.R. §§ 200.317 – 200.326.
requirements under these standards are listed below. The recipient must comply with all requirements, even if they are not listed below.


All other non-Federal entities, such as tribes, must use their own documented procurement procedures which reflect applicable state, local, territorial and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 C.F.R. Part 200. These standards include, but are not limited to, providing for full and open competition consistent with the standards of 2 C.F.R. § 200.319.

a. Competition and Conflicts of Interest

Among the requirements of 2 C.F.R. § 200.319(a) applicable to all non-Federal entities other than states, to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. FEMA considers this an organizational conflict of interest and interprets this restriction as applying to contractors that help a recipient develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when such former employees worked on such activities while they were employees of the non-Federal entity.

Under this prohibition, unless the non-Federal entity solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.326, Federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of such specifications. This rule applies to all contracts funded with Federal grant funds, including pre-award costs, such as grant writer fees, and post-award costs, such as grant management fees.

Additionally, some of the situations considered to be restrictive of competition include, but are not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business.
- Requiring unnecessary experience and excessive bonding.
- Noncompetitive pricing practices between firms or between affiliated companies.
- Noncompetitive contracts to consultants that are on retainer contracts.
- Organizational conflicts of interest.
• Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement.
• Any arbitrary action in the procurement process.

Pursuant to 2 C.F.R. § 200.319(b), non-Federal entities other than states must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, territorial or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Under 2 C.F.R. § 200.318(c)(1), non-Federal entities other than states are required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. **No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.** Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

If the recipient or subrecipient (other than states) has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The non-Federal entity must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.
b. **Supply Schedules and Purchasing Programs**

Generally, a non-Federal entity may seek to procure goods or services from a Federal supply schedule, state supply schedule, or group purchasing agreement.

1) **General Services Administration Schedules:** States, tribes, and local governments, and any instrumentality thereof (such as local education agencies or institutions of higher education) may procure goods and services from a General Services Administration (GSA) schedule. GSA offers multiple efficient and effective procurement programs for state, tribal, and local governments, and instrumentalities thereof, to purchase products and services directly from pre-vetted contractors. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term government-wide contracts with commercial firms that provide access to millions of commercial products and services at volume discount pricing.


For tribes, local governments, and their instrumentalities that purchase off of a GSA schedule, this will satisfy the federal requirements for full and open competition provided that the recipient follows the GSA ordering procedures; however, tribes, local governments, and their instrumentalities will still need to follow the other rules under 2 C.F.R. §§ 200.317 – 200.326, such as contract cost and price (§ 200.323) and solicitation of minority, women-owned, or small businesses (§ 200.321).

2) **Other Supply Schedules and Programs:** For non-Federal entities other than states, such as tribes, that want to procure goods or services from a state supply schedule, cooperative purchasing program, or other similar program, for such procurements by to be permissible, the following must be true:

- The procurement of the original contract or purchasing schedule and its use by the recipient complies with state and local law, regulations, and written procurement procedures.
- The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the recipient and other similar types of entities.
- The contract or purchasing schedule specifically allows for such use, and the work to be performed for the non-Federal entity falls within the scope of work under the contract as to type, amount, and geography.
- The procurement of the original contract or purchasing schedule complied with all the procurement standards applicable to a non-

• With respect to the use of a purchasing schedule, the recipient must follow ordering procedures that adhere to state and local laws and regulations and the minimum requirements of full and open competition under 2 C.F.R. Part 200.

If a non-Federal entity other than a state seeks to use such a state supply schedule, cooperative purchasing program, or other similar type of arrangement, it is recommended that recipients discuss their procurement plans with the FEMA Grant Programs Directorate.

c. **Procurement Documentation**

Per 2 C.F.R. § 200.318(i), non-federal entities other than states and territories are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, contract type, contractor selection or rejection, and the basis for the contract price. States and territories are encouraged to maintain this information as well and are reminded that in order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g). Examples of the types of documents that would cover this information 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, including required contract provisions; and
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient.

d. **Procurement Under Grants Conducted Under Emergency or Exigent Circumstances for COVID-19**

