



MEMORANDUM

TO: ARPA First Responder Retention Grant Recipients
FROM: Sima S. Merick, Executive Director – Ohio EMA
RE: Use of ARPA First Responder Retention Funds
DATE: October 2, 2023

On behalf of the Ohio Emergency Management Agency, we are pleased to provide public safety departments with grant funds aimed at bolstering the morale and retention of first responders within the State of Ohio. These funds are earmarked for the betterment of our first responders, and we believe that allocating them appropriately is of paramount importance.

As we disburse these funds, we would like to request that the entirety of the retention incentives be directed towards the first responders themselves. We believe that recognizing their tireless efforts in this manner is a fitting tribute to their service and recognition of the impact the pandemic has had not only in our communities but on their work serving the public interest.

However, we understand that there may be circumstances where the employer contributions must be addressed. Determination of employer contribution requirements will need to be addressed in conference with your local counsel. If it is absolutely necessary to do so, we are willing to permit the employer contributions to be paid from the grant funds, provided that all other avenues have been explored and exhausted. It is crucial, though, that this allocation be undertaken judiciously, with the primary intention of ensuring the continued support and well-being of our first responders.

We trust that you will exercise prudence and transparency in managing these funds, always with the best interests of our first responders at heart. We look forward to working closely with you to enhance the effectiveness and resilience of our public safety capabilities.

Please do not hesitate to contact us if you require any further clarification or information. We remain committed to fostering a strong and cooperative relationship between our organizations.

Thank you once again for the invaluable service provided by your first responders. We are honored to be able to support them in their mission to keep our community safe.

Sima S. Merick, Executive Director
2855 West Dublin-Granville Road
Columbus, Ohio 43235-2712 U.S.A.

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**Department of
Public Safety**



Mike DeWine, Governor

Andy Wilson, Director

Sima S. Merick, Executive Director

OHIO EMA ARPA FIRST RESPONDER RETENTION INCENTIVES GRANT GUIDANCE

**GEOFFREY MARTIN, CHIEF, GRANTS BRANCH
OHIO EMERGENCY MANAGEMENT AGENCY
2855 West Dublin-Granville Road, Columbus, Ohio 43235**

Revised October 3, 2023

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Key Notes

Eligibility

Only public sector employees are eligible to receive retention incentives under this grant program. These employees must be first responders in the classifications of dispatchers, EMTs, paramedics, firefighters, and OPOTA-certified law enforcement officers. These employees must have been at risk of leaving the employment of the agency due to the effects of the COVID-19 pandemic.

Eligible employees must have a first date of employment on or before June 17, 2022 and must still be employed by the agency at the time of disbursement of the retention incentive. Agencies must attest to these stipulations in their grant award agreement.

Retention Incentives Calculations

Due to the overwhelming number of First Responder agencies applying through the Ohio EMA ARPA grant program, reductions in the allocation for retention incentives occurred. Unless a reduced amount was requested by an agency, eligible employees whose annual base salary on June 17, 2022 equaled or exceeded \$40,000 will receive a maximum of \$4,000 and eligible employees with salaries less than \$40,000 will receive 10% of their annual base salary, per the submitted application.

Agencies will be required to review the rosters and annual base salaries on June 17, 2022 submitted as a part of the application process prior to requesting disbursement of funds. Any reductions to the amounts requested and number of eligible employees must be communicated to the Ohio EMA.

Retention Incentives May Be Salary Expenses

Retention incentive disbursements **may** be disbursed as a salary expense, and therefore, fringe benefits factored into a retention incentive payment **can be** reimbursable. ARPA funds can be utilized to pay fringe benefits on retention incentive payments. **Agencies may choose to reduce the amount disbursed to the employee to cover employer-paid fringe benefits. The retention incentive amount allocated to each eligible employee may not exceed the original amount as verified by Ohio EMA.** Further, retention incentive payments are subject to all applicable federal, state and local taxes.

