

Massachusetts Emergency Management Agency (MEMA)

Notice of Funding Opportunity (NOFO) FY 2023 Building Resilient Infrastructure and Communities (BRIC)

(Posted: 10/20/2023)

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. It does so with a recognition of the growing hazards associated with climate change, and of the need for natural hazard risk mitigation activities that promote climate adaptation and resilience with respect to those hazards. These include both acute extreme weather events and chronic stressors which have been observed and are expected to increase in intensity and frequency in the future. 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) will be accepting applications for the following federal grants:

2023 Building Resilient Infrastructure and Communities

(Federal Award ID/Funding Opportunity# DHS-23-MT-047-00-98);

Assistance Listings Number (formally Catalogue of Federal Domestic Assistance Number):

97.047 Amount of funding available: \$1,000,000,000 available nationwide.

- Activity Caps for FY 2023 BRIC:
 - Each State/Territory may apply for up to \$2,000,000 in the State/Territory Allocation.
 - The State/Territory Allocation may be used for C&CB activities and/or hazard mitigation projects. The combined cost for any C&CB activities and/or hazard mitigation projects under the State/Territory Allocation must not exceed \$2,000,000 federal cost share per applicant. Additionally, the applicant's highest ranked subapplication (C&CB activity or hazard mitigation project) for the State/Territory Allocation must not exceed \$2,000,000 federal cost share.
 - A total of \$1,500,000 of the State/Territory Allocation must be used for hazard mitigation planning and planning-related activities per applicant.
 - A minimum of \$400,000 must be used on any combination of Capability and Capacity Building activities and projects primarily benefitting Community Disaster Resilience Zones
 - Up to 10 percent of any subapplication may be used for information dissemination activities, including public awareness and education (brochures, workshops, videos, etc.) related to a proposed C&CB activity or hazard mitigation project.
 - Each State/Territory may apply for up to \$2,000,000 in the State/Territory Building Code Plus-Up Allocation
 - May be used to carry out eligible building code adoption and enforcement activities such as
 - Evaluate adoption and/or implementation of codes that reduce risk

- Enhance existing adopted codes to incorporate more current requirements or higher standards
 - Develop professional workforce capabilities relating to building codes through technical assistance and training
 - Activities under this category should enable the adoption and enforcement of building codes based on both the International Building Code (IBC) and the International Residential Code (IRC) model codes published by the International Code Council (ICC) either through Mandatory State-Wide or Territory Building Code Adoption Requirement or via Local Code Adoption Requirement (2018 or 2021 versions of IBC and IRC). For any consensus-based codes, specifications, or standards used to carry out these activities, the two most recently published editions may be used.
 - Building code plus-up funds may only be applied to eligible building code activities and may not be used for other BRIC eligible projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.
- Tribal Set-Aside Activity Caps: \$50,000,000 (nationally). The combined cost for any C&CB activities under the tribal set-aside must not exceed \$2,000,000 federal cost share per applicant. Additionally, the applicant’s highest ranked subapplication (C&CB activity) for the tribal set-aside must not exceed \$2,000,000 federal cost share. Up to \$1,000,000 of the tribal set-aside may be used for hazard mitigation planning and planning-related activities per applicant. Up to 10% of any subapplication may be used for information dissemination activities.
- The maximum total selection for the Tribal Building Code Plus-Up is \$25,000,000 (nationally), to carry out eligible building code adoption and enforcement activities (as noted in the State/Territory Building Code Plus-Up section above).
- National Competition Cap – Applicants may submit an unlimited number of hazard mitigation project subapplications, each valued up to \$50,000,000 federal share, to the national competition.
 - Up to 10 percent of any subapplication may be used for information dissemination activities, including public awareness and education (brochures, workshops, videos, etc.) related to a proposed hazard mitigation project.