Subsequent to the President’s March 13, 2020 Nationwide Emergency Declaration for Coronavirus Disease 2019 (COVID-19), DHS/FEMA issued a Memorandum and Fact Sheet addressing procurements made during periods of exigent or emergency circumstances. FEMA recognizes that noncompetitive procurements may be necessary to save lives, to protect property and public health, and to ensure public safety, as well as to lessen or avert the threat of a catastrophe. The Memorandum is available at [https://www.fema.gov/media-library/assets/documents/186350](https://www.fema.gov/media-library/assets/documents/186350). The Fact Sheet, also available at [https://www.fema.gov/media-library/assets/documents/186350](https://www.fema.gov/media-library/assets/documents/186350), provides answers and guidance surrounding the need for such measures.

Current Federal procurement standards (found at 2 C.F.R. § 200.320(f)(2)) allow non-state entities to noncompetitively procure contracts (i.e., sole sourcing) under
certain emergency or exigent circumstances. FEMA defines an emergency or exigent circumstance as unexpected and unusually dangerous situations requiring immediate action or an urgent need for assistance or relief. Emergencies typically involve a threat to life, public health or safety, improved property, or some other form of dangerous situation. Exigencies, on the other hand, typically involve an urgent need to avoid, prevent, or alleviate serious harm or injury, financial or otherwise. Under both an emergency and exigency, using a competitive procurement process would prevent a non-state entity from taking immediate action required to address the situation. However, use of the emergency/exigency exception is only permissible during the actual emergency or exigent circumstances.

The President’s unprecedented Nationwide Emergency Declaration, and the Secretary of Health and Human Services’ (HHS) declaration of a Public Health Emergency for COVID-19 establish that exigent and emergency circumstances currently exist.

For the duration of the Public Health Emergency, which began Jan. 27, 2020 as determined by HHS, local governments, tribal governments, nonprofits, and other non-state entities may proceed with new and existing noncompetitively procured contracts in order to protect property and public health and safety, or to lessen or avert the threats created by emergency situations for 1) Emergency protective measures under FEMA’s Public Assistance Program and 2) Use of FEMA non-disaster grant funds by non-state recipients and sub-recipients to respond to or address COVID-19.

4. Actions to Address Noncompliance
Non-federal entities receiving financial assistance from FEMA are required to comply with requirements in the terms and conditions of their awards or subawards, including the terms set forth in applicable federal statutes, regulations, NOFOs, policies, and this Manual. Throughout the award lifecycle or even after an award has been closed, FEMA or the pass-through entity may discover potential or actual noncompliance on the part of a recipient or subrecipient. This potential or actual noncompliance may be discovered through routine monitoring, audits, closeout, or reporting from various sources.

In the case of any potential or actual noncompliance, FEMA may place special conditions on an award per 2 C.F.R. §§ 200.207 and 200.338, FEMA may place a hold on funds until the matter is corrected, or additional information is provided per 2 C.F.R. § 200.338, or it may do both. In the event the noncompliance is not able to be corrected by imposing additional conditions or if the recipient or subrecipient refuses to correct the matter, FEMA may use other remedies allowed under 2 C.F.R. § 200.338. These remedies include actions to disallow costs, recover funds, wholly or partly suspend or terminate the award, initiate suspension and debarment proceedings, withhold further federal awards, or take other actions that may be legally available.

FEMA may discover and take action on noncompliance even after an award has been closed. The closeout of an award does not affect FEMA’s right to disallow costs and
recover funds as long the action to disallow costs takes place during the record retention period. See 2 C.F.R. §§ 200.333, 200.344(a). Closeout also does not affect the obligation of the non-federal entity to return any funds due as a result of later refunds, corrections, or other transactions. 2 C.F.R. § 200.344(a)(2). The types of funds FEMA might attempt to recover include, but are not limited to, improper payments, cost share reimbursements, program income, interest earned on advance payments, or equipment disposition amounts.

FEMA may seek to recover disallowed costs through a Notice of Potential Debt Letter, Remedy Notification, or other letter. The document will describe the potential amount owed, the reason why FEMA is recovering the funds, the recipient’s appeal rights, how the amount can be paid, and the consequences for not appealing or paying the amount by the deadline. If the recipient neither appeals nor pays the amount by the deadline, the amount owed will become final. Potential consequences if the debt is not paid in full or otherwise resolved by the deadline include the assessment of interest, administrative fees, and penalty charges; administratively offsetting the debt against other payable federal funds; and transferring the debt to the U.S. Department of the Treasury for collection.