For the purposes of Ohio EMA ARPA Retention Incentive payments, eligible fringe benefits include employer-paid contributions to public retirement systems, FICA if applicable, and Medicare. Employer-paid contributions to health savings accounts, retirement savings accounts, tuition assistance, and Worker's Compensation are not eligible.

Annual base salaries are to be calculated on the base rate of pay at the time of application on June 17, 2022. Annual base rate of pay does not include fringe benefits, uniforms, overtime or any additional special duty or incentive pay. For part-time employees, the salary is to be calculated based upon hours worked from June 18, 2021 through June 17, 2022.

Employer Requirements to Retain Employee

Agencies may elect to implement a policy requiring employees to remain employed by the agency for a certain period of time or forfeit some, or all, of the retention incentive disbursed to them. No agency may require an employee paid this retention incentive to remain employed beyond the conclusion of this grant's performance period which is December 31, 2024. All funds returned to the agency resulting from this type of

policy must be returned to Ohio EMA. In addition, an agency must provide Ohio EMA a copy of this policy when returning the Ohio EMA ARPA First Responder Retention Incentive Verification Form.

Disbursement Processes

Unless otherwise stated, all correspondence relating to ARPA Grant Disbursement Requests are required to be submitted via email at EMA_ARPAGrants@dps.ohio.gov

Upon receipt of an agency's signed grant agreement, Ohio EMA will disburse the approved funding for retention incentives and distribute an EMA ARPA Retention Incentive Verification form. Agencies will complete all applicable sections of the form to verify amounts disbursed to eligible employees and provide the required verification documentation.

Performance Period

The period of performance of this grant will be July 1, 2022 to December 31, 2024.

Performance Reporting Requirements

Upon official award, applicants acknowledge they agree to submit quarterly Performance Reports to the state as instructed through December 31, 2024 or, through the end of the quarter following the closure of the grant award, whichever comes first.

Grant Administration

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

Grant Agreement

The Grant Agreement and assurances include important information. It is essential that all Award, Fiscal and General Requirements of the grant have been read, understood and agreed to prior to signing. In order for the Grant Agreement to be accepted, it must be signed and dated by the local Authorized Official that has the authority to obligate grant awards. **This signed and dated grant agreement must be returned via email to EMA_ARPAGrants@dps.ohio.gov within 30 days of receipt.**

Grant Performance Period

The performance period for the ARPA First Responder Retention Incentives Grant is July 1, 2022 through December 31, 2024. No funds may be spent on activities or costs that occur outside of the defined grant performance period.

Standard Financial Requirements

Any subrecipient accepting grant funds from Ohio EMA shall comply with all applicable laws and regulations outlined here. The administrative requirements that apply to most federal award recipients and, specifically the awards made to our governmental partners through the ARPA First Responder grant program, arise from 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

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

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

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

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

Project Management

Sub-Granting

No subrecipient receiving ARPA grant funding may sub-grant funding to another entity.

Performance Reporting

As a condition of facilitating payments through the Ohio EMA ARPA First Responder Grant program, all subrecipients are required to submit quarterly performance reports based upon their activities funded through the end of the performance period, December 31, 2024 **or, through the end of the quarter following the closure of the grant award, whichever comes first.** EMA will distribute the appropriate reporting forms to the agencies. Agencies will begin reporting activities for retention incentives in the month the agency signed the grant agreement. These are due on the following schedule:

<u>Reporting Period</u>	<u>Due Date</u>
July 1, 2023 – September 30, 2023	October 10, 2023
October 1, 2023 – December 31, 2023	January 10, 2024
January 1, 2024 – March 31, 2024	April 10, 2024
April 1, 2024 – June 30, 2024	July 10, 2024
July 1, 2024 – September 30, 2024	October 10, 2024
October 1, 2024 – December 31, 2024	January 10, 2025

