

A grayscale photograph of a residential street completely submerged in floodwater. A stop sign is visible in the middle ground, partially submerged. Houses and trees are visible in the background, also partially underwater.

Applicant Briefing

March 2-3, 2018 Severe Winter Storm and Flooding



FEMA

MEMA



FEMA-4372-DR-MA

DECLARATION DATE: June 25, 2018

INCIDENT PERIOD: March 2-3, 2018 Severe Winter Storm and Flooding

DECLARED AREAS: Barnstable, Bristol, Essex, Nantucket, Norfolk and Plymouth Counties

AUTHORIZED DISASTER ASSISTANCE:

FEMA Public Assistance Program, and Statewide Hazard Mitigation Grant Program

AGENDA

FEMA Public Assistance Program

- Sandy Recovery Improvement Act (SRIA)
- Types of Eligible Work/Costs
- Project Time Limits
- Special Considerations
- Reimbursement – State Standard Contracts

PA Delivery Process / Grants Portal



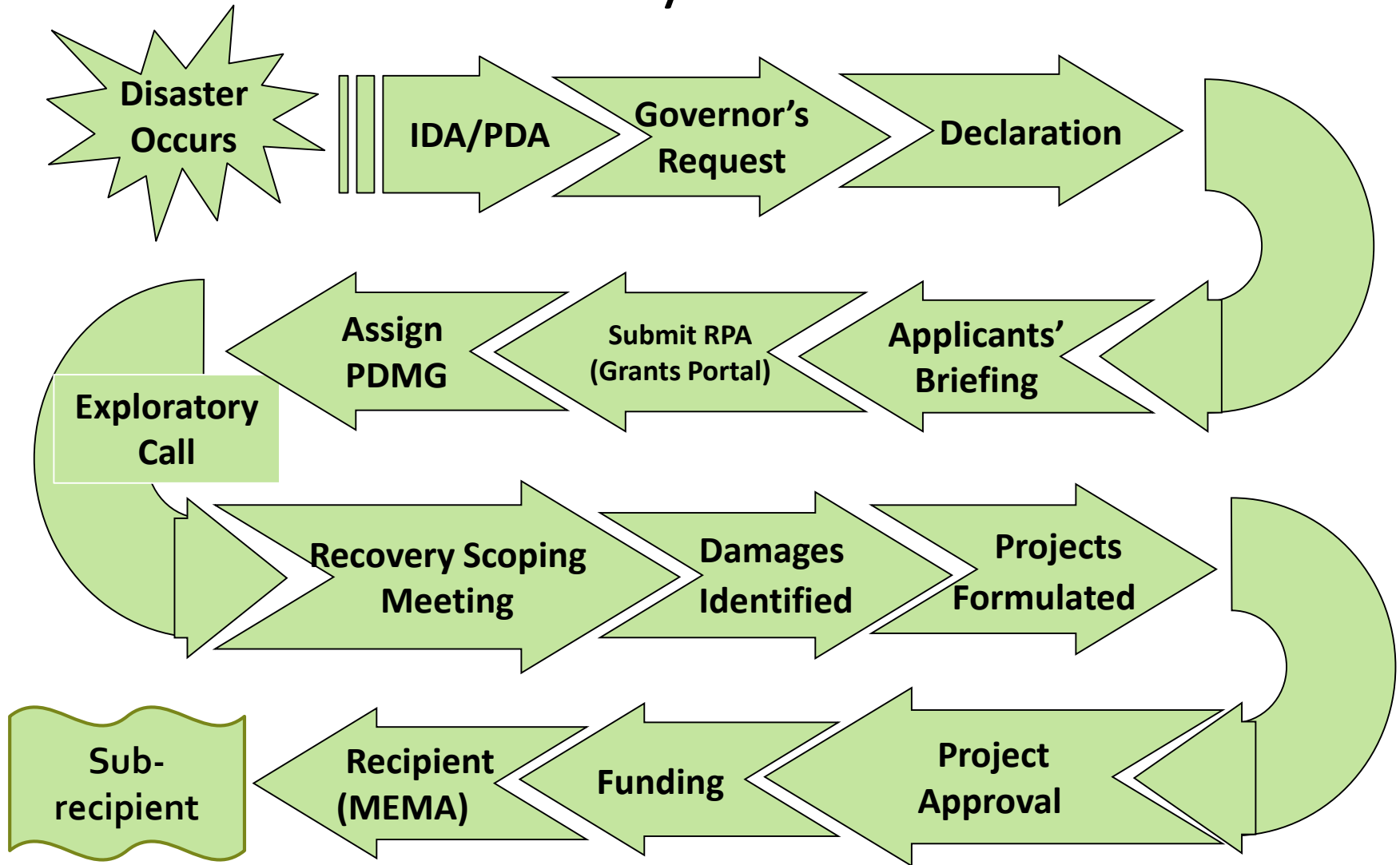
FEMA Public Assistance (PA) Program

To provide supplemental financial assistance to state, local and tribal governments, and certain private non-profit organizations for emergency work and the repair or replacement of disaster-damaged facilities.

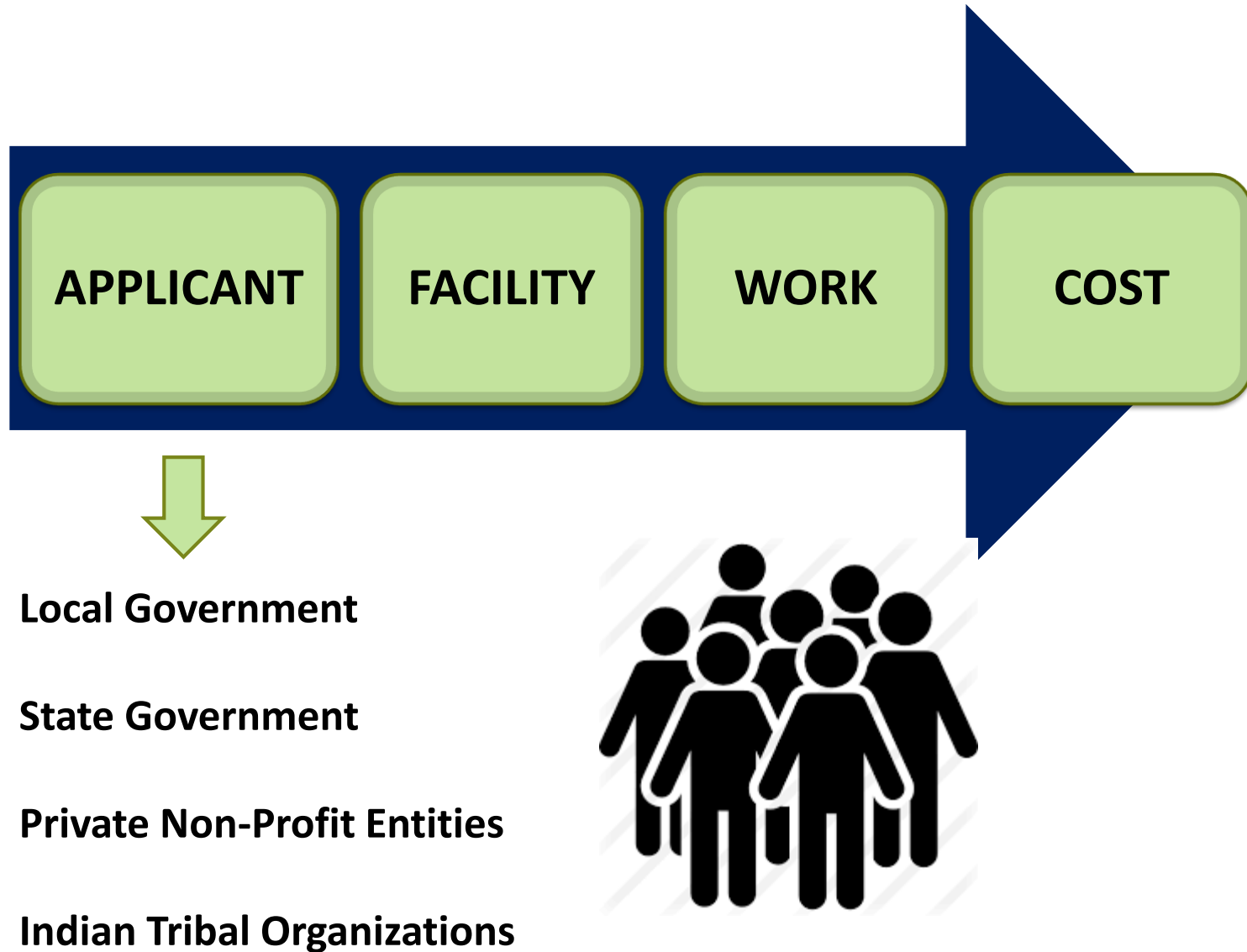
Funding is cost shared at a federal share of no less than 75% of eligible costs.



