

MARK GOWER
State Director



J. KEVIN STITT
Governor

STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT
AND HOMELAND SECURITY

March 28, 2022

Jurisdiction: The City of Oklahoma City
Re: Special Project – Water Pallet

Your application for financial assistance for the Water (Pallet) Special Project submitted under the Emergency Management Performance Grant (EMPG) American Rescue Plan Act (ARPA) has been approved in the amount of \$1,000.

By accepting this award, you acknowledge that the terms of the application agreement are incorporated into the terms of your award. Please make sure you read, understand, and maintain a copy of your agreement and applications in your official file for this award. No further action is required to accept this award.

Sincerely,

A handwritten signature in blue ink that reads "Mark Gower".

Mark Gower, C/CISCO, CISSP, CISM, CBCP
Director





**PREPAREDNESS
RESPONSE
RECOVERY
MITIGATION**

February 8, 2022

Attention: Emergency Manager

The Oklahoma Department of Emergency Management and Homeland Security (ODEMHS) has approved the notice of intent for Oklahoma City, City of an Emergency Management Performance Grant American Rescue Plan ACT (EMPG-ARPA) in the amount of \$1,000 (Federal Share) for a Water Pallet. There is no local cost share required to complete this grant making the total cost \$1,000.

This grant has a period of performance of January 1, 2022, through September 30, 2022. All purchases must be made during the period of performance. This grant must be closed by December 31, 2022.

Attached to this cover letter is the grant application, which must be completed and returned to ODEMHS via OKEMGrants. Once this is completed, ODEMHS will issue an official award letter.

Should you have questions, please email grants@oem.ok.gov.

Bonnie McKelvey
Grants Program Manager

Emergency Management Performance Grant Program

OK – FY21 – EMPG – ARPA Special Project

Program Description

Issued By

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

CFDA / Assistance Listings Number

97.042

Program Title

FY 21 Emergency Management Performance Grant (EMPG) Program – American Rescue Plan Act (ARPA)

Funding Opportunity Title

ODEMHS FY 21 Emergency Management Performance Program, American Rescue Plan Act – Special Project – Water Grant

Special Project Name

FY 21 Special Projects Grant: City of Oklahoma City Water Grant

Authorizing Authorities for Program

- The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. § 5121 et. Seq. (the Stafford Act)
- Post-Katrina Emergency Management Reform Act of 2006, as amended, 6U.S.C. § 762
- FEMA Preparedness Grants Manual, Version 2 / DHS NOFO FY2021 EMPG Program ARPA
- Title 2, Code of Federal Regulations (CFR)
- U.S. Department of Homeland Security Presidential Directive 5 (HSPD-5)
- Oklahoma Emergency Management Act 2003, 63 O.S. 683. 1 et. Seq.
- State Administrative Plan adopted by the Oklahoma Department of Emergency Management and Homeland Security

Announcement Type

Agreement and Application

Program Category

Preparedness: Emergency Management

Application Due

March 31, 2022

Period of Performance

January 1, 2022 – September 30, 2022



Oklahoma FY21 Water Grant Special Project Agreement

Agreement

The agreement is entered into by and between The State of Oklahoma Department of Emergency Management and Homeland Security (ODEMHS), and **the City of Oklahoma City**, hereafter referred as the “Subrecipient.” The Oklahoma Department of Emergency Management and Homeland Security shall pay the Subrecipient for required works performed under the EMPG Special Project application for the **ODEMHS Water Grant** and this contractual agreement the sum of up to **\$1,000** dollars in **agreement with the following terms and conditions:**

Article 1. Purpose

The purpose of this agreement is to provide a portion of the funds awarded to the State of Oklahoma under the Federal Emergency Management Agency (FEMA) Emergency Management Performance Grant (EMPG) American Rescue Plan (ARPA) Program. This project is associated with the Subrecipient as a special project and encourages the development of a comprehensive emergency preparedness system for all hazards for the State and local governments, as defined by the FEMA Fiscal Year 2021 EMPG Notice of Funding Opportunity (NOFO). ODEMHS Special Projects are designed to encourage local activities that fill gaps and needs in State, Regional, and Local levels of emergency preparedness and readiness.

