

# APPLICANT BRIEFING



January 28-29, 2022 Winter Snowstorm



FEMA



MEMA

# AGENDA

- FEMA Public Assistance Program
- Application Procedures
- Eligible Work/Costs
- Project Time Limits
- Special Considerations
- Administrative Requirements
- Grants Portal

# FEMA-4651-DR

## Major Disaster Declaration

*DECLARATION DATE:* April 18, 2022

*INCIDENT TYPE:* Severe Winter Storm and Snowstorm

*DECLARED AREAS:* Bristol, Norfolk, Plymouth, and Suffolk Counties, including the Mashpee Wampanoag Tribe

*INCIDENT PERIOD:* January 28-29, 2022

*AUTHORIZED DISASTER ASSISTANCE:*

- FEMA Public Assistance Program
- Statewide Hazard Mitigation Grant Program

## 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.

# Definitions

PA – Public Assistance

Recipient – MEMA

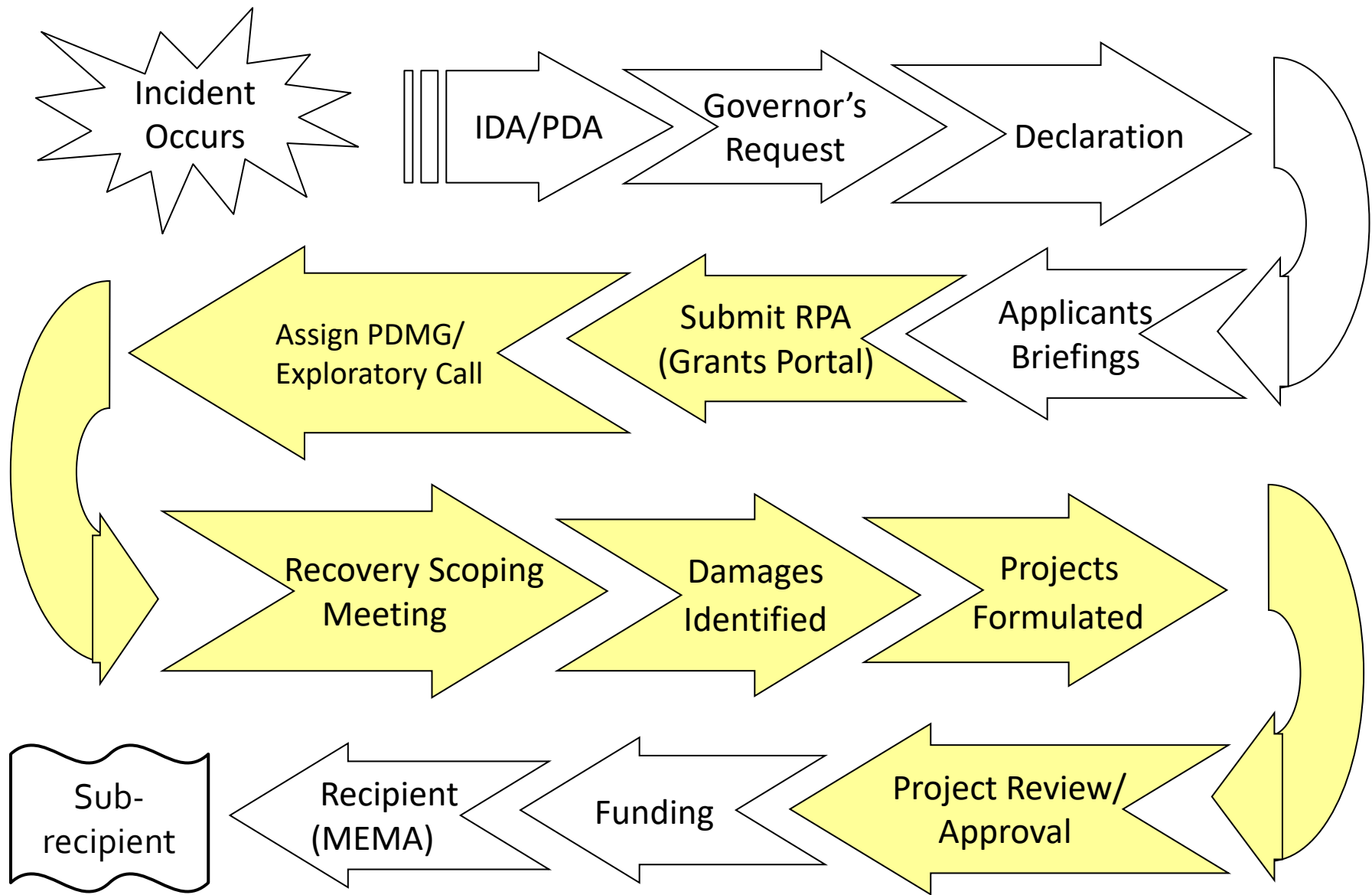
Applicant – Entity applying for grant or subgrant