New PA Delivery Process



Eligibility Structure



Request for Public Assistance (RPA)

One RPA per applicant

REGISTERED PORTAL USERS: Apply directly in Grants Portal

UNREGISTERED PORTAL USERS: Sign up or complete/submit RPA at briefing or email to disaster.recovery@mass.gov

Submit RPA by no later than filing deadline date of July 25, 2018

PRIMARY CONTACT – Available point of contact who will oversee and manage projects and provide all project information to FEMA/MEMA

ALTERNATE CONTACT – Individual who is responsible for executing state standard contracts for reimbursement

Private Non-Profit Entities (PNPs) and the Small Business Administration

Critical PNPs - PNPs that provide "critical services" which include power, water, sewer, wastewater treatment, communications, educational institutions and emergency medical care may apply directly to FEMA for a disaster grant for emergency and permanent repair costs.

Non-critical PNPs - Non-critical PNPs may apply directly to FEMA for funding for emergency repair costs. For permanent repair costs, non-critical PNPs must apply to the Small Business Administration (SBA) for a disaster loan. If a PNP is declined an SBA loan or the loan does not cover all eligible damages work, the applicant may reapply for FEMA PA Funding.

Private Non-profit Entities Application Procedures



- ✓ Request for Public Assistance
- ✓ A ruling letter from the U.S. Internal Revenue Service granting tax exemption under Sections 501(c), (d), or (e) of the Internal Revenue Code of 1954
- ✓ PNP Certification Sheet and PNP Facility Questionnaire, Mission statement or brochure of organization
- ✓ DUNS Number
- ✓ Employer Identification Number (EIN)

Categories of Work

EMERGENCY WORK

Work performed to reduce or eliminate an immediate threat to life, protect public health and safety, and to protect improved property.

Category A – Debris Removal

Category B – Emergency Protective Measures

PERMANENT WORK

Work performed to restore a damaged facility, through repair or restoration, to its pre-disaster design, condition and function.

Category C - Roads and Bridges

Category D - Water Control Facilities

Category E - Buildings and Equipment

Category F - Utilities

Category G - Parks, Recreational Facilities

Category A – Debris Removal

Debris removal activities, such as clearance, removal, and disposal

DOCUMENT THESE ITEMS ...

- ✓ Quantity and type of debris
 - Hauled to a temporary staging site
 - Reduced, including reduction method (i.e., chipped, burned)
 - Hauled to a final disposal site
 - Recycled
- ✓ Pick up locations
- ✓ Debris monitor reports, load slips, etc.



* Debris removal work must be specifically related to March 2-3 Storm Event *

Sandy Recovery Improvement Act (SRIA)

DEBRIS REMOVAL

An applicant may elect to participate in the SRIA Alternative Procedures for debris removal. This offers reimbursement for:

- Force account regular and overtime wages for Public Assistance applicants performing or administering debris removal activities
- SRIA Debris Form
- One-time two percent increase Federal cost share for a FEMA-accepted debris management plan

Category B – Emergency Protective Measures

Save lives and protect public health and safety may include, but not limited to:

- Police / Fire
- Pre-positioning resources
- EOC
- Generators
- Sandbagging
- Evacuations / Sheltering
- Temporary emergency repairs
- Mold remediation
- Temporary repairs
- Demolition of unsafe structures



