

Massachusetts Emergency Management Agency (MEMA)

Notice of Funding Opportunity (NOFO)

FY 2020 Building Resilient Infrastructure and Communities (BRIC)

COMMBUYS Bid #: BD-21-1013-RMS00-MITAG-54482

Posted: September 1, 2020

State Application Deadline: December 11, 2020

At 5pm via FEMA GO

- 1. Program Overview:** The Building Resilient Infrastructure and Communities (BRIC) program makes federal funds available for pre-disaster mitigation activities to reduce, minimize, or eliminate potential damages to property and infrastructure from natural hazard events. This nationally-competitive annual grant for hazard mitigation plans and projects can reduce overall risks to the population, structures and infrastructure, while also reducing the reliance on taxpayer-funded federal disaster assistance for disaster recovery.
- 2. Funding Availability:** Through this Notice of Funding Opportunity (NOFO), the Massachusetts Emergency Management Agency (MEMA) (Applicant Agency) will be accepting applications for the following federal grant:

Fiscal Year 2020 Building Resilient Infrastructure and Communities (Federal Award ID# DHS-20-MT-047-000-99); Assistance Listings Title (formally Catalogue of Federal Domestic Assistance Number): 97.047; Amount of funding: \$500,000,000 available nationwide.
- 3. Authorities and References:** Section 203 of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act), as amended (Pub. L. No. 93-288) (42 U.S.C. 5133) as implemented by Hazard Mitigation Assistance: Building Resilient Infrastructure and Communities (FP:104-008-05); Hazard Mitigation Assistance Guidance and Addendum (2015); Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR part 200.

4. **Eligible Applicants:** Local governments (including cities, towns, and special district governments), and State Agencies apply to MEMA. For projects that benefit private organizations, individual homes or businesses, the local government must be the applicant on behalf of the individuals and businesses. To be eligible for project grants, applicants (except State Agencies which are covered under the Standard State Plan) must have a locally adopted and FEMA-approved Local Hazard Mitigation Plan (in accordance with 44 Code of Federal Regulations, Part 201) by the application deadline.

5. **Grant Deadline:** Statements of Interest submitted on MEMA’s website are due **October 16, 2020**. Full applications will be due in the FEMA GO system on **December 11, 2020**. Applications submitted after this date will not be submitted in the FY20 BRIC national competition, but are not excluded from future grant opportunities.

6. **FEMA GO:** (<https://go.fema.gov>) is the application portal for this grant. In order to register for FEMA GO, applicants must first be registered in www.sam.gov. The registration process in www.sam.gov and FEMA GO can take up to sixteen business days. Please be sure to register by November 2, 2020 to avoid any delays. Once registered in FEMA GO, MEMA will be responsible for authorizing access to your organization in order to complete the BRIC application in the system.

7. **Cost Share:** Cost share is 75% Federal / 25% non-Federal. Non-Federal share may include: Cash, including local, state, and/or private cash payments (e.g. general funds, State funded grants (e.g. MassWorks, MVP grants, etc.), force account labor (e.g. DPW staff salary and fringe), equipment, materials, volunteer or donated labor (or any combination thereof). In general, the non-Federal cost-share requirement may not be met with funds from other Federal agencies or Federal Grant programs.

8. **Important BRIC dates for Applicants:**

Statement of Interest (SOI) Deadline: 10/16/2020 - *Statements of interest are submitted via the MEMA website to determine basic eligibility, and to initiate access to FEMA GO’s Application Portal. No registration is required for the SOI; simply fill out the information in the online form.*

Invitations for Full Applications in FEMA GO: 10/26/2020 - *SOI’s will be screened for basic eligibility. SOI’s which pass this screening will be invited to submit for this year’s BRIC Program. These invitations will be sent to the SOI point of contact via email.*

In order to register for FEMA GO, applicants must first be registered in www.sam.gov. The registration process in www.sam.gov and FEMA GO can take up to sixteen business days. Please be sure to register by November 2, 2020 to avoid any delays.