The Water Grant Opportunity is designed to help local jurisdictions build Resiliency Capabilities and to ensure the jurisdiction can sustain initial response operations for up to 72 hours.

Article 2. Eligibility Criteria

To be eligible for an Emergency Management Performance Grant (EMPG) Special Project, a local Subrecipient must meet the following eligibility requirements:

1. The Subrecipient must have a current existing Emergency Management Program. Refer to **Article 3: Scope of Work** for additional information on this requirement.
2. All applicants must submit a Notice of Intent to the ODEMHS Grants Management Division no later than December 17th, 2021.
3. The Subrecipient must have their Emergency Management Program and Director listed within the ODEMHS Emergency Manager Directory no later than November 1, 2021.
4. The funding allocated by the State to the Subrecipient must be utilized to complete the Scope of Work prior to the end of the Period of Performance.
5. A facility or location must be designated as the Subrecipient's Emergency Operations Center (EOC) with the capacity to coordinate response efforts and resource capabilities in the event of an incident
6. Maintain a 24-hour point of contact who will promptly report to the State Emergency Operations Center (SEOC) Duty Officer at 1-800-800-2481, all significant events happening within the jurisdiction, per State Statute, Title 63-683.11. E.



7. Maintain a current Emergency Operations Plan (EOP) to be updated and / or reviewed annually, per State Statute, Title 63-683.11. D.

Article 3: Scope of Work

Advancing the Whole Community approach reinforces the concept that it is the community's responsibility to take necessary and appropriate actions to protect people and property from the consequences of local emergencies and disasters. Communities are challenged to develop collective local abilities to withstand the potential impacts of these events, respond quickly, and recover in a way that sustains and improves the community's overall well-being. Achieving this collective capability calls for innovative approaches in a community-wide effort. The efforts of the Oklahoma Department of Emergency Management and Homeland Security (ODEMHS) are to assist and support a local Subrecipient's Emergency Management Program with the capabilities to prevent, protect against, respond to, and recover both natural and man-made disasters. This includes enhancing the local Subrecipient's Emergency Management Program's existing practices, programs, institutions, and organizations.

As a Special project, the following items must be completed within the Period of Performance time frame:

Special Project

1. *Pallets of Water*

To assist local jurisdictions with building Resilience Capabilities, this grant is designed to help the subrecipient to sustain initial response operations for up to 72 hours.

The Subrecipient is responsible for the purchase, maintenance, usage, and storage of supplies purchased with this grant.

Measurement Methods / Required Documentation:

- a. Must purchase a maximum of three (3) pallets of bottled water no later than September 30, 2022
 - i. Provide proof of purchase including but not limited to \$0 balance invoice, Purchase Orders, receipts, etc.
- b. Must maintain inventory of water for three (3) years from the date of inventory log through September 30, 2025
 - i. Inventory is subject of monitoring by ODEMHS personnel.
- c. The jurisdiction is responsible for the cost of replacement of water used during this time period
 - i. Provide proof of purchase including but not limited to \$0 balance invoice, Purchase Orders, receipts, etc.



Additional Requirements

2. Event Reporting

Pursuant to Oklahoma Statute Title 63-683.11. E 63, all significant events within the Subrecipient's jurisdiction resulting in a threat to life, safety, or public health, and adverse impact on the local economy, or stress placed on local and / or regional resources must be reported to the Oklahoma Department of Emergency Management and Homeland Security (ODEMHS).

Measurement Methods / Required Documentation:

- a. Create and maintain updates via WebEOC Local Boards and / or through contacting the State Emergency Operations Center (SEOC) Duty Officer (See **Article 2.6: Eligibility Criteria**).