Permanent Work

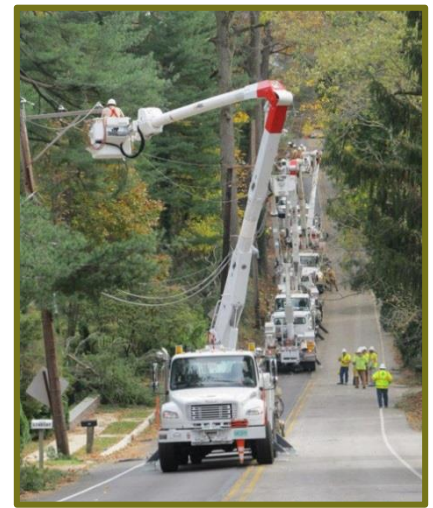
Category C – Roads & Bridges

Category D – Water Control Facilities

Category E – Buildings & Equipment

Category F – Utilities

Category G – Parks, Recreational, Other



Category C – Roads, Bridges

Road surfaces, bases, shoulders, ditches, drainage structures, low water crossings

Bridge decking and pavement, piers, abutments, approaches

Permanent restoration of any facility, whether a road, bridge, or related structure, that is part of the Federal Aid route or falls under the authority of the Federal Highway Administration is not eligible for Public Assistance.

Private roads, including homeowners' association roads are not eligible



Category D – Water Control Facilities



Dams, reservoirs, levees, engineered drainage channels, canals, sediment basins, pumping facilities.

Maintenance records and surveys must be provided showing pre-disaster condition and capacity.

- Insurance Policy

Category E – Buildings & Equipment



Buildings, structural components, interior systems such as mechanical work, equipment, and contents including furnishings.

The owners of insured buildings and equipment must provide a copy of the insurance policy and the statement of loss as soon as possible.

Category F – Public Utilities



- Water treatment plants and delivery systems;
- Power generation and distribution facilities;
- Sewage collection systems and treatment plants; and
- Communications

The owners of insured facilities must provide a copy of the insurance policy and the statement of loss as soon as possible.

Category G – Parks, Recreation, Beaches



Eligible publicly owned facilities in this category include, but not limited to:

- Mass transit facilities
- Playgrounds, ball fields, tennis courts
- Cemeteries
- Boat docks, piers, seawalls
- Beaches, bath houses

PNP-owned parks and recreational facilities are not eligible, nor are the supporting facilities, such as roads, buildings, and utilities.

Public Engineered Beaches

Documentation needed, but not limited to:

- All design studies, plans, construction documents, and as-built for the original nourishment;
- All studies, plans, construction documents, and as-built for every re-nourishments;
- Documentation and details of the maintenance plan, including how the renourishment is determined and funded; and
- Pre- and post-storm profiles that extend at least to the seaward edge of the sub-aqueous nearshore zone (closure depth, usually -15 to -20 feet)



Sandy Recovery Improvement Act (SRIA)

PERMANENT WORK

- Estimated eligible project costs if requested by an Applicant for a large project of at least or greater than \$125,500
- Grants for public assistance permanent work projects on the basis of fixed estimates for the timely or cost-effective completion of work
- Consolidating the repair, restoration or replacement work on damaged facilities as a single project
- If the actual cost is more than the fixed estimate, FEMA will not approve additional funds



2 CFR 200 - Procurement

All applicants must adhere to federal, state, and local procurement standards, whichever is most stringent.

Key areas to review for changes or increased requirements:

- Conflict of Interest Disclosures (200.112)
- Compliance Disclosures (200.113)
- Internal Control Standards (200.303)
- **Local and PNP Procurement (200.318-326)**
- Federal and Non-federal Sub-recipient Monitoring (220.331)

Special Considerations

Special considerations could affect the scope of work and funding for a project. Applicants have a critical role in identifying special consideration issues.

- Insurance
- Hazard Mitigation
- Environmental
- Historic Preservation



Insurance Requirements



- ✓ As a condition for receiving Public Assistance for permanent work, an applicant must obtain and maintain insurance to cover that facility for the hazard that caused the damage.
- ✓ Insurance policy, declaration page (period covering), statement(s) of loss, etc

Public Assistance Hazard Mitigation

Section 406

Cost effective measures that reduce or eliminate the potential for damages to a facility from a future event. For a hazard mitigation proposal to be eligible for funding under Public Assistance, the measure must apply only to the damaged elements of the eligible facility.