Benefit-Cost Analysis (BCA) due to MEMA (Projects Only): 11/24/2020 - Applicants are required to submit a [FEMA Benefit Cost Analysis in v6.0 \(available for download\)](#) to MEMA by this date. MEMA will review and provide feedback on BCA's on a first come-first served basis. If BCA assistance will be requested, please submit the BCA as early as possible. BCA's should be submitted to your Grant Coordinator via email.

Full FEMA GO Application Submission Deadline: 12/11/2020 - Full applications must be submitted through the FEMA GO system no later than December 11, 2020. All applications will be reviewed and ranked by the State Interagency Review Panel. All complete and eligible applications for projects will be submitted to FEMA in ranked order. This is a final deadline and there is no opportunity to make changes or additions to your application after this date. Applications are strongly encouraged to be submitted EARLY.

Complete BRIC Timeline

- State grant availability announcement date: 9/1/2020
- State NOFO Overview Briefings: 9/10/2020 at 1:00PM; 9/11/2020 at 10:00AM
- Statement of Interest deadline: 10/16/2020 - REQUIRED
- Application STATE deadline for BCA: 11/24/2020 - REQUIRED
- Application development assistance: Ongoing until deadline, first come-first served basis
- Full FEMA GO application STATE deadline: 12/11/2020 at 5:00PM
- State ranking and application submission to FEMA: 12/14/2020-1/28/2021

9. **Technical Assistance and Briefings:** MEMA will offer BRIC informational grant briefings, training on Benefit-Cost Analysis software, and instructions for the FEMA GO portal. The MEMA website will be updated regularly with dates and registration information. Recordings and slides for trainings will be made available on the MEMA website. Please note that additional training sessions may become available during the grant application period and will be posted on the website: <https://www.mass.gov/hazard-mitigation-assistance-hma-grant-programs>

FEMA Grant Fridays – Technical assistance open office hours are available to all Statement of Interest (SOI) submitters to ask questions about the FEMA GO system, Benefit Cost Analysis (BCA), or application components. These virtual sessions are staffed by MEMA and run every Friday 12:00PM-1:00PM from September 18, 2020 to December 11, 2020. To register for FEMA Grant Friday, please email mitigation@mass.gov. Virtual session links will be sent to registered attendees.

10. **Eligible Project Types:**

Mitigation Projects are cost-effective projects designed to increase resilience and public safety; reduce injuries and loss of life; and reduce damage and destruction to property, critical services, facilities, and infrastructure.

- Activities can include but are not limited to: stormwater drainage and culvert improvements; floodplain and stream restoration; flood control, diversion, and storage; property acquisition;

slope stabilization; infrastructure protection; aquifer storage; seismic and wind retrofits; structure elevations; resilient infrastructure projects; and emergency generators for critical facilities. A complete list and details on eligible projects can be found in the 2015 FEMA Hazard Mitigation Assistance Guidance.

- All mitigation project applications must include a FEMA Benefit-Cost Analysis (BCA), using FEMA BCA v6.0 software to document the project's cost-effectiveness. BCA's must include the appropriate acceptable back-up documentation, including damage history (or professional expected damage analyses), rainfall calculations, detour routes, etc. Applicants are required to submit a FEMA Benefit Cost Analysis in v6.0 to MEMA by November 24, 2020 to ensure the project meets this fundamental eligibility requirement. MEMA will review and provide feedback on BCA's on a first come-first served basis. If BCA assistance will be requested, please submit the BCA as early as possible.
- Management costs can be included in your project application. This is financial assistance to reimburse the recipient for eligible and reasonable indirect costs, direct administrative costs, and other administrative expenses associated with a specific mitigation measure or project up to 5 percent of the total amount of the grant award.
- Pre-award costs directly related to developing the application that are incurred before the application period has opened but prior to the date of the grant award are allowed subject to FEMA's written approval. Pre-award costs, if included, must be included in the budget as a clearly defined line item and in the BCA. Applicants who are not awarded grants will not receive reimbursement for the corresponding pre-award costs.
- Projects which reduce or eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program (NFIP) may be asked to submit an application under the 2020 Flood Mitigation Assistance Program.