Subrecipient – Once a grant is awarded, the Applicant becomes the Subrecipient

PNP – Private Non-Profit

PDMG – Program Delivery Manager

Project - A logical grouping of work. The damage description, scope of work, and costs are documented in the project, which is the basis for PA funding.



# FEMA, State and Applicant Partnership

FEMA is responsible for managing The PA Program, approving grants, and providing technical assistance to the State and Applicants.

The State (MEMA), acts as the Recipient for the PA Program. The State educates potential applicants, works with FEMA to administer the Program, and is responsible for monitoring projects and disbursements of the grants.

Applicants are responsible for identifying storm-related work activities and costs, upload sufficient information and data in Grants Portal for MEMA/FEMA review in a timely manner.

# Eligibility Structure

## Eligible Applicants

### Applicants

State/Local Government  
Indian Tribal Organizations  
Certain Private Non-Profit (PNPs)

Facility

Work

Cost



# Request for Public Assistance (RPA)

One RPA per applicant

## EXISTING PORTAL USERS

Local, tribal and state government: Login to Grants Portal and submit RPA

Private Non-Profit Entities: Must submit PNP documents with their RPA

## UNREGISTERED PORTAL USERS

To register as a portal user, please contact MEMA for a registration form at [disaster.recovery@mass.gov](mailto:disaster.recovery@mass.gov)

**SUBMIT RPA BY NO LATER THAN FILING DEADLINE DATE OF MAY 17, 2022**

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

**ALTERNATE CONTACT** – Individual who will assist the primary point of contact with project specific tasks.

# Private Non-profit Entities Application Procedures

- ✓ Request for Public Assistance
- ✓ Exemption under sections 501(c), (d), or (e) of the Internal Revenue Code; OR documentation from the State substantiating it is a non-revenue producing, nonprofit entity organized or doing business under State law. If exempt from both the requirement to apply for 501(c)(3) status and tax-exempt status under State law, the organization must provide articles of association, bylaws, or other documents indicating that it is an organized entity and a certification that it is compliant with Internal Revenue Code section 501(c)(3) and State law requirements. (required)
- ✓ If the Applicant owns the damaged facility, proof of ownership (required)
- ✓ If the Applicant leases the damaged facility, provide lease or other proof of legal responsibility to repair the incident-related damage (required)
- ✓ List of services provided in the damaged facility, when, and to whom (required)

## PNPs and the Small Business Administration (SBA)

Critical PNP facilities may apply immediately and directly to FEMA for emergency and permanent work disaster assistance. Critical PNPs do not have to apply to SBA for loans.

*Critical PNPs: emergency medical services, educational facilities, power and water facilities, communication facilities, fire protection/emergency*

Non-critical PNP facilities may apply directly for FEMA emergency work disaster assistance. FOR PERMANENT WORK, MUST APPLY FOR A DISASTER LOAN FROM THE SBA. This should be done simultaneously with submitting a Request for Public Assistance (RPA) to MEMA for FEMA disaster assistance.