FEMA notes the following common areas of noncompliance for the preparedness grant programs:

- Insufficient documentation and lack of record retention.
- Failure to follow the procurement under grants requirements.
- Failure to submit closeout documents in a timely manner.
- Failure to follow EHP requirements.
- Failure to comply with the POP deadline.

5. Disability and Limited English Proficiency Integration

Preparedness grant recipients 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, recipients are encouraged to consider the needs of individuals with disabilities and limited English proficiency in the activities and projects funded by the grant.

FEMA expects that the integration of the needs of people with disabilities and limited English proficiency will occur at all levels, including planning; alerting, notification, and public outreach; training; protective action implementation; and exercises/drills. The following are examples that demonstrate the integration of the needs of people with disabilities and limited English proficiency in carrying out FEMA awards:

- Include representatives of organizations that work with/for people with disabilities on planning committees, work groups and other bodies engaged in development and implementation of the grant programs and activities.
- Hold all activities related to the grant in locations that are accessible to persons with physical disabilities to the extent practicable.
- Acquire language translation services, including American Sign Language, that provide public information across the community and in shelters.
• Ensure shelter-specific grant investments are in alignment with FEMA’s Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters.
• Implement specific procedures used by public transportation agencies that include evacuation and passenger communication plans and measures for individuals with disabilities.
• Identify, create, and deliver training to address any training gaps specifically aimed toward whole-community preparedness. Include and interact with individuals with disabilities, aligning with the designated program capability.
• Establish best practices in inclusive planning and preparedness that consider physical access, language access, and information access. Examples of effective communication access include providing auxiliary aids and services such as sign language interpreters, Computer Aided Real-time Translation (CART), and materials in braille or alternate formats.

EMPG-S grant recipients can fund projects towards the resiliency of the whole community, including people with disabilities and limited English proficiency, such as training and exercises, provided that the project aligns with this NOFO and the terms and conditions of the award.
Appendix A: FY 2020 EMPG-S Funding Guidelines

Allowable costs under the FY 2020 EMPG-S program are limited to emergency management activities that support State, Territory, tribal, and local governments efforts relating to the prevention of, preparation for, and response to the ongoing Coronavirus Disease 2019 (COVID-19) public health emergency. Consistent with 2 C.F.R. Part 200, none of the funds awarded under this NOFO may duplicate the same costs already paid for with funding from FEMA’s Public Assistance Program or any other Federal program. Such costs generally fall within the following categories: Planning, Organization, Equipment, and Training. The following provides allowable cost guidance for each category.

Planning
Planning makes it possible to manage the entire life cycle of a potential crisis. Strategic and operational planning establishes priorities, identifies expected levels of performance and capability requirements, provides the standard for assessing capabilities and helps stakeholders learn their roles. The planning elements identify what an organization’s Standard Operating Procedures (SOPs) or Emergency Operations Plans (EOPs) should include for ensuring that contingencies are in place for delivering the capability during a large-scale disaster. This includes development of policies, plans, procedures, mutual aid agreements, strategies, and other publications. Planning also involves the collection and analysis of intelligence and information to support development of Incident Action Plans and other strategic, operational, or tactical planning activities. Recipients are encouraged to refer to FEMA planning guidance available at: www.fema.gov/plan, https://www.fema.gov/national-preparedness-system, https://www.fema.gov/national-planning-frameworks. In addition, the U.S. Department of Health and Human Services (HHS) and Centers for Disease Control (CDC) offer a wealth of planning resources for health and emergency management officials at: https://www.phe.gov/emergency/Tools/Pages/default.aspx, https://asprtracie.hhs.gov/COVID-19, and https://emergency.cdc.gov/planners-responders.asp.