3. **Authorities and References**

Section 203 and 206 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 and 5136) as implemented by Hazard Mitigation Assistance: Building Resilient Infrastructure and Communities (FP:104-008-05)

Section 1234 of the *Disaster Recovery Reform Act of 2018* (DRRA), under the *Federal Aviation Administration (FAA) Reauthorization Act of 2018*, (Pub. L. No. 115-254)

Section 1366 of *The National Flood Insurance Act* of 1968, as amended (Pub. L. No. 90-448) (42 U.S.C. 4104c)

Consolidated Appropriations Act, 2019 (Pub. L. No. 116-6)

Hazard Mitigation Assistance Program and Policy Guide (2023)

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR part 200

4. **Priorities**

The State priorities for the BRIC grant aligns with those of the FY2023 FEMA priorities. Those

include: to incentivize natural hazard risk reduction activities that mitigate risk to public infrastructure and disadvantaged communities as referenced in EO 14008; mitigate risk to one or more community lifelines; incorporate nature-based solutions; enhance climate resilience and adaptation; increase funding to applicants that facilitate the adoption and enforcement of the latest published editions of building codes; to implement projects that reduce flood risks posed to repetitively flooded properties insured under the National Flood Insurance Program (NFIP); and to help address effects of climate change and other unmet mitigation needs, including using funds to promote equitable outcomes in underserved communities. Additional State priorities include: projects that are clearly permissible and have been vetted through permitting and advisory agencies (including DEP, CZM, DER, etc.); projects with strong local commitment; projects with a well-developed/well- defined benefit-cost analysis (not applicable to non-construction subapplications); projects that are advanced further along in design & clear scope; projects that are consistent with the ResilientMass Plan: 2023 State Hazard Mitigation and Climate Adaptation Plan and local hazard mitigation plan; projects benefitting [Environmental Justice \(EJ\)](#) populations; projects that promote utilization of nature-based approaches and provides environmental benefits; leveraging partnerships; and community/public engagement.

5. **Subapplicant Eligibility**

Eligible subapplicants: State agencies, federally recognized Tribal organizations and local governments (including cities, townships, counties, and special district governments). For projects that benefit individual home or business owners, the local government must be the subapplicant on behalf of the individuals and businesses. For municipalities, the Subapplicant must be the “City/Town of,” not a specific municipal department. The organization must have a current UEI issued with the same name and legal address as the sub-applicant.

To be eligible for project grants, sub-applicants (except state agencies which are covered under the Standard State Plan) must have a current, non-expired FEMA-approved Local or Tribal Hazard Mitigation Plan (in accordance with 44 Code of Federal Regulations, Part 201) by the application deadline and at the time of obligation of grant funds for project (award). Subapplicants are exempt from the hazard mitigation plan requirement for certain Capability and Capacity Building activity types.

Federally recognized tribal governments are eligible to apply to FEMA for federal assistance under BRIC as applicants or subapplicants.

6. **Grant Deadlines**

Statements of Interest are accepted on a rolling basis. Note final deadlines below.

- See Statements of Interest section in this NOFO for details regarding project submissions. Emails with questions should be sent to: mitigation@mass.gov.
***Please note that state deadlines differ from published FEMA deadlines to allow the State time for working with sub-applicants on revisions, and time for review and ranking of the sub-applications.**

APPLICATIONS MUST BE RECEIVED BY THE STATE-ESTABLISHED DEADLINES IN ORDER TO BE CONSIDERED FOR FUNDING.

Important Dates:

- FEMA BRIC grant availability announcement date: 10/12/2023
- State Notice of Funding Opportunity (NOFO) posting date:10/20/2023
- State Grant Briefings: 11/07/2023 (Recording posted on MEMA Website)

- FEMA BRIC application start date (first date sub-applications may be submitted): 10/16/2023
- **Statement of Interest deadline for BRIC: 11/20/2023 - REQUIRED**
- **Submission of BCA for BRIC: 12/18/2023**
- **Subapplication final STATE deadline for BRIC: 01/8/2024**
- FEMA Funding Selection Date: 9/1/2024 (Anticipated)
- Anticipated FEMA Award Date: Rolling

7. **Cost Share**

Cost share is required for all subapplications funded under this program. BRIC cost share is 75% federal / 25% non-federal.