Article 4. Authorized Representatives

The Agency Director of the Oklahoma Department of Emergency Management and Homeland Security and the Subrecipient's Director of Emergency Management shall be the authorized representatives to complete work and negotiate changes to this agreement. On a form provided by ODEMHS, the Subrecipient will identify a Director of Emergency Management, an alternate point-of-contact (such as a deputy director), and the Subrecipient's official mailing address. The Director of Emergency Management for the Subrecipient will serve as the official point-of-contact (POC), responsible for reporting on, or responding to inquiries regarding the six (6) phases of emergency management (mitigation, preparedness, response, recovery, prevention, and protection) to include incident reporting (see **Article 3.2: Scope of Work – Event Reporting**).

Article 5. Funding Guidelines

EMPG Special Project funds can only be used for the purposes set forth in this contract. All EMPG Special Project fund expenditures must be accounted for and follow this funding guidance. Grant funds may not be used for matching funds for Federal grants, cooperative agreements, lobbying or intervention in Federal regulatory or adjudicatory proceedings. Additionally, EMPG Special Project funds may not be used to sue the Federal government or any other government entity. It is the Oklahoma Department of Emergency Management and Homeland Security's (ODEMHS) intent to supplement (NOT supplant) city, county and tribal Emergency Management program funds. This can only be achieved by the commitment and compliance of EMPG Subrecipients.



Authorized Expenditures:

1. *Supplies*

This grant funding is only permitted to purchase up to three (3) water pallets, for the Subrecipient jurisdiction, per **Article 3.1: Scope of Work – Pallets of Water**.

Unauthorized Expenditures:

Aside from Pallets of Water, no other expenditures are permitted with this grant funding.

Article 6. Special Project Administration Requirements

1. Any tasking the Oklahoma Department of Emergency Management and Homeland Security receives from the U.S. Department of Homeland Security, FEMA or any other federal agency that is Emergency Management related and requires the assistance of the Subrecipient shall also be considered as part of the required tasking elements under the EMPG Special Project.
2. If the Subrecipient expends \$750,000 or more in Federal funds in Subrecipients EMPG FY21, they are responsible for compliance with the provisions of 2 CFR 200.501. The Subrecipient shall submit a copy of their audit letter signed by the auditor to the Oklahoma Department of Emergency Management and Homeland Security and/or uploaded into the Federal Audit Clearinghouse.
3. The FY 21 EMPG Special Project is a performance-based grant. To ensure EMPG requirements compliance, each Subrecipients performance shall be monitored. The Subrecipient should be visited a minimum of four (4) times each year by a Regional Coordinator or other representative of ODEMHS. The field visits shall be conducted at a mutually agreed date, time, and location during each quarter.

Article 7. Payment Terms

All payments will be contingent upon the Subrecipient's payment requests and supporting documentation the Oklahoma Department of Emergency Management and Homeland Security review of required tasks.

Any payment requests received on or prior to the 10th day of any month will be processed the same month. Any payment requests submitted after the 10th day of any month will be processed the same month or the following month.

Article 8. Overmatch Funds

The Subrecipient agrees that ODEMHS may use the excess of its match / Overmatch to meet its own match requirements. The Subrecipient may request to retain a portion of its Overmatch by written request and written approval by ODEMHS. The Subrecipient agrees to follow Code of Federal Regulations (2 CFR) and the FY2021 Emergency Management Preparedness Grant Notice of Funding Opportunity (NOFO) guidelines. The jurisdiction further agrees that overmatch funds provided to ODEMHS cannot be used to match any other Federal Funds.



Article 9. Time of Completion

The Subrecipient shall complete all work from January 1, 2022 through March 31, 2022. A time extension may be approved through a written request and approval from the ODEMHS Grants Management Division.

