



APPLICANT BRIEFING MAJOR DECLARATION COVID-19

MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY
DISASTER RECOVERY UNIT

MAJOR DECLARATION FEMA-4496-DR-MA

DECLARATION DATE: March 27, 2020

INCIDENT DATE: January 20, 2020 and continuing

DECLARED COUNTIES: All Massachusetts Counties

AUTHORIZED DISASTER ASSISTANCE:

FEMA Public Assistance Program - *Emergency Protective Measures*

FEMA Individual Assistance Program - *Crisis Counseling*

AGENDA

- FEMA PUBLIC ASSISTANCE PROGRAM
- GRANTS PORTAL
- APPLICATION PROCESS
- ELIGIBLE ACTIVITIES AND COSTS
- EXPEDITED PROJECT REQUESTS
- PROCUREMENT
- GRANT AND PROJECT REQUIREMENTS
- DISBURSEMENT OF FUNDS

FEMA PUBLIC ASSISTANCE (PA) PROGRAM

FEMA provides supplemental financial assistance to state, local and tribal governments, and certain private non-profit organizations for emergency protective measures that may be eligible under FEMA's Public Assistance Program in accordance with the COVID-19 Emergency Declaration in order to ensure that resource constraints do not inhibit efforts to respond to this unprecedented disaster.

The assistance FEMA provides through its PA Program is subject to a cost share. The Federal share is 75% of the eligible costs.

FEMA will not duplicate assistance provided by the Department of Health and Human Services (HHS), including the Centers for Disease Control and Prevention, or other federal agencies. Additionally, this emergency declaration does not make direct financial assistance available to private businesses or individuals.

GRANTS PORTAL

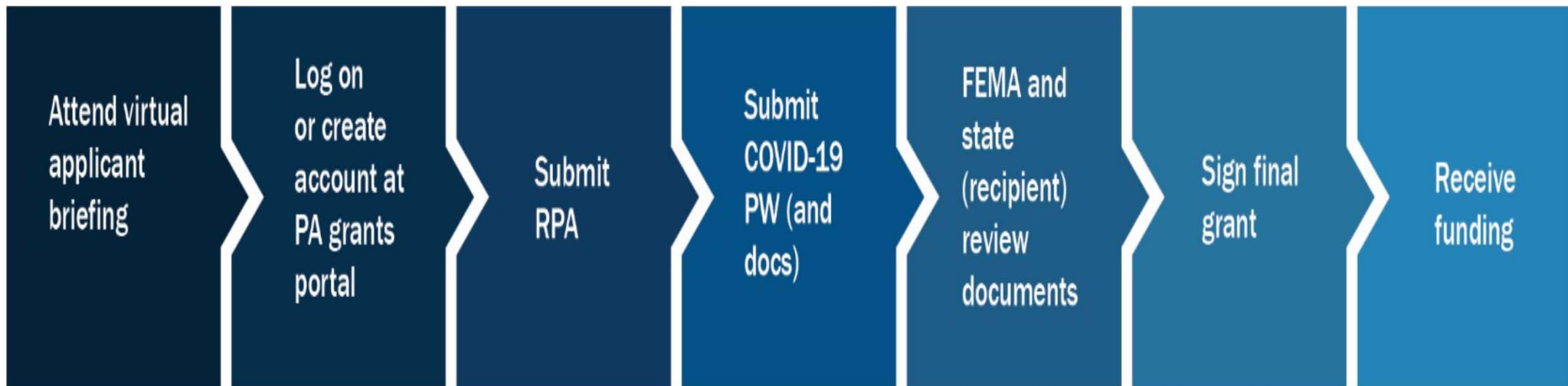
- Web-based tool through which all FEMA project documentation and determinations will flow (Firefox recommended)
- Portal Registration
- Track all projects, documentation, and information through portal - live site, 24/7
- Upload documentation
- Grant Portal Resources and User Manual

NEW REIMBURSEMENT PROCESS TARGETED TO COVID-19 DECLARATIONS

Different from other FEMA PA Declarations, the process for COVID-19 features the following:

- Virtual Applicant Briefings
- Applicants will have the ability to initiate project applications directly through FEMA's Grants Portal.
- FEMA's Reference Manuals and Quick Guides provide step-by-step instructions; can be found in the Grants Portal
- For technical assistance with Grants Portal, Applicants can call the Grants Portal Hotline at 1-866-337-8448

PA SIMPLIFIED APPLICATION PROCEDURES



Public Assistance Applicant Quick Guide: Grants Portal Account and Request for Public Assistance, located in the Resources tab on Grants Portal.