*Non-critical PNPs: community centers, daycare centers, performing arts centers, libraries, homeless shelters, museums, zoos, assisted living facilities, senior citizens centers, rehab centers, animal control facilities, custodial care.*

# CATEGORIES OF WORK

*Eligible work must be required as a result of the declared incident; be located within the designated area; and be the legal responsibility of an eligible Applicant.*

## ***EMERGENCY WORK***

Category A – Debris Removal

Category B – Emergency Protective Measures

Category B – Snow Assistance

## ***PERMANENT WORK***

Category C - Roads and Bridges

Category D - Water Control Facilities

Category E - Buildings/Equipment

Category F - Utilities

Category G - Parks, Recreational

# Debris Removal

## Category A (Emergency Work)

Debris removal includes activities such as clearance, removal from rights-of-ways, and hauling/disposal.

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



# Emergency Protective Measures

## Category B (Emergency Work)

- EOC-related costs
- Emergency Access
- Evacuation / Sheltering
- Use or lease of temporary generators
- Search and Rescue
- Flood-fighting
- Security, such as barricades, fencing, or law enforcement
- Supplies and commodities, and
- Temporary emergency repairs
- Supplies and commodities



# SNOW ASSISTANCE

Category B (Emergency Work)

Eligible snow assistance may include snow removal, de-icing, snow dumps, salting and sanding of roads and other eligible facilities when a winter storm event results in record or near-record snowfall.



# ELIGIBLE PERIOD OF SNOW ASSISTANCE



Snow-related activities are eligible for a *continuous* 48-hour period to address the most critical emergency needs. Each applicant may select its own start date/time of their 48-hour period beginning on or around January 28<sup>th</sup> during which it incurred the highest eligible snow assistance costs.

**FORCE ACCOUNT LABOR** - FEMA will provide reimbursement for overtime costs only of an applicant's permanent employees.

**FORCE ACCOUNT EQUIPMENT** - Regular and overtime is eligible for the costs associated with an applicant's own equipment/vehicles.

**CONTRACT SERVICES** - Contractors including temporary hires is an eligible cost, as are the costs of **RENTED EQUIPMENT** and **MATERIALS** used in the performance of eligible snow emergency work.



# Roads and Bridges

## Category C (Permanent Work)

Road surfaces, bases, shoulders, ditches, drainage structures and associated facilities, such as lighting, sidewalks, guardrails, and signs.

Bridge decking and pavement, piers, abutments

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

Private roads, including homeowner' association roads are not eligible.



# Water Control Facilities

Category D (Permanent Work)



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

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

# Buildings and Equipment

Category E  
(Permanent Work)

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.

# Public Utilities

Category F (Permanent Work)



- Water treatment plants and delivery systems;
- Power generation, transmission, and distribution facilities, including, but not limited to, wind turbines, generators, substations, and power lines;
- Sewage collection systems and treatment plants; and
- Communications



# Parks, Recreation, Beaches

## Category G (Permanent Work)

- Mass transit facilities
- Public playgrounds, ball fields, tennis courts
- Public cemeteries
- Boat docks, piers, seawalls
- Public beaches, bath houses



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

# Donated Resources

Applicants may use the value of donated resources used for eligible emergency work to offset the non-federal share if all of the following conditions are met:

- The donated resource is from a third;
- The Applicant uses the resource to perform eligible emergency work; AND
- The Applicant or volunteer tracks the resources and work performed, including description, locations, and hours. Offset amounts can include unpaid volunteer labor, donated equipment, and donated materials.

## Documentation Requirements:

- ✓ Sign-in sheet (required);
- ✓ Name (required);
- ✓ Title and function (required for professional services);
- ✓ Days and hours worked (required); and
- ✓ Location of work and work performed (required).