Article 10. General Provisions

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

Article 11. Amendments

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

Article 13. Award Reduction

If the Subrecipient fails to complete or adhere to the financial or performance based Special Project requirements, the award amount is subject to a reduction.

Article 14. Suspension of Special Project / Debarment from Future Awards

If the Subrecipient fails to complete the agreed scope of work, they may be barred from participation in the Special Project program for the following Federal Fiscal Year. Subrecipient will maintain active status in SAM.gov.



Article 15. Duration and Closeout

This agreement shall be in full force and effective on July 1, 2021 for both parties and terminate on June 30, 2022. Either party may cancel this agreement by providing 15 days' notice in writing to the other party. ODEMHS may at its discretion extend the term of the closeout of this agreement. If approved, extensions are typically approved for no more than a 30-day period.

Article 16. Audit Clause

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

Article 17. Non – Collusion

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



State of Oklahoma Designation of Subrecipient Agent

Subrecipient Information			
Name of Subrecipient:	City of Oklahoma City		
Physical Address:	200 N Walker, Oklahoma City, OK 73102		
Mailing Address (if different from above):			
Employer's Identification (EIN):	73-6005359	FIPS#:	40109
Duns #:	014104777		

Subrecipient Emergency Management Director (Primary Contact)			
Name:	Franklin N. Barnes	Agency:	OKC Office of Emergency Management
Physical Address:	700 Colcord Drive, OKC, OK 73102		
Office #:	405-605-8981	Cell#:	405-990-0812
Email:	franklin.barnes@okc.gov		

Subrecipient Emergency Management Alternate (Secondary Contact)			
Name:	Bryan Taylor	Agency:	OKC Office of Emergency Management
Physical Address:	700 Colcord Drive, OKC, OK 73102		
Office #:	405-605-8980	Cell#:	405-537-1571
Email:	bryan.taylor@okc.gov		

Certification			
<p>The above Primary and Secondary contacts are hereby authorized as the Subrecipient's point of contact (POC) for the purpose of reporting disaster and emergencies and the extent associated with them to Oklahoma Department Emergency Management (OEM). The above designated point of contacts is further authorized to take such action, prepare required documentation, and attend meetings (i.e., applicant briefing or kick off meetings) as may be required on behalf of the Subrecipient. Until contrary notice is given to the Oklahoma Department of Emergency Management.</p>			
Governing Body:	City of Oklahoma City		
Certifying Official:	<i>C. Freeman</i>		
Title:	City Manager		
Office #	405-297-2910	Cell#	405-343-2139
Email:	craig.freeman@okc.gov		



Delegation of Authority

(Optional)

By means of this document, I, Craig Freeman, hereafter known as "the Delegating Official," delegate the authority herein described to Bryan Taylor, hereafter known as "the Delegate," on the following terms and conditions:

1. The Delegate may request reimbursement(s) under the Emergency Management Performance Grant contractual agreement for an amount not to exceed the award amount within the period of performance.
2. This delegation remains effective for the duration of the FY 2021 Emergency Management Performance Grant unless revoked in writing by the Delegating Official.
3. The authority delegated is not subject to sub-delegation without the prior and express written consent of the Delegating Official.



Signature, Delegating Official

Craig Freeman, City Manager

Name and Title

2-24-22

Date



Signature, Delegate

Bryan Taylor, Deputy EM Director

Name and Title

2/21/2022

Date



FEDERAL EMERGENCY MANAGEMENT AGENCY
SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

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

FOR
FY 2021

CA FOR (Name of Applicant)
The City of Oklahoma City

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

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

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

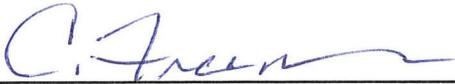
As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

Craig Freeman

City Manager

Typed Name of Authorized Representative

Title



2-24-22

Signature of Authorized Representative

Date Signed

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

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

Paperwork Burden Disclosure Notice

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

FEMA Form 20-16, FEB 01



FEDERAL EMERGENCY MANAGEMENT AGENCY
ASSURANCES-NON-CONSTRUCTION PROGRAMS

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

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

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



11. Will comply with environmental standards which are prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance project consistency with the approved State program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955 as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.
19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.