Public Assistance Applicant Quick Guide: Completing and Submitting the COVID-19 Streamlined Project Application in Grants Portal, located in the Resources tab on Grants Portal.

REQUEST FOR PUBLIC ASSISTANCE (RPA)

Registered users, enter RPA in Grants Portal - ONE RPA per applicant

UNREGISTERED GRANTS PORTAL USERS

TRIBAL ORGANIZATIONS, MUNICIPALITIES AND STATE AGENCIES ONLY

May self-register for a portal account <https://grantee.fema.gov>

ALL OTHER APPLICANTS

Must go through MEMA for portal registration

Portal Registration Request Form (MEMA's website)

Submit Portal Registration Form to disaster.recovery@mass.gov

PRIVATE NON-PROFIT (PNP) ENTITIES APPLICATION PROCEDURES



Prior to Request for Public Assistance (RPA) Submission:

- ✓ A ruling letter from the U.S. Internal Revenue Service granting tax exemption under Sections 501(c), (d), or (e) of the Internal Revenue Code of 1954
- ✓ PNP Certification Sheet (MEMA's website)
- ✓ Mission statement or brochure of organization
- ✓ Employer Identification Number (EIN)
- ✓ Insurance Policy

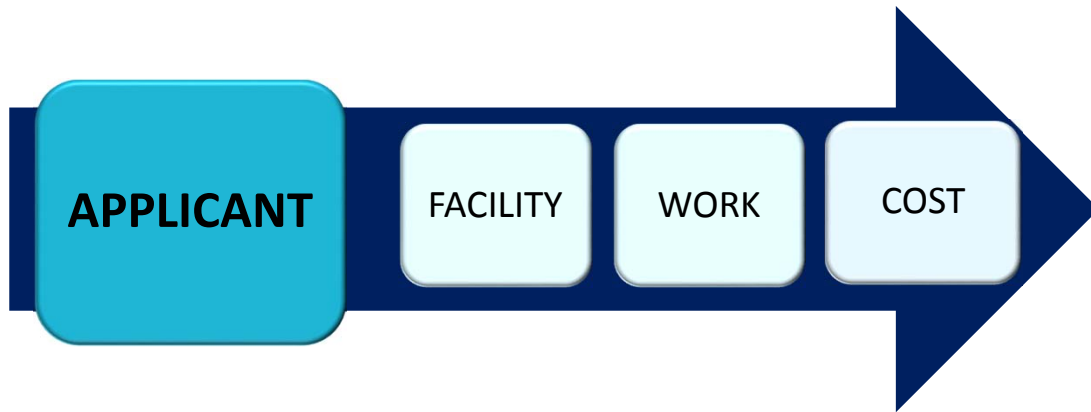
ELIGIBILITY STRUCTURE

APPLICANT

FACILITY

WORK

COST



- State and local governments
- Certain private non-profit organizations
- Indian tribal organizations
- Local public authorities
- School districts
- Special districts

