

# Massachusetts Emergency Management Agency (MEMA)

## Notice of Funding Opportunity (NOFO) FY 2021 Building Resilient Infrastructure and Communities (BRIC) FY 2021 Flood Mitigation Assistance (FMA) Hazard Mitigation Grant Program (HMGP) FEMA-4496-DR-MA-HMGP

(Posted: 9/24/2021)

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. The Flood Mitigation Assistance (FMA) program makes federal funds available to reduce or eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program (NFIP). The Hazard Mitigation Grant Program (HMGP) provides funding to state, local, tribal and territorial governments so they can rebuild in a way that reduces, or mitigates, future disaster losses in their communities. This grant funding is available after a presidentially declared disaster.

### 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:

2021 Building Resilient Infrastructure and Communities

(Federal Award ID# DHS-21-MT-047-00-99);

Assistance Listings Title (formally Catalogue of Federal Domestic Assistance Number): 97.047

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

2021 Flood Mitigation Assistance (FMA) Program

(Federal Award ID# DHS-21-MT-029-000-99);

Assistance Listings Title (formally Catalogue of Federal Domestic Assistance Number): 97.029

Amount of funding available: \$160,000,000 available nationwide

Hazard Mitigation Grant Program (HMGP)

Federal Award ID Number: FEMA-4496-DR-MA

Catalogue of Federal Domestic Assistance (CFDA) Number: 97.039

Amount of funding available: \$110,760,576 available statewide

### 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)

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)

#### 4. **Priorities**

The State priorities for the BRIC, FMA and HMGP grants align with those of the FY2021 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 sub-applications); projects that are advanced further along in design & clear scope; projects that are consistent with the 2018 State Hazard Mitigation and Climate Adaptation Plan (SHMCAP) 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. **Sub-Applicant Eligibility**

Eligible sub-applicants: 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 sub-applicant on behalf of the individuals and businesses.

To be eligible for project grants, sub-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 and at the time of obligation of grant funds for project (award).

#### 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](mailto: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:**

BRIC / FMA grant availability announcement date: 8/12/2021

HMGP grant availability announcement date: 8/12/2021

State Notice of Funding Opportunity (NOFO) posting date: 09/24/2021

State Grant Briefings: 8/31/2021 & 9/9/2021 (Recording posted on MEMA Website)

FEMA BRIC/FMA application start date (first date sub-applications may be submitted): 9/30/2021

**Statement of Interest deadline for BRIC and FMA: 10/15/2021 - REQUIRED**

**Statement of Interest deadline for HMGP: Rolling (Recommended by 3/30/2022)**

**Submission of BCA for BRIC and FMA: 11/15/2021**

**Sub-application final State deadline for BRIC and FMA: 12/6/2021**

**Sub-application final State deadline for HMGP: 7/11/2022**

Anticipated FEMA Funding Selection Date (BRIC/FMA): 7/1/2022

Anticipated FEMA Funding Selection Date (HMGP): Rolling

Anticipated FEMA Award Date: Rolling

## 7. **Cost Share**

BRIC cost share is 75% federal / 25% non-federal.

FMA cost share varies depending on the activity type and individual property's repetitive loss status.

Available cost shares include: 75% federal/25% non-federal, 90%/10%, and 100%/0%

HMGP cost share is 75% federal / 25% non-federal.

Non-federal share may include: Cash, including local, state, private cash payments (e.g., general funds, MassWorks or 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. The Mitigation Unit can provide clarification on exemptions.

## 8. **Overview of Program**

Statement of Interest (SOI)

**Interested sub-applicants 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/FMA to initiate access to FEMA GO's Application Portal. The SOI form is available online at:

- *Construction Projects*: <https://www.mass.gov/forms/fy-2021-mitigation-statement-of-interest-for-construction-projects>
- *C&CB/Planning/Advance Assistance*: <https://www.mass.gov/forms/fy-2021-mitigation-statement-of-interest-for-ccbplanningadvance-assistance>

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 direct technical assistance and application development guidance for the recommended sub-applications.

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 / FMA / HMGP 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 the 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 and FMA transfer from the FEMA Headquarters level to the FEMA Region 1 office in order to conduct EHP compliance and additional technical reviews. Sub-applications submitted under HMGP are reviewed in full directly by the FEMA Region 1 office. 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 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 a change 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 2015 FEMA Hazard Mitigation Assistance Guidance and Addendum.
- 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 15, 2021 to ensure the project meets this fundamental eligibility requirement. This deadline is for BRIC, FMA and HMGP December 6, 2021 sub-application submissions only; final HMGP BCA submission deadline is June 20, 2022. 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 an application under the FY 2021 Flood Mitigation Assistance Program.