Capability and Capacity-Building (C&CB) are activities which enhance the knowledge, skills, and expertise of the current workforce to expand or improve the administration of mitigation assistance. This includes activities in the following sub-categories: building code activities; partnerships; project scoping; mitigation planning and planning-related activities; and other activities.

- C&CB activities will be reviewed and ranked based on separate criteria listed later in this NOFO. Through this NOFO the State will make up to \$600,000 Federal share available for applications for the C&CB category, of which up to \$300,000 Federal share can be for hazard mitigation plans.
- C&CB activities must result in a plan, resource, strategy, or tangible mitigation product.
- A detailed Statement of Interest for C&CB activities is required to be filled out by October 16, 2020.
- Project scoping activities which reduce or eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program (NFIP) will be asked to submit an application under the 2020 Flood Mitigation Assistance Program.

11. Application Elements: All applications for BRIC must be filed in the FEMA GO system. Application elements include the following components:

- Applicant information
- Hazard Mitigation Plan information
- Scope of Work
- Project Schedule including Go/No-Go Milestones – Project must identify a series of milestones throughout the work schedule that FEMA will review and approve. Maximum of 48 months is allowed.
- Detailed Budget
- Source of local cost share
- FEMA Benefit-Cost Analysis (BCA), using FEMA BCA v6.0 software
- Environmental Considerations – Detailed information must be provided describing the potential impacts to environmental resources or historic properties and any consultations or permitting that has already occurred.
- FEMA Assurances
- Additional documentation may be required depending on the specific project type. Please refer to the FEMA NOFO for more information.

12. Review & Ranking: A state interagency review panel will evaluate all eligible and complete proposals on a competitive basis. The review panel reserves the right to request additional, clarifying information from the applicant during the evaluation period, and to reject any or all proposals that do not meet the goals and terms of this NOFO. The proposals will be evaluated and prioritized within their respective category, Mitigation Project Review Criteria, or Capability and Capacity-Building (C&CB), by the following criteria:

Mitigation Project Review Criteria	Max points
Project Scope, Budget and Timeline. The project adequately mitigates current hazards by providing a well-defined scope of work and level of protection above what currently exists. The project budget/cost estimate is detailed. The application demonstrates through a clear and realistic work schedule the capability of the applicant to implement and complete the project in a timely manner.	(0-20 points)
Environmental Permitting Ability. The project application includes a detailed plan for obtaining all required state and local environmental permits.	(0-10 point)
Benefit Cost Analysis. A well-defined ‘Benefit-Cost Analysis’ (BCA) using FEMA BCA v6.0 software and provided with relevant supporting documentation.	(0-10 points)
Commitment. The application demonstrates commitment to complete the project and is substantiated by providing documentation of the non-federal cost share,	(0-10 points)

signed support by the chief administrative official, and a description of the decision-making process.	
Consistency with Planning. The application provides reference to the FEMA-approved hazard mitigation plan (HMP) where this activity is listed or referenced.	(0-10 points)
Co-Benefits and Partners. The project will improve resilience (or ability of the system to withstand current and future hazards and disturbances) at, adjacent to, and beyond the project site through key resilience factors. The project has established partnerships, collaborations, etc. and offers opportunities for other municipalities to learn from the techniques deployed.	(0-10 points)
Nature-Based Approaches. The project promotes utilization of nature-based approaches and provides environmental benefits.	(0-10 points)
Focuses on Critical Infrastructure. If the project is not implemented there will likely be a detrimental impact, loss of essential services, damage to critical facilities, infrastructure, and/or economic hardship.	(0-10 points)
Vulnerable Populations: The application demonstrates positive impacts to Environmental Justice (EJ) and/or Climate Vulnerable (CV) populations. EJ populations can be identified with the Environmental Justice Viewer: https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts#interactive-map CV populations are identified as those who have less physical and/or socioeconomic resiliency due to factors such as access to transportation, income level, disability, race, health status, or age.	(0-10 points)