Prior to start of work, the mitigation proposal must be reviewed and approved by FEMA staff to ensure eligibility, technical feasibility, environmental and historic preservation compliance, and cost effectiveness.

Environmental/ Historic Preservation



The National Environmental Policy Act (NEPA) requires all federal agencies ensure that due consideration is given to the environment during project development.

Some projects that require environmental review:

- Debris disposal and staging areas
- Historic properties (buildings, structures, sites, objects)
- Where the footprint is different than pre-disaster conditions
- Threatened or endangered species, wetlands or floodplains

Make sure to adhere to State and local laws (permits, conditions, etc)

FORCE ACCOUNT LABOR

Labor performed by an applicant's full-time permanent, part time/temporary, and/or reassigned employees. FEMA reimburses force account labor based on actual hourly rates plus fringe benefits.

For emergency work, only OVERTIME costs are eligible for force account labor. If SRIA Debris Removal is elected, then regular and overtime are eligible.

For permanent work, both REGULAR and OVERTIME labor and fringe benefit costs are eligible for force account labor

- ✓ Project Cost Summary
- ✓ Timecards, payroll reports, collective bargaining contracts



FEMA PUBLIC ASSISTANCE PROGRAM
PROJECT COST SUMMARY



APPLICANT NAME:

DATE SUBMITTED:

PROJECT LOCATION:

DESCRIPTION OF DAMAGE:

% WORK COMPLETE:

Date Work Complete:

TYPE OF WORK	EXPENDED AMOUNT	FUTURE EXPENDED AMOUNT	TOTAL EXPENDED AMOUNT
<u>Force Account Labor</u>	\$10,000.00	\$5,000.00	\$15,000.00
<u>Force Account Equipment</u>	\$18,000.00	\$6,000.00	\$24,000.00
<u>Material</u>	\$5,000.00	\$0.00	\$5,000.00
<u>Contract Work</u>	\$98,500.00	\$12,000.00	\$110,500.00
<u>Rented Equipment</u>	\$0.00	\$0.00	\$0.00
<u>Direct Administrative Cost</u>	\$500.00	\$100.00	\$600.00
TOTAL AMOUNT REQUESTED:	\$132,000.00	\$23,100.00	\$155,100.00

NOTES:

Submitted by:

To locate form: Go to www.mass.gov/mema, scroll down to “MEMA Resources for Public Officials” and click “Disaster Recovery Programs.” Then, click “FEMA Public Assistance: Local, State, Tribal, and Non-Profit.” Click “MEMA Forms for Public Assistance Projects.” Select “Project Cost Summary.”



STAND-BY TIME

FEMA may provide PA funding for costs associated with stand-by time incurred in preparation for and directly related to actions necessary to save lives, or protect health and safety. Examples of when FEMA will reimburse stand-by costs include, but not limited to:

- First responders who are prudently deployed for the purpose of evacuating or providing emergency medical care in order to save lives or protect health and safety;
- When a union contract requires payment for stand-by time
- The stand-by occurred when it was necessary to have resources available to save lives or protect health and safety.

EQUIPMENT

FORCE ACCOUNT EQUIPMENT

Regular and overtime costs are eligible

- ✓ Project Cost Summary
- ✓ Equipment Inventory List
- ✓ “2017 FEMA Schedule of Equipment Rates” (includes operation, depreciation, fuel, maintenance and most repairs)

RENTED EQUIPMENT

- ✓ Project Cost Summary
- ✓ Rental agreement, invoices and proofs of payment

MATERIALS

The costs associated with material and supplies that were purchased or taken from an applicant's stock as a direct result of the declared storm event may be claimed.

Material costs must be reasonable

- ✓ Project Cost Summary
- ✓ Invoices and proofs of payment

CONTRACT WORK

- ✓ Awarded contracts must comply with all federal, state and local requirements
- ✓ Construction / Engineering
- ✓ Contract must show a clear and definitive scope of work
- ✓ Changes in Scope of Work
- ✓ Time and material
 - Project Cost Summary
 - Advertisement, bid list/prices, award letter, engineering designs/plans (if applicable), and copy of contract.
 - Invoices, and proofs of payment



Direct Administrative Costs (DAC)

Direct administrative costs include REASONABLE costs that can be tracked, charged, and accounted for directly to a specific project (PW), such as staff time to complete field inspections, preparation of a PW, and make interim and final inspections of the project.