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

<b>Mitigation Projects</b>		<b>HMGP</b>	<b>BRIC</b>	<b>FMA</b>
	Property Acquisition	X	X	X
	Structure Elevation	X	X	X
	Mitigation Reconstruction	X	X	X
	Flood Risk Reduction Measures	X	X	X
	Stabilization	X	X	X
	Dry Floodproofing (Non-Residential Buildings)	X	X	X
	Tsunami Vertical Evacuation	X	X	
	Safe Rooms	X	X	
	Wildfire Mitigation	X	X	
	Retrofitting	X	X	X
	Generators	X	X	
	Earthquake Early Warning Systems	X	X	
	Innovative Mitigation Projects	X	X	X
<b>Capability and Capacity Building Projects</b>		<b>HMGP</b>	<b>BRIC</b>	<b>FMA</b>
	New Hazard Mitigation Plans	X	X	
	Hazard Mitigation Plan Updates	X	X	
	Planning Related Activities	X	X	X
	Project Scoping / Advance Assistance	X	X	X
	Financial Technical Assistance			X

**Applications Specific to Flood Mitigation Assistance (FMA) include:**

- **Project Scoping (previously Advance Assistance):** Project Scoping to develop community flood mitigation projects and/or individual flood mitigation projects that will subsequently reduce flood claims against the NFIP.
- **Community Flood Mitigation Projects:** Projects that address community flood risk for the purpose of reducing NFIP flood claim payments, such as flood control, drainage, etc.
- **Flood Hazard Mitigation Planning:** Planning applications for the flood hazard component of State, Local, Territory, and Tribal (SLTT) Hazard Mitigation Plans and plan updates. This activity will be submitted in FEMA GO as a “planning” application.
- **Individual Flood Mitigation Projects:** Projects that mitigate the risk of flooding to individual NFIP insured structures, such as elevations and acquisitions.

**Capability- and Capacity-Building (C&CB) 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 (HMGP Only)** is as follows:

Communities participate in the ‘Commonwealth Local Hazard Mitigation Planning Grant’. This is a State application, filed on behalf of eligible cities and towns by MEMA, for funds to update an existing plan or create a new hazard mitigation plan by procuring a consulting firm, regional planning agency, or contract employee. This sub-grant will have a scope of work and budget determined by MEMA. To be considered for this Local Planning Grant, your community must submit a **Planning Statement of Interest**. A supporting **Letter of Intent** (signed by the Chief Local Official) and detailed budget will also be required. Letters of Intent submissions for hazard mitigation planning funds must be submitted to MEMA via email by the final State HMGP deadline.

Eligible sub-applicants can apply as a sub-applicant for a local hazard mitigation planning grant separate from the ‘Commonwealth’s Local Hazard Mitigation Planning Grant’. This grant application would be for regional groups or communities who wish to develop their own expanded scope of work, who have a unique risk or vulnerability profile, or wish to request a large federal cost share. To be considered for this full planning application, your community must submit a **Planning Statement of Interest**.

Communities can utilize future funding through the Municipal Vulnerability Program (MVP) towards local share for a Hazard Mitigation Plan, if the MVP funding is used after a state contract between the community and MEMA has been fully executed.

**Advance Assistance Projects (HMGP Only)** is as follows:

Advance Assistance allows advancing up to 25 percent of the HMGP ceiling or \$10 million to Applicants and sub-applicants, whichever is less. Under DR-4496-MA, the amount will be up to \$10 million. The purpose of Advance Assistance is to provide States (as well as local governments) and federally-recognized tribes with resources to develop mitigation strategies and obtain data to prioritize, select, and develop complete HMGP applications in a timely manner. Applicants and sub-applicants that receive Advance Assistance must submit complete HMGP project applications by the final State HMGP application deadline (July 11, 2022).

Applicants and sub-applicants may use Advance Assistance for activities such as:

- Evaluate facilities or areas to determine appropriate mitigation actions
- Collect data for BCAs, EHP compliance, and other program requirements
- Scope and prioritize hazard mitigation projects (including State coordination of local projects) to incorporate sustainability, resilience, and renewable building concepts
- Develop hazard mitigation projects, including engineering design and feasibility actions
- Conduct engineering design and feasibility studies for larger or complex community drainage projects or critical facility retrofits
- Conduct hydrologic and hydraulic studies for unmapped flood zones or Approximate Flood Zone A areas where communities propose to submit hazard mitigation projects
- Perform professional cost estimation services to aid consistency in project budgeting across sub-applications

See Part VIII, Section A.12 of the FEMA 2015 HMA Guidance for a complete list of eligible activities and for additional programmatic information.