The proposals for Capability- and Capacity-Building (C&CB) activities will be reviewed by the following criteria:

Capability and Capacity Building (C&CB) Review Criteria	Max points
Tangible Outcomes. The project has a well-defined and clear scope of work which will result in a resource, strategy, or tangible mitigation product that will increase resiliency to natural hazards and climate change.	(0-20 points)
Building Institutional Capacity. The application demonstrates a commitment to natural hazards and climate change resiliency by work that integrates policies and programs for increased effectiveness and/or builds local capacity for increased resilience efforts. The application must also detail how implementation of this project builds upon existing resiliency policies, projects or programs, and expands local capacity or capabilities for risk reduction. Examples include funding an activity that is listed in your current approved HMP or MVP report.	(0-20 points)

Risk Reduction & Climate Change: Project promotes future risk reduction through analysis of best available data. Application must outline proposed sources of climate and hazard data to be used, potential climate change scenarios, storm frequencies, etc.	(0-10 points)
Vulnerable Populations: The application demonstrates positive impacts to Environmental Justice (EJ) and/or Climate Vulnerable (CV) populations. EJ populations can be identified with the Environmental Justice Viewer: https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts#interactive-map CV populations are identified as those who have less physical and/or socioeconomic resiliency due to factors such as access to transportation, income level, disability, race, health status, or age.	(0-10 points)
Establishes Partners. The project has established partnerships, regional or multi-community collaborations etc. These should be substantially detailed in the application tasks, budget, and outcomes. Confirmation by the partner in the form of a letter of support is also required.	(0-10 points)
Public Engagement. The project includes work that provides a heightened awareness of natural hazard risk in and for the community. These are actions that increase education, awareness, and incentives for climate change and resiliency measures for community organizations, private industry, non-profits, and the general public.	(0-10 points)
Focuses on Nature-Based Approaches. The project promotes utilization of nature-based approach and environmental benefits.	(0-10 points)
Focuses on Critical Infrastructure. The project promotes or focuses on the resilience to essential services, community lifelines/critical facilities, infrastructure, and/or economics drivers.	(0-10 points)

12. Grant Award: Following the State review, ranking and submission of BRIC applications, FEMA Headquarters will review applications submitted by each state to ensure compliance with the HMA Guidance, including eligibility of the applicant, eligibility of proposed activities and costs, completeness of the application, cost-effectiveness & engineering feasibility of mitigation projects, and eligibility and availability of the non-Federal cost share. Projects identified for further review transfer to the FEMA Regional offices for conducting EHP compliance and additional technical reviews. Upon receipt of an award for a specific grant, MEMA will notify the applicant, enter into a state contract, and hold a kick-off meeting.

13. Period of Performance & Reporting: The Period of Performance (POP), is the period of time during which costs related to the approved scope of work can be eligible for reimbursement. The Period of Performance for the grant award starts with the acceptance of the award and ends no later than 36 months. For highly complex projects, the Applicant may submit a request for a longer POP in the Application for FEMA to review and approve. The period of performance will

be outlined in the Standard Contract Form. Contracts issued pursuant to this Federal award must expend all funds and complete all work on or before the contract end date. Project schedules must include a clear breakdown of tasks and deliverables by fiscal year (i.e., specifically what tasks will be accomplished by June 30, 2022 [FY22] and then by June 30, 2023 [FY23]). It is recommended that Applicants divide project tasks between the fiscal years in distinct phases. All changes to the schedule must be approved in advance and in writing. Recipients are required to submit quarterly progress reports to MEMA as a condition of their award. Progress towards meeting the Go/No-Go milestones must be reported in the quarterly progress reports submitted to MEMA. Periodic site visits and meetings will occur.