# Management Costs Category Z

FEMA provides 100% PA funding for management costs based on actual costs incurred up to 5 percent of an Applicant's total award amount.

- Meetings regarding the PA Program
- Organizing PA damage sites into logical groups
- Preparing correspondence
- Site inspections
- Developing the detailed site-specific damage description
- Preparing Small and Large Projects
- Reviewing PWs
- Collecting copying, filing, or submitting documents to support a claim

Eligible costs - Regular and Overtime

MEMA Category Z Workbook

# 2 CFR 200 – Procurement

FEMA provides PA funding for contract costs based on the terms of the contract **IF** the Applicant meets Federal procurement and contracting requirements set forth in 2 CFR 200, specifically **2 C.F.R. § 200.318 through 200.326.**

FEMA reimburses costs incurred using three types of contract payment obligations:

- Fixed-price
- Cost-reimbursement
- To a limited extent, time and materials (T&M)

Applicants must include required provisions in all contracts awarded and maintain oversight to ensure contractors perform according to the conditions and specifications of the contract and any purchase orders

FEMA does not reimburse costs incurred under a cost plus percentage of cost contract or a contract with a percentage of construction cost method.



# 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 and Historic Preservation



# INSURANCE REQUIREMENTS

FEMA CANNOT PROVIDE PA FUNDING THAT DUPLICATES INSURANCE PROCEEDS. FEMA REDUCES ELIGIBLE COSTS BY THE AMOUNT OF:

- Actual insurance proceeds, if known; or
- Anticipated insurance proceeds based on the Applicant's insurance policy, if the amount of actual insurance proceeds is unknown. FEMA subsequently adjusts the eligible costs based on the actual amount of insurance proceeds the Applicant receives at project closeout.

THE APPLICANT SHOULD UPLOAD THE FOLLOWING DOCUMENTATION IN GRANTS PORTAL:

- Insurance policy
- Insurance settlement information (required if available):
- Final Statement of loss;
- Adjuster's estimates;
- Settlement checks

# 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.

## Hazard Mitigation Grant Program (HMGP) Section 404

The Hazard Mitigation Grant Program provides funds to states, tribal governments, and communities after a disaster, to reduce or eliminate future risk to lives and property from natural hazards.

Competitive statewide and is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. (not just declared counties)

Must have a FEMA-approved Local Hazard Mitigation Plan in place prior to applying for funding.

# 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
- Where snow removal/dumps are near wetlands

# DOCUMENTATION

**Cover Letter**

**State  
Workbook**

**Supporting  
documentation**

# Force Account Labor

FEMA reimburses force account labor based on actual wages plus fringe benefits

For EMERGENCY WORK, only OVERTIME is eligible

For PERMANENT WORK, both REGULAR and OVERTIME labor and fringe benefit costs are eligible

- ✓ Cover Letter
- ✓ State Workbook
- ✓ Employee timesheets (showing regular and overtime worked), payroll reports, pay policy(s)

# Backfill Employees

Overtime costs for the backfill employee are eligible, even if the backfill employee is not performing eligible work, as long as the employee that he/she is replacing is performing eligible emergency work. If the backfill employee is called in from scheduled leave, only overtime is eligible.

FEMA also provides PA funding for straight-time if the backfill employee is a:

- Contracted or temporary employee; or
- Permanent employee called in on a normally scheduled day off (weekend or other off day)
- **OVERTIME POLICY**



# EQUIPMENT

## FORCE ACCOUNT EQUIPMENT

EMERGENCY and PERMANENT WORK - FEMA reimburses regular and overtime for force account equipment

- ✓ Cover Letter
- ✓ State Workbook
- ✓ Equipment Inventory, Operator/Equipment Used, Dates/Hours Claiming, Cost Code, Hourly Rate
- ✓ FEMA Schedule of Equipment Rates

## RENTED EQUIPMENT

- ✓ Reasonable cost
- ✓ Cover Letter, State Workbook
- ✓ RENTED
- ✓ Lease/rental agreement
- ✓ Invoices, 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.