Cost share for the BRIC program is adjusted to 90% federal and 10% non-federal for the following communities:

- Community Disaster Resilience Zones
- Economically Disadvantaged Rural Communities

The non-federal cost share may consist of cash (including local, state, or private cash payments such as (e. general funds, MassWorks or MVP grants, etc.), donated or third-party in-kind services, materials, or any combination thereof. In-kind or force account labor may be from staff salary and fringe. Applicants cannot apply other federal award funds toward the BRIC non-federal cost share unless the other federal statutory authority allows the funds to be used to meet cost-share requirements. In general, the non-federal cost-share requirement may not be met with funds from other federal agencies or federal grant programs. The Mitigation Unit can provide clarification on exemptions.

8. **Overview of Program**

Statement of Interest (SOI)

Interested subapplicants must fill out and submit a completed Statement of Interest. The Statement of Interest will include information on the potential project and allow determination of basic eligibility, and for BRIC to initiate access to FEMA GO's Application Portal. The SOI form is available online at:

- *Construction Projects:* <https://www.mass.gov/forms/mitigation-statement-of-interest-for-construction-projects-as-of-august-2023>
- *C&CB/Planning/Advance Assistance:* <https://www.mass.gov/forms/mitigation-statement-of-interest-for-ccbplanningadvance-assistance-as-of-august-2023>

Application Development and Application Submission

Sub-applicants who have SOIs that are recommended by the Mitigation Unit to continue on in the process, will be asked to create and submit a full sub-application. Applications include Project, C&CB, Hazard Mitigation Planning or Advance Assistance each described in more detail below. MEMA will provide technical assistance and subapplication development guidance for the recommended subapplications.

Review & Ranking

After the sub-application deadline, the Interagency Review Panel, comprised of representatives and subject matter experts from state and federal agencies, will convene to review and then rank the sub-applications based upon BRIC Project Evaluation Criteria.

Grant Award

Following the State review, ranking and submission of HMA sub-applications, FEMA will review sub-applications submitted by each applicant to ensure compliance with HMA guidance, including eligibility of the applicant and sub-applicant, eligibility of proposed activities and costs, completeness of the sub-application, cost-effectiveness, engineering feasibility (mitigation projects), and eligibility and availability of the non-federal cost share. Projects identified for further review for BRIC transfer from the FEMA Headquarters level to the FEMA Region 1 office in order to conduct EHP compliance and additional technical reviews. Upon receipt of an award for a specific grant, MEMA will notify the sub-applicant and hold a kickoff meeting. All sub-applicants are required to submit quarterly reports on both the performance and financial aspects of the grant to MEMA.

9. 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. Projects are eligible if they result in a reduction to future natural hazard damage. FEMA's Hazard Mitigation Assistance (HMA) Programs are not intended as a source of funding for repair, replacement, or deferred maintenance activities, but are designed to assist sub-applicants in implementing long-term, cost-effective improvements that will reduce, minimize, or eliminate risk to people and property from the effects of natural hazards. Projects that address operation, deferred or future maintenance, repairs or replacement (without an increase in the level of protection provided) of existing structures, facilities, or infrastructure (e.g., dredging, debris removal, replacement of obsolete utility systems, bridges and facility repair) are not eligible mitigation grant activities.

- 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 below and in the 2023 FEMA Hazard Mitigation Assistance Program and Policy Guide.
- 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. For projects with a total cost of less than \$1,000,000, the subapplicant may provide a narrative that includes qualitative and quantitative data demonstrating the benefits and cost-effectiveness of the project. 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 December 18, 2023 to ensure the project meets this fundamental eligibility requirement. MEMA will review and provide feedback on BCAs on a first come-first served basis. If BCA assistance will be requested, please submit the BCA as early as possible.
- Sub-recipient management costs can be included in your project sub-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 are allowed subject to FEMA's written approval. Refer to Section 12 of this document for details on pre-

award cost timelines. Pre-award costs, if included, must be listed separately in the budget as a clearly defined line item, and also included in the BCA project cost. 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 a subapplication under the FY 2023 Flood Mitigation Assistance Program.