14. Requirements and Conditions for Federal Award:

- All FEMA HMA grant project applications require a local FEMA-approved Hazard Mitigation Plan at the time of the FEMA application deadline and at the time of obligation.
- A Statement of Interest (SOI) is required to allow the State to review and prioritize projects and provide application development technical assistance.
- Projects must be able to be permitted under Federal, State and local permit procedures including, 44CFR Parts 9 & 10 (Floodplain Management & Wetland Protection).
- Mitigation projects must, at a minimum, be in conformance with the latest published editions (meaning either of the two most recently published editions) of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs.
- Mitigation projects must be technically feasible and effective in increasing the level of protection.
- All spending must comply with the federal procurement standards described in [2 CFR 200.317](#) through 2 CFR 200.326. If your project is awarded, funds must be expended (even pre-award costs) under documented procurement procedures, and in compliance with applicable federal, state, and local laws & regulations.
- Applicants must demonstrate that mitigation projects are cost effective. This is demonstrated utilizing the FEMA approved BCA software (v6.0).
- Mitigation projects must solve a problem independently or constitute a functional portion of a long-term solution for which there is assurance that the project as a whole will be completed, or there is a reasonable plan and available funding for completion.
- **Go/No-Go Milestones** - The applicant, must identify a series of Go/No-Go milestones throughout the schedule for mitigation activities that FEMA will review and approve. A Go/No-Go milestone is a major milestone in the project that, if not completed on time, may result in a cancellation of the award. Progress towards meeting the Go/No-Go milestones must be reported in the quarterly progress reports submitted to the Recipient and FEMA. At these Go/No-Go milestones, FEMA will evaluate project performance, schedule adherence, and contribution to FEMA's program goals and objectives.
- **Special Flood Hazard Area** - If the mitigation project is located in a Special Flood Hazard Area, it must meet both of the following conditions:

- The project is in a jurisdiction participating in the National Flood Insurance Program that is not on probation, suspended, or withdrawn.
- The property owner obtains and maintains flood insurance for the life of the structure, regardless of transfer of ownership, in an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to the mitigated property, whichever is less.
- **Contract Terms & Conditions** – The terms and conditions of the State Contract include, but are not limited to the following items:
 - *Grant Modifications* - The Scope of Work, Budget and Work Schedule, approved by FEMA and included in the application and/or FEMA Award, is the only work that is eligible for reimbursement. Scope of work and budget modification requests must be submitted and approved in advance of any changes; time extension requests must be requested a minimum of 90 days prior to the contract end date. Failure to comply with these requirements may result in full forfeiture of the federal funding award.
 - *Designation of Project Manager* - At the time of award, the grant recipient must name a Project Manager who will be responsible for the duties of carrying out the federal award.
 - *Quarterly Reports* - All recipients are required to submit a quarterly report on the form provided by MEMA, as evidence of project progress and any project issues that materialize. The report is due on October 1st, January 1st, April 1st and July 1st of each year. The information on these reports is expected to be accurate. Quarterly reports do not substitute a grant modification request as outlined above. Reports are submitted to FEMA. Progress towards meeting the Go/No-Go milestones must be reported in the quarterly progress reports. Failure to submit quarterly reports in a timely manner may jeopardize federal reimbursement.
 - *Requests for Funds* - Only the costs delineated in the approved budget in your state contract and defined as allowable costs in 2 CFR Part 200 are eligible for reimbursement. Only those costs incurred during the time periods specified in the State Contract are eligible for reimbursement. Funds shall be released by MEMA to the recipient on a reimbursement basis or in special instances, on a short-term advance basis as authorized by Federal law and negotiated with the Agency, consistent with Federal and State regulations. Funds shall be requested on the Request for Funds form provided by MEMA. The grant represents the federal share of the project. The federal share is typically up to 75% of the total eligible project costs. Should project costs increase, the local share must increase as the federal share is fixed once it is awarded. Final requests for funds must be submitted no later than 30 (thirty) days after the state contract end date.
 - *Documentation Required for Release of Funds* - The Sub-Recipient shall provide the following documentation to MEMA concurrent with each Request for Funds form:
 - Documentation which demonstrates that the work for which funding is requested is completed to all applicable Federal, State, and local codes and standards. This includes permits, inspection reports, photos, description of the work performed in sufficient detail, etc.
 - Documentation which demonstrates that the goods and/or services for which reimbursement is requested were procured in a manner consistent with local and state