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

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

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

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

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

General Purpose Vehicles: In addition to the above, general purpose vehicles may be procured in order to carry out the responsibilities of the EMPG-S. If recipients have questions concerning the eligibility of equipment not specifically addressed in the AEL, they should contact their Regional EMPG-S Manager for clarification. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Large equipment purchases must be identified and explained. For more information regarding property management standards for equipment, please reference 2 C.F.R. Part 200, including 2 C.F.R. §§ 200.310, 200.313, and 200.316.
Critical Emergency Supplies: Critical emergency supplies—such as shelf stable products, water, and basic medical supplies—are an allowable expense under EMPG-S. Each state must have DHS/FEMA’s approval of a five-year viable inventory management plan prior to allocating grant funds for stockpiling purposes. The inventory management five-year plan should include a distribution strategy and related sustainment costs if the grant expenditure is over $100,000.

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

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

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

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

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

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

- **Construction and Renovation**
  Construction and renovation projects for a state, local, tribal, or territorial government’s principal Emergency Operations Center (EOC), as defined by the SAA are allowable under the EMPG-S. However, such projects must be completed within the two-year period of performance of the FY 2020 EMPG-S award. Recipients must receive advance written approval from DHS/FEMA prior to the use of any EMPG-S-S funds for construction or renovation. Requests for EMPG-S funds for construction of an EOC must be accompanied by an EOC Investment Justification to their Regional EMPG-S Manager for review. Additionally, recipients are required to submit a SF-424C Form and Budget detail citing the project costs. When applying for funds to construct communication towers, recipients and subrecipients must submit evidence that the Federal Communication Commission’s (FCC’s) Section 106 review process has been completed and submit all documentation resulting from that review to FEMA prior to submitting materials for EHP review. Recipients and subrecipients are also encouraged to have completed as many steps as possible for a successful EHP review in support of their proposal for funding (e.g., coordination with their State Historic Preservation Office to identify potential historic preservation issues and to discuss the potential for project effects, compliance with all state and EHP laws and requirements). Projects for which the recipient believes an Environmental Assessment (EA) may be needed, as defined in DHS Instruction Manual 023-01-001-01, Revision 01, FEMA Directive 108-1 and FEMA Instruction 108-1-1, must also be identified to the FEMA EMPG-S Regional Program Manager within six months of the award, and completed EHP review materials must be submitted no later than 12 months before the end of the period of performance. EHP review packets should be sent to gpdehpinfo@fema.dhs.gov. EMPG-S recipients using funds for construction projects must comply with the Davis-Bacon Act and subsequent legislation (40 U.S.C. §§ 3141 et seq.). Grant recipients 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 similar to the contract work in the civil subdivision of the state in which the work is to be performed. Additional information regarding compliance with the Davis-Bacon Act, including Department of Labor (DOL) wage determinations, is available from the following website: https://www.dol.gov/whd/govcontracts/dbra.htm.

- **Maintenance and Sustainment**
  Use of DHS/FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active grant awards, unless otherwise noted.

EMPG-S grant funds are intended to support the Goal and fund activities and projects that build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats and hazards that pose the greatest risk to the security of the Nation. To assist recipients in meeting this objective, the policy set forth in IB 379 (Guidance to State Administrative Agencies to Expedite the
Expenditure of Certain DHS/FEMA Grant Funding) allows for the expansion of eligible maintenance and sustainment costs, which must be:

(1) In direct support of existing capabilities;
(2) An otherwise allowable expenditure under the applicable grant program;
(3) Tied to one of the core capabilities in the five mission areas contained within the Goal, and;
(4) Shareable through the EMAC.

Additionally, eligible costs may also be in support of equipment, training, and critical resources that have previously been purchased with either Federal grant funding or any other source of funding other than DHS/FEMA preparedness grant program dollars. Additional guidance is provided in DHS/FEMA Policy FP 205-402-125-1, Maintenance Contracts and Warranty Coverage Funded by Preparedness Grants, located at: http://www.fema.gov/media-library/assets/documents/32474.