A full list of mitigation activities allowed in each program is listed below:

Mitigation Projects		BRIC	FMA
	Property Acquisition	X	X
	Structure Elevation	X	X
	Mitigation Reconstruction	X	X
	Flood Risk Reduction Measures	X	X
	Stabilization	X	X
	Dry Floodproofing (Non-Residential Buildings)	X	X
	Tsunami Vertical Evacuation	X	
	Safe Rooms	X	
	Wildfire Mitigation	X	
	Retrofitting	X	X
	Secondary Power Source	X	
	Early Warning Systems	X	
	Aquifer Recharge, Storage and Recovery		
	Innovative Mitigation Projects	X	X
Capability and Capacity Building Projects		BRIC	FMA
	New Hazard Mitigation Plans	X	
	Hazard Mitigation Plan Updates	X	
	Planning Related Activities	X	X
	Project Scoping / Advance Assistance	X	X
	Financial Technical Assistance		X
	Direct Non-Financial Technical Assistance	X	
	Partnerships	X	X
	Codes & Standards	X	
	Innovative Capability and Capacity Building	X	X

Capability- and Capacity-Building (C&CB) Activities Applications (BRIC) include:

Project Scoping/Building Code/Partnerships/Planning-Related activities. Sub-applicants may use this funding to help design, scope, and develop eligible and complete applications. This includes development of a feasible project budget, survey, design, alternatives analyses, H&H studies, EHP compliance documentation, BCA development, community outreach, etc. Scoping/design work will facilitate viable projects for future grant applications.

Hazard Mitigation Planning Applications is as follows:

Eligible subapplicants can apply for hazard mitigation funding to create or update their Local Hazard Mitigation Plan.

10. Application Elements

- Applicant information
- Local Hazard Mitigation Plan information
- Scope of Work
- Project Schedule (including Go/No-Go Milestones for projects under the BRIC National Competition category) – Project must identify a series of milestones throughout the work schedule that FEMA will review and approve. Maximum of 36 months is allowed. The applicant may submit a request for a longer POP in the application for FEMA to review and approve. A longer POP must be requested, documented, reasonable, and justified.
- Detailed Budget
- Source of local cost share
- Benefit-cost analysis (BCA) - Generated in v6.0 (projects only)
- ResilientMass: Climate Resilience Design Standards Tool completed for the proposed project or activity
 - [MA Climate Change Clearinghouse \(resilientma.org\)](https://resilientma.org)
- Environmental & Historic Preservation 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.

11. Sub-Grant Submission

BRIC

Recommended sub-applications for BRIC and FMA will submit complete applications in FEMA GO for potential award and funding. MEMA will support application development as needed. **Full applications for mitigation projects are required to be submitted via FEMA GO by January 8, 2024, at 3:00PM EST (State deadline).**

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 1, 2023 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.

12. Pre-Award Costs

Pre-award costs directly related to developing the sub-application may be funded through HMA as funds are available. Such costs may have been incurred, for example, to develop a BCA, to gather EHP data, for preparing design specifications, or for workshops or meetings related to development and submission of HMA applications and sub-applications. Costs associated with implementation of the activity but incurred prior to Federal award or final approval are not eligible (projects initiated or completed prior to Federal award or full approval of the project). Pre-award costs must be identified as separate line items in the cost estimate of the sub-application. All pre-award costs must also be

included in the BCA calculation.

Applicants and sub-applicants who are not awarded grants or sub-awards will not receive reimbursement for the corresponding pre-award costs.

13. Period of Performance

The Period of Performance (POP) is the period of time during which recipients of grant funds may incur costs related to the approved scope of work. The Period of Performance starts with the acceptance of the award and ends no later than 36 months; sub-applicants may submit a request for a longer POP in the application for FEMA to review and approve. Requests for extensions to an award POP will be evaluated but will not be automatically approved. All extension requests must be submitted at least 60 days prior to the expiration of the award POP and justifications must be submitted in writing.

14. Briefing

To assist potential sub-applicants who are considering applying for HMA funding, MEMA will be hosting a grant program briefing. Topics covered include the 2023 HMA Program and Policy Guide, Statement of Interest and FEMA GO application process, 2 CFR Part 200 procurement requirements, potential Environmental Assessment (EA) requirements, BCA requirements, and much more. [Please visit the MEMA Mitigation Website for more information.](#) Interested sub-applicants are strongly encouraged to attend the briefing as requirements regarding the grant programs will be described and discussed in detail.

15. Project Evaluation Criteria

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 sub-applicant during the evaluation period, and to reject any or all proposals that do not meet the goals and terms of this NOFO.