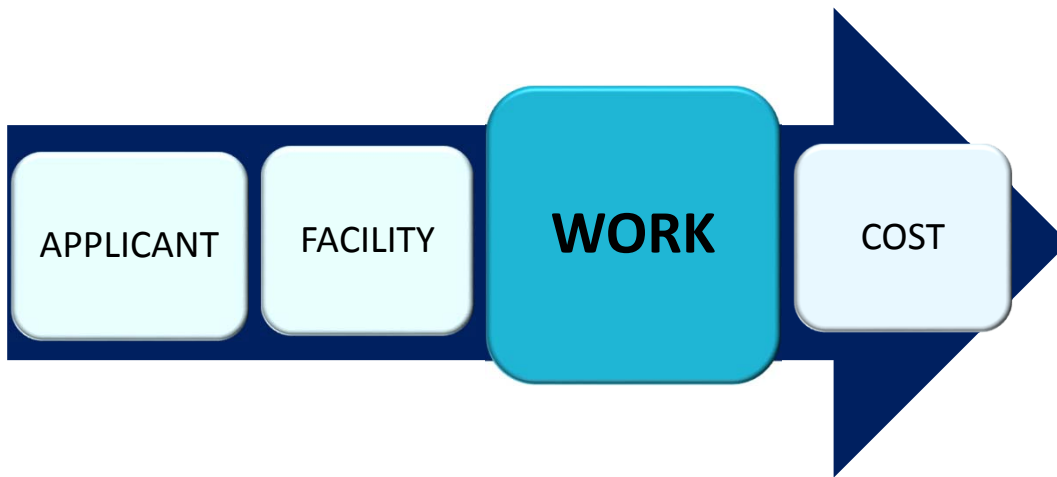
PRIVATE NON-PROFIT FACILITY ELIGIBILITY CRITICAL AND NON-CRITICAL SERVICES



- FEMA must first determine whether the PNP owns or operates an eligible facility.
- If a Parent PNP legally operates multiple facilities, the Parent PNP must identify all subsidiaries as FEMA must evaluate each facility independently, even if all are located on the same grounds.

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

Non-critical PNPs: PNP services open to general public. Examples include community centers, daycare centers, performing arts centers, libraries, homeless shelters, museums, zoos, assisted living facilities, senior citizens centers, rehabilitation centers, animal control facilities, custodial care.



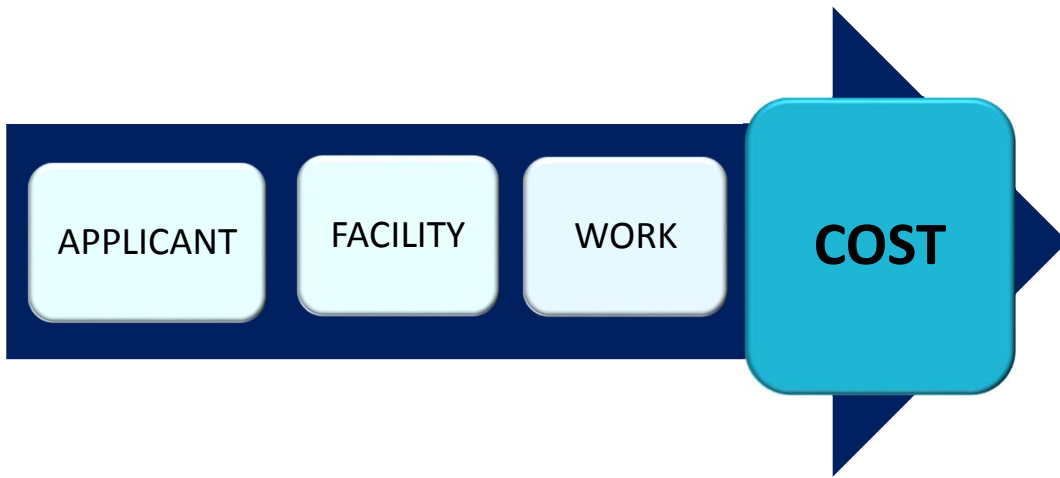
At a minimum, claimed Emergency Protective Measure work (also called “activities”) must meet each of the following criteria to be eligible:

- required as a result of the declared incident;
- located within the designated area; and
- the legal responsibility of an eligible Applicant.

PNP WORK ELIGIBILITY

PNPs that own or operate an eligible facility and perform eligible work, such as providing emergency, medical or custodial care services for which they are legally responsible in response to the COVID-19 incident, may be eligible for reimbursement of costs as a Public Assistance applicant

For more information refer to the *FACT SHEET: Coronavirus (COVID-19) Pandemic: Private Nonprofit Organizations*



- Costs must be directly related to COVID-19 activities
- Adequately documented
- Consistent with the Applicant's internal policies, regulations, and procedures that apply uniformly to both Federal awards and other activities of the Applicant; and
- Must not duplicate funding by another federal agency, including the U.S. Department of Health and Human Services, or Centers for Disease Control.