Record Retention

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

Audits

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

Single Audit Requirements

Subrecipients are responsible for obtaining audits in accordance with 2 CFR 200 Subpart F; the Single Audit Act Amendments of 1996 (31 U.S.C. 7501–7507); 31 U.S.C. 503, 1111; Executive Order 8248; Executive Order 11541; and revised OMB Circular A–133, “Audits of States, Local Governments, and Non-Profit Organizations.” The audits shall be made by an independent auditor in accordance with generally accepted government auditing standards covering financial audits. Subrecipients must ensure that funds received and expended under this grant program are coordinated with the jurisdiction’s fiscal office (treasurer, auditor, etc.).

Audit Findings

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

Disbursement

Ohio EMA will disburse the approved funding for retention incentives upon receipt of a signed and dated grant agreement and, verification of eligible employees with their respective retention incentive amounts.

Disbursement and Verification Processes

Retention Incentive payments for eligible **public sector** employees will be facilitated and monitored through the following steps:

1. Ohio EMA will distribute all required fiscal information forms and a copy of the agency’s most recent employee roster submitted as a part of the application process.
2. Agency will complete all required fiscal information and submit the fiscal information form, the [SAM.gov](https://sam.gov) active Unique Entity Identifier (UEI) pdf confirmation, the agency’s most recent financial audit, and a verification of the most current roster and salary information (as of June 17, 2022) for eligible public sector employees.
3. Ohio EMA will verify all required information and documentation submitted. Any discrepancies will be resolved with the agency.
4. Upon verification, Ohio EMA will issue a grant agreement to be carefully reviewed, signed, dated and returned within 30 days of receipt.

5. Upon receipt of an agency-signed grant agreement, Ohio EMA will facilitate disbursement of approved retention incentive payments to the agency **and distribute the EMA ARPA Retention Incentive Verification Form.**
6. EMA will distribute the Performance Reporting forms. Agency will begin the Performance Reporting process on the date the agency signs the grant agreement.
7. Agency will disburse payments to eligible employees within 30 days of receipt of funds from Ohio EMA.
8. Agencies will **attest and** submit a signed **EMA ARPA Retention Incentive Verification form** and all required proof of disbursements to [EMA ARPAGrants@dps.ohio.gov](mailto:EMA_ARPAGrants@dps.ohio.gov) within 30 days of disbursing payments to eligible employees. **All exceptions to this deadline must be preapproved by Ohio EMA.**
9. Any discrepancies resulting in overpayments will be resolved with the agency within 30 days of Ohio EMA advising agency of such discrepancies.

Proper Documentation

Ohio EMA requires proof of disbursement to eligible public sector employees in the form of an agency's detailed payroll earnings report or an employee's pay advice that reflects the amount of the retention incentive disbursed to the employee and the date of disbursement. **This documentation must itemize the net, pre-tax amount to be disbursed to the employee and, if applicable, all employer-paid fringe benefits deducted from the original award amount as verified by Ohio EMA. In addition, proof of remittance to all applicable entities for employer-paid fringe benefits itemized by each eligible employee is also required. Failure to provide proper documentation as required will result in the return of funds to Ohio EMA.**

Enforcement, Termination and After the Grant Requirements

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

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

- **Review subrecipient's submission of compliance:** In the event the subrecipient submits compliance documentation, Ohio EMA Grants Administrator, in conjunction with the Grants Branch Chief, will review the subrecipient's written submission and determine if there is full compliance. If the subrecipient has not met full compliance, Ohio EMA will take agency action, through a Notice of Action, the subrecipient received notice of in the previously issued Notice of Non-Compliance.
- **Method for requesting review:** Subrecipient will have thirty (30) days from the date of the Notice of Action to request reconsideration with the Executive Director. The sub recipient must send the request in writing and should include any additional information or documentation within the thirty day period for the Executive Director to consider. The Executive Director will make a decision in writing within sixty (60) days of receipt of the request for reconsideration. However, if the Executive Director needs additional time, the subrecipient will be given notification of the extended time frame. The decision of the Executive Director is final. The subrecipient is not entitled to any further appeals within Ohio EMA, or pursuant to any federal or state regulation, code, or procedure.