Advance Assistance is not automatic. Advance Assistance may be requested by submitting an HMGP Advance Assistance application form, through MEMA, to the Regional Mitigation Division Director. The Advance Assistance application must identify the proposed use of the funds, including costs in sufficient detail for each proposed activity and milestones for submitting completed HMGP applications to FEMA. The Advance Assistance application is available for download at: [https://www.fema.gov/sites/default/files/2020-09/fema\\_hazard\\_mitigation\\_grant\\_program\\_advance\\_assistance\\_pilot\\_optional\\_application\\_02-19-15.pdf](https://www.fema.gov/sites/default/files/2020-09/fema_hazard_mitigation_grant_program_advance_assistance_pilot_optional_application_02-19-15.pdf)

Requirements and deliverables associated with Advance Assistance and resulting HMGP applications may include: Documentation of Advance Assistance accomplishments; Submission of project applications by the final State HMGP application deadline (July 11, 2022); Accounting for use of Advance Assistance funds; and Documentation of EHP Considerations.

Advance Assistance is subject to the HMGP cost-share requirements.

## **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)
- 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 and FMA**

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 December 6, 2021, 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](http://www.sam.gov). The registration process in [www.sam.gov](http://www.sam.gov) and FEMA GO can take up to sixteen business days. Please be sure to register by November 1, 2021 to avoid any delays. Once registered in FEMAGO, MEMA will be responsible for authorizing access to your organization in order to complete the BRIC application in the system.

## **HMGP**

Applications for mitigation projects are required to be submitted electronically (Adobe .pdf files) via email or file sharing website. See Part IV of the FEMA 2015 HMA Guidance for application and submission information. Email address for email submission is [mitigation@mass.gov](mailto:mitigation@mass.gov) or file sharing website. Please do not submit paper/hardcopies. Blank HMGP applications can be found on the MEMA Website.

## **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.

### BRIC and FMA

Pre-award costs directly related to developing the BRIC or FMA grant application or sub-application are allowed subject to FEMA's written approval and must be identified as pre-award on the application budget. Such costs may have been incurred prior to application submission.

### HMGP

Pre-award costs directly related to developing the HMGP grant application or sub-application are allowed after the application period has opened (August 6, 2021) subject to FEMA's written approval and must be identified as pre-award on the application budget.

## **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. Briefings**

To assist potential sub-applicants who are considering applying for HMA funding, MEMA will be hosting a grant program briefings. Topics covered include the 2015 HMA Program Guidance, 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 one of these briefings 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.

The proposals for Projects will be evaluated and prioritized by the following criteria:

<b>Mitigation Project Review Criteria</b>	<b>Max Points</b>
<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)
<i>Environmental Permitting Ability.</i> The project application includes a detailed plan for obtaining all required state and local environmental permits.	(Up to 10 point)
<i>Benefit Cost Analysis.</i> A well-defined ‘Benefit-Cost Analysis’ (BCA) using FEMA BCA v6.0 software and provided with relevant supporting documentation.	(Up to 10 points)
<i>Commitment.</i> The application demonstrates commitment to complete the project and is substantiated by providing documentation of the non-federal cost share, signed support by the chief administrative official, and a description of the decision-making process.	(Up to 10 points)
<i>Consistency with Planning.</i> The application provides reference to the FEMA-approved hazard mitigation plan (HMP) where this activity is listed or referenced.	(Up to 10 points)
<i>Co-Benefits and Partners.</i> 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.	(Up to 10 points)
<i>Nature-Based Approaches.</i> The project promotes utilization of nature-based approaches and provides environmental benefits.	(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.	(Up to 10 points)
<i>Vulnerable Populations.</i> 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: <a href="https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts#interactive-map">https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts#interactive-map</a>	(Up to 10 points)

The proposals for Capability and Capacity-Building (C&CB) activities and FMA Project Scoping 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 product that will increase resiliency to natural hazards and climate change.	(Up to 20 points)
<i>Building Institutional Capacity.</i> 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.	(Up to 20 points)
<i>Risk Reduction &amp; Climate Change.</i> 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.	(Up to 10 points)
<i>Public Engagement.</i> 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.	(Up to 10 points)
<i>Establishes Partners.</i> 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.	(Up to 10 points)
<i>Focuses on Nature-Based Approaches.</i> The project promotes utilization of nature-based approaches and provides environmental benefits.	(Up to 10 points)
<i>Focuses on Critical Infrastructure.</i> The project promotes or focuses on the resilience to essential services, community lifelines/critical facilities, infrastructure, and/or economics drivers.	(Up to 10 points)
<i>Vulnerable Populations.</i> 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: <a href="https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts#interactive-map-">https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts#interactive-map-</a>	(Up to 10 points)

## 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 Standards Freeboard Value Approach 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 500-year flood.
- 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, 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.
- 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 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, 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](mailto: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](http://www.mass.gov/hazard-mitigation-assistance-hma-grant-programs).

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