(ACK)

FEDERAL EMERGENCY MANAGEMENT AGENCY
ASSURANCES-CONSTRUCTION PROGRAMS

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

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

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plan and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sections 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) The Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other non-discrimination provision in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchase.
12. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.



13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Section 874), the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333) regarding labor standards for federally assisted construction subagreements.

14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

15. Will comply with environmental standards which must be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190 and Executive Order (EO) 11514; (b) notification of violations with the minimum standards as may be required or facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conform with the "American Standard Specifications for Making of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-202).

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

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

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

19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

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

21. It will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval changes that alter the cost of the project, use of space, or functional layout, that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

22. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

23. It will require the facility to be designed to comply with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

24. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assistance shall obligate the applicant, or in the case of any transfer of such property, any transfer, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

25. In making subgrants with nonprofit institutions under this Comprehensive Cooperative Agreement, it agrees that such grants will be subject to OMB Circular A-122, "Cost Principles for Non-profit Organizations" included in Vol. 49, Federal Register, pages 18260 through 18277 (April 27, 1984).



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

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

1. LOBBYING

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

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

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

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

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

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

As required by Executive Order 12549 Debarment and Suspension and implemented at 44 CFR Part 67 for prospective participants in primary covered transactions as defined at 44 CFR Part 17 Section 17 510-A The applicant certifies that it and its principals

(a) Are not presently debarred suspended proposed for debarment, employee assistance programs and declared ineligible sentenced to a denial of Federal benefits by a Sta or Federal court, or voluntarily excluded from covered transactions by drug abuse violations occurring in the workplace any Federal department or agency.

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

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

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

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

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

As required by the Drug-Free Workplace Act of 1988 and implemented at 44 CFR Part 17 Subpart F for grantees as defined at 44 CFR Part 17 Sections 17 615 and 17 620

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

700 Colcord Dr, OKC, OK 73102

4600 Martin Luther King, OKC, OK 73111

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

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

FEMA Form 20-16C (BACK)



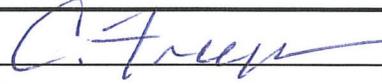
DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure)

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application b. initial award c. post-award	3. Report Type: <input checked="" type="checkbox"/> a. initial filing b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee The City of Oklahoma City 200 N. Walker, Oklahoma City, OK 73102 Tier _____, if known :		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Oklahoma Department of Emergency Management and Homeland Security 2401 Lincoln Blvd - Suite C51 Oklahoma City, OK 73105
Congressional District, if known :		Congressional District, if known :
6. Federal Department/Agency: U.S. Department of Homeland Security / Federal Emergency Management Agency		7. Federal Program Name/Description: FY 2021 Emergency Management Performance Grant Program CFDA Number, if applicable : <u>97.042</u>
8. Federal Action Number, if known :		9. Award Amount, if known : \$
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> Potomac Strategic Development Company 101 M Street SE Washington, DC 20003		b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i> Steve Carey Same as 10a
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature:  Print Name: Craig Freeman Title: City Manager Telephone No.: <u>405-297-2910</u> Date: <u>2-24-22</u>
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)



Elected Officials / City Manager / Tribal Officials Signature Page

By signing below, we are applying for the ODEMHS FY 21 Emergency Management Performance Program Generator Grant Special Project and are affirming our commitment to fulfill the application requirements listed within this agreement.

Approved By:

_____	_____
County Commissioner, District 1	City Mayor or Manager
_____	_____
County Commissioner, District 2	Tribal Official
_____	_____
County Commissioner, District 3	Emergency Management Director

Witnessed By:

Name: _____
City / County/ Tribal Clerk /Treasurer

Date: 2.24.2022