Availability of Public Records

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

Applicants are encouraged to consult state and local laws and regulations and discuss these requirements with their legal counsel.

Points of Contact

For Grant Fiscal and Administrative needs, contact:

Geoffrey Martin, Grants Branch Chief	(614) 799-3836	gsmartin@dps.ohio.gov
Vicki Cox, Grants Administrator	(614) 799-3835	vlcox@dps.ohio.gov
Michelle Liberati-Cobb, Grant Specialist (A-K)	(614) 799-3832	mdliberati-cobb@dps.ohio.gov
Adam Van Dine, Grant Specialist (L-Z)	(614) 799-3683	aevandine@dps.ohio.gov
Angela Richards, Grant Specialist	(614) 799-3833	alrichards@dps.ohio.gov

[Please review our website for additional information:](#)

<https://ema.ohio.gov/prepare-respond/preparedness-grants/preparedness-grant-programs/arpa-first-responders-grant-program>

**OHIO EMERGENCY MANAGEMENT AGENCY
GRANT AGREEMENT**

Subrecipient Grant Agreement #	Subrecipient Vendor ID #	Federal Pass-Thru #	AL #	State Fund #	State Grant #
AFRR-214-RET	102489	N/A	21.027	5C3V	DPSFE270
ARPA First Responder Wellness, Recruitment, Retention & Resiliency		Total Award	Performance Period		
Parma Fire Department		\$408,000.00	07/01/2022 – 12/31/2024		
Subrecipient Signatory Office/Address					
Name/Title	Sima S. Merick, Executive Director				
Agency	Ohio Emergency Management Agency				
Address1	2855 W. Dublin-Granville Road				
City, St, Zip	Columbus	OH	43235-2206		
Grant Award Requirements					

General Requirements:


- This Grant Agreement must be signed, dated and returned with original signature to the Ohio EMA Grants Branch, via email, within thirty (30) days upon receipt.
- Signatory of this Grant Agreement must have authority to obligate the Subrecipient.
- Signatory attests all individuals receiving retention incentive payments through this grant are public sector employees and their first date of employment was on or before June 17, 2022.
- Signatory attests all salary calculations are for those eligible individuals on June 17, 2022 whose annual base salary does not include any non-contractual overtime expenses, fringe benefits or other special-duty payments.
- Subrecipient agrees to disburse retention incentive payments to all individuals within thirty (30) days of receipt of funds from Ohio EMA unless extenuating circumstances prevent agency from disbursing funds within this timeframe and such exception is approved by Ohio EMA.
- Subrecipient agrees to submit Retention Incentive Verification form to Ohio EMA within thirty (30) days of disbursement of retention incentive payments to eligible individuals.
- Subrecipient agrees to return overpayments to Ohio EMA within thirty (30) days of notification by Ohio EMA.

Federal Requirements

- Signatory attests all individuals receiving retention incentive payments under this Grant Agreement were at risk of separating employment from the agency due to the impact of the COVID-19 pandemic.
- Ohio EMA reserves the right to request additional documentation and/or information prior to disbursement and may deny disbursement if it is determined that the Subrecipient's intended disbursement does not comply with state or federal grant requirements.
- Subrecipient affirms that funds will be disbursed to eligible individuals as designated within thirty (30) days of receipt of funds from Ohio EMA.
- Subrecipient agrees to comply with the grant requirements found in the most recent version of Title 2 Code of Federal Regulations (CFR) 200 Subpart E, as applicable, and, as amended.
 - Subrecipient affirms these funds will not be used as a match for other federal programs and that funds will supplement, and not supplant, local, state or federal funds.
 - Subrecipient affirms reimbursed funds through this grant have not been reimbursed through any other grant - federal or otherwise.
 - Any amendment or modification of this Grant Agreement shall be pre-coordinated and made in writing, signed by both parties, and shall specify the changes and justification.