Unallowable Costs
Grant funds may not be used for:

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

Recipients are cautioned to maintain proper recordkeeping and ensure individual expenditures are not charged to multiple federal awards, consistent with 2 C.F.R. Part 200. Recipients should consult with their EMPG-S Regional Program Manager prior to making any investment if unsure whether a cost might be duplicative or whether it meets the allowable expense criteria established in this NOFO.
Appendix B: FY 2020 EMPG-S Work Plan

EMPG-S Work Plan Instructions
All EMPG-S recipients must develop and submit a Work Plan as described below. All Work Plans will require final approval by the Regional Administrator. Prior to submission, the recipient must work with the Regional Administrator or designated FEMA Regional Program Manager to ensure that the Work Plan aligns with both State and regional priorities relating to the COVID-19 public health emergency and that individual expenditures will not be charged to multiple Federal awards, including FEMA’s Public Assistance Program.

All EMPG-S applicants are encouraged to use the FY 2020 Work Plan template. The Work Plan outlines the state’s emergency management sustainment and enhancement efforts, including new and ongoing activities and projects, proposed for the EMPG-S period of performance. The Work Plan consists of a Program and Budget Narrative, Personnel Data Table, Training Data Table, and Grant Activities Outline. EMPG-S Regional Program Managers will work closely with states to monitor Work Plans during the performance period and may request further documentation from the recipients to clarify the projected work plan.

Program and Budget Narrative
All EMPG-S recipients must provide a brief description of the state emergency management priorities and initiatives relating to the COVID-19 public health emergency that will be addressed with EMPG-S funds. In addition, the narrative should address the following:

- Overview of the state’s current risk profile as it relates to the COVID-19 emergency based on available risk assessment products such as epidemiological analyses, models, and forecasts; assessments of public health emergency capabilities and future needs, and the state’s current Threat and Hazard Identification and Risk Analysis (THIRA) and State Preparedness Report (SPR).
- Specific areas of need identified through risk assessment processes, clearly identifying current (baseline) resources/capabilities and future resource/capability needs based on assessment results.
- Description of urgent resource/capability needs that require immediate investments.
- Detailed Budget and Budget Narrative justifying the requested funding for the identified Work Plan activities.
- Detailed description of how projects and programmatic activities support risk assessment results relating to the COVID-19 public health emergency.
- Detailed description of how the recipient will work with the FEMA region and other Federal agencies to ensure that individual expenditures will not be charged to multiple Federal awards, including FEMA’s Public Assistance Program.
Appendix B: FY 2020 EMPG-S Work Plan

Personnel Data Table
To facilitate consistent data reporting and performance reporting, a Personnel Data Table should be completed for state, local, tribal, and territory personnel supported with EMPG-S funds. This will assist in documenting the extent to which EMPG-S funding supports personnel at the state level. Submit this template with the EMPG-S Work Plan and a roster of EMPG-S-funded personnel. The roster of EMPG-S-funded personnel should be updated only if numbers change more than 10 percent during the award period of performance.

Personnel Data Table Template

<table>
<thead>
<tr>
<th>Personnel Metrics</th>
<th>Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPG-S funds (Federal and match) allocated towards state emergency management personnel</td>
<td></td>
</tr>
<tr>
<td>EMPG-S funds (Federal and match) allocated towards non-state emergency management personnel (local, tribal, territories)</td>
<td></td>
</tr>
<tr>
<td>Total Number of state emergency management full-time equivalent (FTE) personnel (including those supported and not supported by the EMPG-S)</td>
<td></td>
</tr>
<tr>
<td>Number of state emergency management full-time equivalent (FTE) personnel supported (fully or partially) by EMPG-S</td>
<td></td>
</tr>
<tr>
<td>Total Number of State, local, tribal and territory emergency management personnel supported (fully or partially) by the EMPG-S</td>
<td></td>
</tr>
</tbody>
</table>

Personnel Data Table Definitions
- Line 1 – All EMPG-S funds (Federal and match) allocated for state emergency management personnel.
- Line 2 – All EMPG-S funds (Federal and match) allocated towards non-state emergency management personnel (local, tribal, territories).
- Line 3 – Total Number of state emergency management full-time equivalent (FTE) personnel (including those supported and not supported by the EMPG-S).
- Line 4 – Number of state emergency management full-time equivalent (FTE) personnel supported by the EMPG-S.
- Line 5 – Total Number of state and local emergency management personnel funded (fully or partially) by the EMPG-S. This number provides the "Universe" number for the training and exercise templates.
Grant Activities Outline
To facilitate performance measures and focus on outcomes, an EMPG-S Grant Activities Outline should be completed for activities supported with EMPG-S funds (including construction and renovation projects). The data outlined in this template will be used to evaluate the timely completion of planned emergency management activities. Recipients are encouraged to complete a separate Grant Activities Outline for each of the main funding categories: Planning, Organization, Equipment, Training.