- ✓ Cover Letter
- ✓ State Workbook
- ✓ Methodology on quantity of material used, invoices and proofs of payment

# CONTRACT WORK

- Awarded contracts must comply with all federal, state and local procurement requirements
- Contract must show a clear and definitive scope of work
- Changes in Scope of Work
- Time and material (for a limited time)
- ✓ Cover Letter
- ✓ State Workbook
- ✓ RFR, advertisement, bid list/prices, award letter, engineering designs/plans (if applicable), and copy of contract, invoices, and proofs of payment

## SMALL PROJECT vs LARGE PROJECT

*A project approved under \$139,800 = Small Project*

*A project approved equal to or greater than \$139,800 =  
Large Project*

## MINIMUM PROJECT THRESHOLD: \$3,500

*If a Project totals less than the minimum threshold after  
the Applicant has accounted for all project costs, the  
project is not eligible.*

# Small Project Self-Certification

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

- ✓ Completed Small Project Work with a project cost under \$139,800
- ✓ Subrecipient Certification for Small Projects with 100% Completed Work Form
- ✓ State Workbook
- ✓ No detailed backup needed

**\*\*Sub-recipients must have all supporting documentation ready for audit\*\***

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## OPTION 2: Non-Self Certification (Small Projects – All Categories)

- ✓ Cover Letter and State Workbook
  - ✓ Submit all detailed backup
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**SELF-CERTIFICATION DOES NOT APPLY TO SMALL PROJECTS LESS THAN 100% COMPLETE and ALL LARGE PROJECTS**

- ✓ Cover Letter and State Workbook
  - ✓ Submit all detailed backup
-

# Project Completion Time Limits



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

Type of Work	Months after Declaration
Snow Assistance (limited to 48-hour period from incident date)	
Debris Removal	6 months
Emergency Protective Measures	6 months
Permanent Work	18 months

With the exception of snow assistance, if extenuating circumstances or unusual project conditions exist, a time extension may be requested through MEMA before the established time frame expires.

# State Standard Contract / Payment Process

- MEMA Grants Unit will email the obligated PW and set of state standard contracts to both Primary and Alternate POCs.
- Return contract package within 30 days of receipt. Must be “wet signature”: e-mail, fax, or photocopies are not acceptable
- 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.

# Quarterly Progress Reporting

Subrecipients must adhere to regulatory requirements for receiving federal funding under the FEMA Public Assistance Program, including quarterly reporting on open projects.

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.

- ✓ Progress Report Form
- ✓ Lack of progress reports submitted by subrecipient can jeopardize future funding




# GRANTS PORTAL

- Developed to assist Applicants and Recipients
- Facilitates full project visibility/transparency
- Enhances coordination and communication
- User friendly - streamlines work and workflow
- Significantly improves document collection and retention
- Receive emails from [support@pagrants.fema.go](mailto:support@pagrants.fema.go)

Looking for FEMA-4651 declaration information on MEMA's webpage?

[www.mass.gov/MEMA](http://www.mass.gov/MEMA)

Type **FEMA-4651** in search engine

<i>Search Mass.gov</i>	SEARCH 
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# County Assignments

## MEMA Program Coordinators

### Bristol County

Paula Krumsiek     [paula.krumsiek@mass.gov](mailto:paula.krumsiek@mass.gov)

### Plymouth County

Lorraine Eddy     [lorraine.eddy@mass.gov](mailto:lorraine.eddy@mass.gov)

### Norfolk County

Lorraine Eddy     [lorraine.eddy@mass.gov](mailto:lorraine.eddy@mass.gov)  
Paula Krumsiek     [paula.krumsiek@mass.gov](mailto:paula.krumsiek@mass.gov)

### Suffolk County / State Agencies

Michael Materia     [michael.Materia@mass.gov](mailto:michael.Materia@mass.gov)