In addition to the ranking criteria listed in the [FEMA Notice of Funding Opportunity](#), Massachusetts projects will be reviewed and ranked against the following criteria at the state level:

Mitigation Project Review Criteria	Max Points
<i>Project Scope, Budget, and Timeline.</i> 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.	(Up to 20 points)

<p><i>Project Feasibility, Support and Consistency with Planning.</i> The application includes a description of the project team’s technical, financial, and management capacity. Letters of support are included from landowners, public and or community partners. Letters of support from diverse groups (e.g., community-based organizations, local businesses, nonprofits, neighborhood groups, etc.) are viewed most favorably. The applicant is covered by a FEMA-approved Hazard Mitigation Plan and clearly ties the proposed project to the plan.</p>	(Up to 8 points)
<p><i>Critical Infrastructure.</i> 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. To receive the point allotment for this criterion, the subapplication must explain how the project mitigates natural hazard risk to critical physical structures, facilities, and systems that provide support to a community, its population, and its economy. This includes natural systems.</p>	(Up to 8 points)
<p><i>Risk Reduction / Resilience Effectiveness.</i> The project will reduce risk and 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 SOW answers the following questions: How will the proposed project reduce risk and to what level? How will the proposed project improve resilience?</p>	(Up to 8 points)
<p><i>Climate Change / Future Conditions.</i> The sub application describes how the project will enhance climate adaptation and resilience and adaptation, details how the project is being responsive to the effects of climate change (such as sea level rise) and/or other future conditions (population/demographic/land use, etc.), and cites data sources, assumptions, and models. Evaluation: What anticipated future conditions are relevant for the project? How is the project responsive to any identified anticipated changes? Does the project integrate the consideration of future conditions into design, planning, and operations workflows? How was the project informed by, or connected to, plans and planning efforts and their assessment of future conditions? What data sources and assumptions are used to guide the project?</p>	(Up to 10 points)
<p><i>Nature-Based Solutions and Environmental Co-Benefits.</i> Up to 10 points for the degree to which nature-based solutions (i.e., solutions that protect, restore, or manage ecological systems) and environmental co-benefits are incorporated into the overall vision of this project and how the selected strategy/ies will help the community adapt to existing and projected impacts of climate change. If the project is not nature-based, describe a clear assessment of design alternatives and discussion of why a nature-based solution was not chosen. Projects may still receive a maximum of 5 points for a response that demonstrates why an alternative approach was deemed necessary over nature-based approaches and illustrates how environmental conditions will improve with grey infrastructure implementation).</p>	(Up to 10 points)

<p><i>Regulatory Components.</i> The project application includes a detailed plan for obtaining all required permits. Coordination with applicable regulatory agencies is underway, or plan to engage with those agencies is documented. Confident the applicant has a clear understanding of the applicable regulatory requirements and that they will be able to meet the requirements.</p>	<p>(Up to 6 points)</p>
<p><i>Population Impacted.</i> The project sub application demonstrates community-wide benefits and identifies the proportion of the population that will be impacted. The sub application also describes how the project was selected and designed to maximize positive impacts and minimize negative impacts to any disadvantaged populations. SOW: What does “community-wide” mean in the context of the proposed project? What quantity (e.g., percent) of the population will directly benefit from the project? Who are the disadvantaged groups that will benefit from the project? Does the applicant provide clear examples of how the project will increase resiliency for the EJ population? Does the project include representation of the disadvantaged group on project team and/or project implementation? What community co-benefits will the project provide (e.g., social, economic, public health, recreational, public access, equity, etc.)? Please focus on non-environmental co-benefits as environmental co-benefits are included in NBS Section.</p> <p>While Massachusetts prioritizes EJ populations as highly vulnerable groups, benefits to and involvement of “other priority populations” can be considered for this criterion. Other priority populations are people or communities who may be disproportionately impacted by climate change due to life circumstances that systematically increase their exposure to climate hazards or make it harder to respond.</p>	<p>(Up to 12 points)</p>