policies and in accordance with Federal procurement regulations in 2 CFR Part 200. This includes bids, notifications, contracts, etc.

- Vendor/supplier invoices that provide detail for date(s) of service, tasks completed, and detail by line item. For construction projects, Certified Payroll is required.
- Documentation that demonstrates that payment was made by the Sub-Recipient to vendors/suppliers (“Proof of Payment”). This may include, but is not limited to, cancelled checks, signed payroll warrants, certified municipal payment records.
- Documentation which demonstrates the expenditure of the required local cost-share. Where “in-kind” services are provided by the Sub-Recipient, timecards, payroll reports and appropriate reports that show detail of the work completed will be required.
- For elevation and retrofit (i.e. utility) projects, a Homeowner Elevation Summary Sheet must be completed for each property.
- *Cost Overrun* - Sub-Recipients will notify the Agency when/if they anticipate a cost overrun. The Sub-Recipient must cover the cost overrun with local funds.
- *Permits, Bid Specifications, Design Drawings and Plans* - The Sub-Recipient shall provide electronic copies of all permits and approvals required in support of the project prior to construction. Failure to obtain all appropriate federal, state, and local environmental permits may jeopardize federal funding. Please note that any changes made in the review, consultation or permitting process must be reviewed by MEMA and may need FEMA approval before construction proceeds. The Sub-Recipient shall provide an electronic set of final “as-built” drawings/plans. Final payment will be made after receipt of final deliverables. For Acquisition and Structure Elevation projects, refer to the 2015 Hazard Mitigation Guidance Addendum Section A and Section E for additional close-out documentation requirements such as, but not limited to, recorded deed, statement of voluntary participation, FEMA Form AW-501, Certificate of Occupancy, and final elevation certificate.
- *Record Keeping and Retention, Inspection of Records* - The Sub-Recipient shall maintain records, books, files and other data as specified in a contract and in such detail as shall properly substantiate claims for payment under a contract, for a minimum retention period of seven (7) years beginning on the first day after the final payment under a contract, or such longer period as is necessary for the resolution of any litigation, claim, negotiation, audit, or other inquiry involving a Contract. The Department shall have access, as well as any parties identified under Executive Order 195, during the Contractor’s regular business hours and upon reasonable prior notice, to such records, including on-site reviews and reproduction of such records at a reasonable expense.
- *Project Sign* - For physical construction projects with total costs over \$500,000 and located within a contiguous site, the Sub-Recipient shall erect a sign, at a suitable location near the project site. This sign shall be at least eight (8) feet long by four (4) feet high and meet the specifications delineated by MEMA. Please confer with the mitigation staff on this requirement.
- *Copyright* - FEMA and MEMA reserve a royalty free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for government purposes. Any publication resulting from work performed under this

agreement shall include an acknowledgement of Massachusetts Emergency Management Agency.

15. Contact Information:

Sarah White, State Hazard Mitigation Officer
Massachusetts Emergency Management Agency
400 Worcester Road
Framingham MA 01702
Sarah.White@mass.gov
508-820-2053

For general inquiries regarding potential projects please contact your Hazard Mitigation Grants Coordinator:

Shelly O'Toole, MEMA Regions 1&3, 508-820-1443, Michelle.OTOole@mass.gov

Dave Woodbury, MEMA Regions 2&4, 508-820-2034, David.Woodbury@mass.gov

For more information or to register for webinars and trainings, please email mitigation@mass.gov

MEMA website www.mass.gov/mema.