CATEGORY B – EMERGENCY PROTECTIVE MEASURES

DEFINITION:

An emergency protective measure is an activity undertaken to eliminate or lessen an immediate threat to lives, public health, or safety.

ELIGIBLE CATEGORIES OF WORK

- CATEGORY B PROJECT - EMERGENCY PROTECTIVE MEASURES
 - *The regulatory time limitation for emergency work including emergency protective measures is 6 months from the declaration date (September 25, 2020).*
 - *Incident ongoing.*
- CATEGORY B – DONATED RESOURCES
- CATEGORY Z PROJECT - MANAGEMENT COSTS
 - *No established time limit to complete Cat Z project*

CATEGORY B – EMERGENCY PROTECTIVE MEASURES

- EOC-related costs
- Medical care - *FEMA FACT SHEET Coronavirus (COVID-19) Pandemic: Emergency Medical Care*
- Non-congregate sheltering - *FEMA FREQUENTLY ASKED QUESTIONS Coronavirus (COVID-19) Pandemic: Non-Congregate Sheltering*
- Supplies and commodities, including medical supplies, PPEs, and other equipment;
- Search and rescue operations;
- Dissemination of information to the public - *FACT SHEET Accessible Public Service Announcements Category B: Emergency Protective Measures*
- Security, law enforcement, barricades and fencing
- Temporary facilities, such as tents or portable buildings for treatment of survivors

CATEGORY B – EMERGENCY PROTECTIVE MEASURES

- Household pet sheltering and containment actions related to household pets in accordance with CDC guidelines
- Emergency Feeding and Distribution of Food (FEMA approval limited to State and Local Governments)
 - Individuals at high-risk (people over 65 or have certain underlying conditions) who quarantined or self-isolated and unable to obtain and/or prepare meals independently; and
 - Individuals who do not have the resources to prepare and obtain meals facing food insecurity and have not signed up for or are ineligible for public nutrition programs
 - If a State or local government opts to provide emergency feeding through a PNP, those agreements must be in writing and include all contractual provisions and terms sufficiently specific to enable FEMA to evaluate eligibility of services and costs pursuant to the agreement
- Purchase water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits

EMERGENCY MEDICAL CARE

- Triage and medically necessary tests and diagnosis related to COVID-19 cases
- Emergency medical treatment of COVID-19 patients
- Prescription costs related to COVID-19 treatment
- Use or lease of specialized medical equipment necessary to respond to COVID-19 cases
- Purchase of PPE, durable medical equipment, and consumable medical supplies necessary to respond to COVID-19 cases
Medical waste disposal related to eligible emergency medical care
- Emergency medical transport related to COVID-19
- Temporary medical facilities and expanded medical care facility capacity for COVID-19 for facilities overwhelmed by COVID-19 cases and/or to quarantine patients infected or potentially infected by COVID-19

NON-CONGREGATE SHELTERING

On April 27, FEMA approved the State's extension until May 31st and amended the request to include the following individuals:

- *Individuals who test positive for COVID-19, or are symptomatic for COVID-19, as documented by a medical professional, who do not require hospitalization, but need isolation (including those exiting from hospitals) and cannot do so safely in their current living situation without causing undue risk to themselves or others.*
- *Individuals who have been exposed to COVID-19 (as documented by a state or local public health official, or medical health professional) that do not require hospitalization but need quarantine and cannot do so safely in their current living situation without causing undue risk to themselves or others.*
- *First-responders, medical workers, nursing facility workers, and 24/7 congregate care workers, and other personnel working with high-risk individuals, who, through their missions, can reasonably expect to be exposed to COVID-19 and may, therefore, be asymptomatic carriers, but who continue to work and cannot safely live at home without posing a risk to their families.*
- *First-responders, medical workers, nursing facility workers, and 24/7 congregate care workers who work with high-risk individuals, including children, youth and adults with disabilities and who can reasonably expect to be exposed to COVID-19 by moving to and from work within the Community or by living at home and therefore cannot safely live at home without posing a significant risk to "high-risk" population that they care for.*
- *Individuals who are asymptomatic, but are at high-risk, such as people over 65 or who have certain underlying health conditions (respiratory, compromised immune systems, chronic disease), and who require quarantine as a social distancing measure and cannot do so safely in their current living situation without causing undue risk to themselves or others.*

MUTUAL AID

FEMA provides PA funding to the Requesting Entity as it is legally responsible for the work. FEMA does not provide PA funding directly to the Providing Entity. For the work to be eligible, the Requesting Entity must have requested the resources provided.