- ✓ Project Cost Summary
- ✓ Narrative/Description of work performed
- ✓ Timesheets/Payroll Registers



Small Project Certification

Small Projects = Project under \$125,500

SMALL PROJECTS 100% COMPLETE

OPTION 1: Self-Certification (Categories B-G)

- ✓ Self-certification Form
- ✓ FEMA Summary Forms
- ✓ No detailed backup needed

****Sub-recipients must still maintain all supporting documentation for 7 years****

OPTION 2: Non-Self Certification Categories A-G Small projects

- ✓ Project Cost Summary
- ✓ Submit all detailed backup

SMALL & LARGE PROJECTS LESS THAN 100% COMPLETE

- ✓ Categories A-G
- ✓ Project Cost Summary
- ✓ Need all detailed backup

Improved Projects

When performing permanent work on a damaged facility, an applicant may decide to use the opportunity to make improvements to the facility while still restoring the pre-disaster function.

... Lay asphalt on a gravel road

... Replace entire seawall when only parts of the seawall was damaged as a direct result of the declared event

- Improved project requests **must be approved by MEMA prior to start of work.**
- Funding for such projects is limited to the Federal share of the estimated cost that would be associated with repairing or replacing the damaged facility to its pre-disaster design.

Alternate Project

An applicant may determine that the welfare would not be best served by restoring a damaged facility to its function. The Applicant may use the PA project grant for that facility for other eligible purposes.

Alternate project requests are subject to an environmental review and approved by FEMA prior to start of construction.

Funds for alternate projects are limited to 90% of the approved Federal share of the estimate eligible cost. Funding for alternate projects for PNPs is limited to 75% of the Federal share.

Project Completion Time Limits



Time frames for completing eligible work are measured from the date of the declaration.

Type of Work	Months after Declaration
Debris Removal	6 months – 12/25/2018
Emergency Protective Measures	6 months – 12/25/2018
Permanent Work	18 months – 12/25/2019

If extenuating circumstances or unusual project conditions exist, a time extension may be requested through MEMA before the established time frame expires.

Quarterly Progress Reporting

Sub-recipients must adhere to regulatory requirements for receiving federal funding under the FEMA Public Assistance Program, including quarterly reporting on open projects, time limits for completing work and proper project and program closeout.

Progress reports are critical to ensuring that FEMA and MEMA have up-to-date information on all open projects. Progress reports must describe in detail current and future activities, including a detailed work schedule. In addition, provide all documentation with Federal, State and local agencies pertaining to the project (i.e., environmental permits, historic and/or insurance).

- ✓ Progress Report Form

State Standard Contract / Payment Process

- Project Worksheet (PW) is obligated by FEMA
- Contract Specialist will prepare contract package
- Contract package is e-mailed to sub-recipient
- Return contract package within 30 days of receipt. Must be “wet signature”: e-mail, fax, or photocopies are not acceptable



State Standard Contract / Payment Process

- Contract package is received back at MEMA and reviewed for completeness
 - ✓ If any form is missing or not signed, the Contract Specialist will contact Sub-recipient for corrections. Please make sure all corrections are taken care of in a timely manner.
 - ✓ If all forms are filled out correctly and signed, contract package is executed through our fiscal department.
 - ✓ Once contract is executed, if warranted, reimbursement will be made. Sub-recipient will receive notification when reimbursement will be released and a copy of the executed contract will be sent by e-mail.
 - ✓ If reimbursement cannot be made at that time, such as a large project that is not complete or other circumstances, the sub-recipient will be notified of this.

State Standard Contract / Payment Process

It is very important that close attention be paid to contract end dates. All work must be completed in the period of performance time frame, not the contract date. Contract will be written based on period of performance end date or project completion date.

If you need a time extension to complete the work, please ask for the time extension at least 60 days before the period of performance/contract ends. This should give us enough time to do a contract amendment in order to avoid a lapsed contract.

New PA Delivery Process and Grants Portal Training