State Requirements:

1. Subrecipient agrees that program funds are not available to be drawn until Ohio EMA accepts and approves all submitted application forms and budget, and the signed Grant Agreement has been returned to Ohio EMA.
2. Subrecipient agrees to submit any proposed revision to their pre-approved budget, with justification for review and approval by Ohio EMA prior to obligating funds for any such revision.
3. Ohio EMA will disburse funds to the subrecipient upon verification of the approved subrecipient staff roster and receipt of a signed Grant Agreement. Subrecipient will submit a Retention Incentive Verification form to include proof of disbursement in total to eligible individuals within thirty (30) days of receipt of funds from Ohio EMA.
4. Ohio EMA reserves the right to request additional documentation and/or information prior to disbursement and may deny disbursement if it is determined that intended disbursement does not comply with state or federal grant requirements.
5. Failure to demonstrate progress or report progress on a quarterly basis will result in de-obligation of grant funding.
6. This Grant Agreement, all rights, duties and/or obligations described herein may not be assigned or sub-contracted by the Subrecipient without prior consent of Ohio EMA.
7. Unauthorized Program Expenditures include: Any other costs without the prior approval of Ohio EMA.
8. Subrecipient agrees, to the extent permissible by applicable law, to be responsible for any and all liabilities or claims caused by or resulting from the Subrecipient's completion of the Project under this Grant Agreement. Nothing in this Grant Agreement shall be construed as an assumption of liability by Ohio EMA or Ohio Department of Public Safety.
9. This Grant Agreement and documents referred to herein constitute the complete understanding of the parties with respect to this award. Whenever possible, each provision of this Grant Agreement shall be interpreted in such a manner as to be effective and valid under applicable law. To the extent any provision is determined to be invalid the remainder of the Grant Agreement will not be invalid.
10. In the event the Subrecipient fails to utilize these funds for the purposes set forth and in accordance with guidance, applicable laws and regulations, the Subrecipient shall be in default. In such event, Ohio EMA may: a) withhold further payment of funds to Subrecipient, b) require Subrecipient to reimburse all or any portion of funds, and/or c) terminate the Grant Agreement. Before taking action, Ohio EMA will provide Subrecipient reasonable notice of intent to impose measures and will make efforts to resolve the problem informally. In the event that the State of Ohio determines that funds are not appropriated or otherwise available to support continuation of this sub-grant, the sub-grant shall be canceled. A determination of unavailability of funds shall be final and conclusive.
11. Subrecipient may request review of any decision made under this grant program to the Executive Director of Ohio EMA. Decisions of the Executive Director will be final.
12. Subrecipient is prohibited from modifying funded projects without prior written approval from Ohio EMA Grants Branch.
13. Funds not expended and disbursed within the period of performance listed in this grant or as otherwise amended will be de-obligated.
14. Subrecipient agrees to reimburse Grantor for all costs and expenses incurred if an audit, monitoring visit or investigation determines the Subrecipient was in violation of the terms of this Grant Agreement (including local, state, and federal requirements). Reimbursement for such costs and expenses may be withheld from any amounts due to Subrecipient pursuant to the payment terms of this agreement.
15. Subrecipient agrees to review and abide by the applicable portions of DPS policy 501.39, and shall report to Ohio EMA any complaints alleging discrimination from clients, customers, program participants, or consumers of DPS or DPS grant recipients related to subrecipient's actions under this Agreement.

Subrecipient Signatory Official	Date	Grantee Signatory Official	Date
Michael Lasky, Chief City of Parma		 Sima S. Merick, Executive Director Ohio Emergency Management Agency, State Administering Agency	10/3/2023