The Requesting Entity or State, if applicable, must provide a description of the services requested and received, along with documentation of associated costs (e.g., labor, equipment, supplies, or materials) to FEMA.

When the Requesting and Providing Entities do not have a written agreement, OR where such an agreement exists but is silent on reimbursement, the Requesting Entity must document the verbal agreement in writing, have it executed by an official of each entity with the authority to request and provide assistance, and submit it to FEMA (preferably within 30 days of the Applicant's Briefing).

CATEGORY B - DONATED RESOURCES

Resources donated to an Applicant by an organization that would normally provide the same resources under its mission may be eligible. The Applicant may use the value of received donated resources to offset the non-Federal share of its eligible emergency work projects.

Donated Resources include volunteer labor, donated equipment, donated supplies and materials

The Applicant tracks the resources and work performed, including description, specific locations, and hours.

FEMA prepares the donated resource project separate from the Emergency Work projects for the Applicant's incurred costs. FEMA does not obligate the donated resource project until after it obligates all of that Applicant's Emergency Work projects.

CATEGORY Z – MANAGEMENT COSTS

Management costs (under Category Z) may be claimed for administering and managing PA awards as follows:

- Up to 5% of the Sub-recipient's total award amount (based on actual/estimated costs). MEMA will reimburse actual costs.
- Eligible activities may include, but are not limited to meetings regarding the PA program or PA claim, preparing correspondence, reviewing PWs, collecting copying, filing, or submitting documents to support a claim, and training
- Both regular and overtime
- No cost share for Category Z – 100% reimbursement of project cost
- Cat Z Workbook

PROCUREMENT

Code of Federal Regulations (CFR), 2 CFR 200

Applicants must comply with Federal procurement standards as a condition of receiving PA funding for contract costs for eligible work. Applicants are encouraged to follow competitive procurement requirements when purchases or contract services are not needed immediately.

FEMA will closely review procurement, with particular emphasis on noncompetitive procurement actions to evaluate compliance with Federal requirements.

Current Federal procurement standards (found at 2 C.F.R. § 200.320(f)(2)) allow non-state entities to noncompetitively procure contracts (i.e., sole-sourcing) under certain emergency or exigent circumstances. For instances where sole source is the circumstance, it is recommended to submit a narrative with your submission.

TYPES OF ELIGIBLE COSTS

- Force Account Labor (budgeted permanent, part-time, seasonal, re-assigned, backfill employees) – OVERTIME COSTS only
- Force Account Equipment (FEMA Schedule of Equipment Rates) – REGULAR AND OVERTIME
- Leased Equipment – ACTUAL COST
- Material (Purchased supplies and/or taken from stock) – ACTUAL COST
- Contract Services (unbudgeted employees, such as contractors, vendors, extra hires) – ACTUAL COST

All costs must be reasonable and equitable for the type of work performed. To avoid duplication of benefits, all eligible costs will be reduced by all other funding and revenue sources.

FORMULATION OF A PROJECT WORKSHEET (PW)

- 1) Minimum project cost threshold = \$3,300
- 2) PROJECT APPLICATION FORM
 - Applicants will complete and submit a PROJECT APPLICATION in Grants Portal.
 - A description of the activities including when, where, and by whom the activities were completed or will be completed.
 - A summary of how much the activities cost, including costs associated with contract, labor, equipment, supply, material, and other cost types.