- **Name of Planned Project:** Provide a descriptive name of each planned project. Examples include “Development of COVID-19 Emergency Operations Plan”, “Development of Resource Allocation Plan for Emergency Supplies”, “State EOC Supplemental Staffing”, etc.
- **Project Objective:** Briefly explain the major objective of the project, including how the project will address gaps identified through various assessments conducted.
- **Core Capability Addressed:** Briefly describe which of the 32 core capabilities (multiple can be selected) the project addresses.
- **Performance Measure and Basis of Evaluation:** Indicate the performance measure that will be used to evaluate this project.
- **Number of Direct Beneficiaries or Participants:** Provide the total number of persons who will directly benefit from EMPG-S funded activities.
- **Challenges/Risks:** Identify any challenges to implementing this project or any of its activities.
- **Quarterly Activity:** Break each project down into quarterly activities. For each quarter, briefly identify the activities that will accomplish the planned project. This information will provide the foundation for the second component of the Quarterly Performance Progress Report.
- **Step:** Provide the status of planned quarterly activities (Initiate, Plan, Execute, Control, and Closeout).
- **Comments:** Briefly describe the reason for the project status and provide other comments as needed. Include the number of training sessions funded and the number of personnel trained in this section.
Grant Activities Outline - Template

<table>
<thead>
<tr>
<th>Name of Planned Project:</th>
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<tbody>
<tr>
<td>Project Objective:</td>
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<tr>
<td>Core Capabilities Addressed:</td>
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</tr>
<tr>
<td>Performance Measure and Basis of Evaluation:</td>
<td></td>
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<tr>
<td>Challenges/Risks:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1st Quarter Activity</th>
<th>Planned Activities:</th>
<th>Step:</th>
<th>Comments:</th>
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<tbody>
<tr>
<td>2nd Quarter Activity</td>
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<tr>
<td>3rd Quarter Activity</td>
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<td>Comments:</td>
</tr>
<tr>
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<td>Planned Activities:</td>
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<tr>
<td>5th Quarter Activity</td>
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<td>Comments:</td>
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<td>Planned Activities:</td>
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<td>Planned Activities:</td>
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<tr>
<td>8th Quarter Activity</td>
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<tr>
<td>Steps</td>
<td>Description</td>
<td>Process</td>
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<tr>
<td>Initiate</td>
<td>The authorization to begin work or resume work on any particular activity.</td>
<td>Involves preparing for, assembling resources and getting work started. May apply to any level, e.g. program, project, phase, activity, task.</td>
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<tr>
<td>Plan</td>
<td>The purposes of establishing, at an early date, the parameters of the project that is going to be worked on as well as to try to delineate any specifics and/or any peculiarities to the project as a whole and/or any specific phases of the project.</td>
<td>Involves working out and extending the theoretical, practical, and/or useful application of an idea, concept, or preliminary design. This also involves a plan for moving a project concept to a viable project.</td>
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<tr>
<td>Execute</td>
<td>The period within the project lifecycle during which the actual work of creating the project’s deliverables is carried out.</td>
<td>Involves directing, accomplishing, managing, and completing all phases and aspects of work for a given project.</td>
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<tr>
<td>Control</td>
<td>A mechanism that reacts to the current project status in order to ensure accomplishment of project objectives. This involves planning, measuring, monitoring, and taking corrective action based on the results of the monitoring.</td>
<td>Involves exercising corrective action as necessary to yield a required outcome consequent upon monitoring performance. Or, the process of comparing actual performance with planned performance, analyzing variances, evaluating possible alternatives, and taking appropriate correct action as needed.</td>
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<tr>
<td>Close Out</td>
<td>The completion of all work on a project. Can also refer to completion of a phase of the project.</td>
<td>Involves formally terminating and concluding all tasks, activities, and component parts of a particular project, or phase of a project.</td>
<td></td>
</tr>
</tbody>
</table>