<p><i>Leveraging Partners.</i></p> <p>The project sub application incorporates partnerships (e.g., state, tribal, private, local community, etc.) that will ensure the project meets community needs, including those of overburdened or underserved populations, populations, and show the outcome of those partnerships (e.g., leveraging resources such as financial, material, and educational resources, coordinating multi-jurisdictional projects, heightened focus on equity related issues, etc.) Evaluation: What partners will contribute to the implementation of the project? To what extent were non-governmental organizations, universities, private organizations, or other government entities consulted for advice or assistance? To what extent have partners provided funding that increases the non-federal cost share? How have partnerships been used to increase community resiliency?</p>	<p>(Up to 8 Points)</p>
<p><i>Community Engagement.</i></p> <p>The sub application describes outreach strategy and supporting activities appropriate to the project and the community that advance mitigation. The sub application also outlines the types of community planning processes leveraged and describes how input from a diverse range of stakeholders, including overburdened and underserved communities, was gathered and incorporated into project conception and design. Furthermore, the sub application outlines how such community planning and stakeholder input will continue to be used to help direct project execution.</p>	<p>(Up to 10 Points)</p>

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
<i>Tangible Outcomes.</i> The project has a well-defined and clear scope of work which will result in a resource, strategy, or tangible mitigation project to be pursued in the future. 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.	(Up to 20 points)
<i>Project Feasibility, Support and Consistency with Planning.</i> The application includes a description of the project team’s technical, financial, and management capacity. Letters of support are included from landowners, public and or community partners. Letters of support from diverse groups (e.g., community-based organizations, local businesses, nonprofits, neighborhood groups, etc.) are viewed most favorably. The applicant is covered by a FEMA-approved Hazard Mitigation Plan and clearly ties the proposed project to the plan.	(Up to 10 points)
<i>Focuses on Critical Infrastructure.</i> 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. To receive the point allotment for this criterion, the subapplication must explain how the project mitigates natural hazard risk to critical physical structures, facilities, and systems that provide support to a community, its population, and its economy. This includes natural systems.	(Up to 10 points)
<i>Building Institutional Capacity.</i> The application must 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. How will this project serve as a demonstration project that is transferable to other communities?	(Up to 10 points)
<i>Climate Change / Future Conditions.</i> The application describes how the project will enhance climate adaptation and resilience and adaptation, details how the project is being responsive to the effects of climate change (such as sea level rise) and/or other future conditions (population/demographic/land use, etc.), and cites data sources, assumptions, and models. Evaluation: What anticipated future conditions are relevant for the project? How is the project responsive to any identified anticipated changes? Does the project integrate the consideration of future conditions into design, planning, and operations workflows? How was the project informed by, or connected to, plans and planning efforts and their assessment of future conditions? What data sources and assumptions are used to guide the project?	(Up to 10 points)

<p><i>Nature-Based Solutions and Environmental Co-Benefits.</i> Up to 10 points for the degree to which nature-based solutions (i.e., solutions that protect, restore, or manage ecological systems) and environmental co-benefits are incorporated into the overall vision of this project and how the selected strategy/ies will help the community adapt to existing and projected impacts of climate change. If the project is not nature-based, describe a clear assessment of design alternatives and discussion of why a nature-based solution was not chosen. Projects may still receive a maximum of 5 points for a response that demonstrates why an alternative approach was deemed necessary over nature-based approaches and illustrates how environmental conditions will improve with grey infrastructure implementation).</p>	<p>(Up to 10 points)</p>
<p><i>Population Impacted.</i> The project sub application demonstrates community-wide benefits and identifies the proportion of the population that will be impacted. The sub application also describes how the project was selected and designed to maximize positive impacts and minimize negative impacts to any disadvantaged populations. SOW: What does “community-wide” mean in the context of the proposed project? What quantity (e.g., percent) of the population will directly benefit from the project? Who are the disadvantaged groups that will benefit from the project? Does the applicant provide clear examples of how the project will increase resiliency for the EJ population? Does the project include representation of the disadvantaged group on project team and/or project implementation? What community co-benefits will the project provide (e.g., social, economic, public health, recreational, public access, equity, etc.)? Please focus on non-environmental co-benefits as environmental co-benefits are included in NBS Section.</p> <p>While Massachusetts prioritizes EJ populations as highly vulnerable groups, benefits to and involvement of “other priority populations” can be considered for this criterion. Other priority populations are people or communities who may be disproportionately impacted by climate change due to life circumstances that systematically increase their exposure to climate hazards or make it harder to respond.</p>	<p>(Up to 10 points)</p>

<p><i>Leveraging Partners.</i></p> <p>The project sub application incorporates partnerships (e.g., state, tribal, private, local community, etc.) that will ensure the project meets community needs, including those of overburdened or underserved populations, populations, and show the outcome of those partnerships (e.g., leveraging resources such as financial, material, and educational resources, coordinating multi-jurisdictional projects, heightened focus on equity related issues, etc.) Evaluation: What partners will contribute to the implementation of the project? To what extent were non-governmental organizations, universities, private organizations, or other government entities consulted for advice or assistance? To what extent have partners provided funding that increases the non-federal cost share? How have partnerships been used to increase community resiliency?</p>	<p>(Up to 10 Points)</p>
<p><i>Community Engagement.</i></p> <p>The sub application describes outreach strategy and supporting activities appropriate to the project and the community that advance mitigation. The sub application also outlines the types of community planning processes leveraged and describes how input from a diverse range of stakeholders, including overburdened and underserved communities, was gathered and incorporated into project conception and design. Furthermore, the sub application outlines how such community planning and stakeholder input will continue to be used to help direct project execution.</p>	<p>(Up to 10 Points)</p>

16. Requirements and Conditions for Federal Award

- All FEMA HMA grant project applications require a local FEMA-approved ‘Multi-Hazard Mitigation Plan’ at the time of the application and at the time of obligation of grant funds for project (award).
- 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 & local permit procedures including, 44CFR Parts 9 & 10 (Floodplain Management & Wetland Protection).
- All non-critical structure elevation, dry floodproofing, and mitigation reconstruction projects in a Special Flood Hazard Area must apply, at a minimum, the flood elevations of the Federal Flood Risk Management Standard’s Climate Informed Science Approach (CISA), Freeboard Value Approach (FVA), or the 0.2% annual chance flood elevation, unless doing so would cause the project to be unable to meet applicable program cost-effectiveness requirements. All other types of projects may choose to apply the flood elevations of the Federal Flood Risk Management Standard’s Freeboard Value Approach.
- For critical actions in the Special Flood Hazard Area, the elevation requirements from 44 CFR Section 9.11 continue to apply. For any new construction or substantial improvement of structures, the lowest floor of the structure (including the basement) must be at or above the level of the 0.2% annual chance flood elevation or an additional 3 feet above the BFE, whichever is higher.
- 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 200.327](#). If your project is awarded, you must expend funds (even pre-award costs) under your official, documented procurement procedures, and ensure you comply with applicable federal, state, and local laws & regulations. Federal procurement standards must also be followed for [using contract support](#) for the development of HMA grant sub-applications.

- Under this prohibition, unless the non-federal entity solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.327, federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post award costs, such as grant management fees
- Per 2 C.F.R. § 200.318(i), non-federal entities other than states and territories are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price.

- Section 70914 of the **Build America, Buy America Act (BABAA)**, Pub. L. No. 117-58, §§ 70901- 52, requires all federal agencies, including FEMA, to ensure that no federal financial assistance for “infrastructure” projects is provided “unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.” On April 18, 2022, the Office of Management and Budget (OMB) issued OMB Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure (OMB Memo M-22-11). This memo provides implementation guidance for federal agencies on the application of a domestic preference to federal financial assistance programs for infrastructure and a transparent process to waive such preference, when necessary.
- 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, in coordination with 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. This requirement is only for projects submitted under the BRIC National Competition category.
- **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 performed 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 2023 Hazard Mitigation Assistance Program and Policy Guide Part 12 Sections B.1 and B.2 for additional close-out documentation requirements such as, but not limited to, recorded deed, statement of voluntary participation, FEMA Form 086-0-35C (formally AW-501), Certificate of Occupancy, certification of compliance, 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.

17. Contact Information

For general inquiries regarding the programs, please contact MEMA at: mitigation@mass.gov

For specific inquiries:

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For more information visit the 'Hazard Mitigation Assistance Grant Programs' section of the MEMA website at www.mass.gov/hazard-mitigation-assistance-hma-grant-programs.

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