**** IT IS IMPORTANT TO INCLUDE A DETAILED NARRATIVE ****

PROJECT DOCUMENTATION

- 1) **PROJECT APPLICATION TEMPLATE** – WAIT FOR RELEASE OF FINAL TEMPLATE FORM
- 2) **MORE DETAILED SUMMARY OF ALL COSTS** - MEMA workbook or Applicant spreadsheet
MEMA workbook and workbook tutorial can be found on our website
www.mass.gov/mema
FEMA Public Assistance: Local, State, Tribal and Non-Profit
MEMA Forms for Public Assistance Projects
- 3) **DETAILED NARRATIVE**
- 4) **SUPPORTING DOCUMENTATION CHECKLIST** - The checklist will assist you when preparing your project closeout request with identifying types of supporting documentation that will need to accompany the workbook/spreadsheet.

Types of sample supporting documentation for FEMA PA

**General Policies,
Pay/Compensation Policy
Insurance Policies
Mutual Aid
MOU**

| Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue |
|------|-------|-------|------|------|------|------|------|------|
| 4/6 | 4/7 | 4/8 | 4/9 | 4/10 | 4/11 | 4/12 | 4/13 | 4/14 |
| 2.00 | | | 3.00 | | | | | |
| | 2.00 | | 3.00 | 2.50 | | | 3.00 | |
| 5.00 | | 12.00 | | 5.00 | | | 3.50 | |
| | 15.00 | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 7.00 | 17.00 | 12.00 | 6.00 | 7.50 | 0.00 | 0.00 | 6.50 | |

Workbooks

From: [redacted]
To: [redacted]
Subject: [redacted]
Date: Friday, April 24, 2020 6:53:00 PM
Attachments: [image001.png](#)

Hello,

A tent at your location to be delivered tomorrow would cost \$7,000.

Sincerely,

E-mails

A sample invoice form with fields for item description, quantity, and price. The form includes a header with a logo and a title, and a table with columns for item description, quantity, and price. The table contains several rows of data, some of which are redacted with black boxes.

**Invoices, Contracts,
Proofs of Payment**



Photos

PROJECT COST THRESHOLDS

SMALL PROJECTS VS LARGE PROJECTS

SMALL PROJECT THRESHOLD
from \$3,300 - \$131,100

Once FEMA obligates a Small Project, FEMA does not adjust the approved amount of an individual Small Project. This applies even when FEMA obligates the PW based on an estimate and actual costs for completing the eligible scope of work differ from the estimated amount. FEMA only adjusts the approved amount on individual Small Projects if one of the following conditions applies:

- The Sub-recipient did not complete the approved SOW;
- The Sub-recipient requests additional funds related to an eligible change in SOW;
- The PW contains inadvertent errors or omissions; or
- Actual insurance proceeds differ from the amount deducted in the PW.

LARGE PROJECT THRESHOLD
equal to or exceed \$131,100

- Once work is 100% complete on a large project, the Sub-recipient will submit their large project closeout request to MEMA.
- MEMA will review the closeout request and forward to FEMA to review and approval.

PROJECT RECONCILIATION

The purpose of closeout is for the Applicant to certify that all work has been completed. FEMA closes Large Projects individually as each is completed. FEMA closes all Small Projects together when the last Small Project is completed. To ensure a timely closeout process, the Applicant should notify MEMA immediately as it completes each Large Project and when it has completed its last Small Project .

MEMA will forward all large project closeouts to FEMA for review. FEMA reviews the documentation and, if necessary, obligates additional funds or reduces funding based on actual costs to complete the eligible SOW.

EXPEDITED PROJECT REQUESTS

In response to COVID-19, an Applicant may have a need for immediate funding to conduct response activities that address a threat. Any applicant requiring expedited funding should express that desire to MEMA by submitting an Expedited Request Form. This Form can be found on MEMA's website:

- www.mass.gov/mema | COVID-19 Federal Disaster Declaration | Expedited Funding for COVID-19
- Completed Expedited Request Forms will be automatically sent to MEMA once you select "Submit".

MEMA will forward the request to FEMA who will assign a Project Manager to the applicant. FEMA will write the expedited project based on limited documentation. Expedited Project Requests must be equal to or exceed the large project cost threshold of \$131,100.

FEMA will approve the expedited project at the 75% federal share amount. Actual reimbursement will be 50% of the 75% amount. Applicants will be required to provide all information to support its claim before receiving the remaining funding.

If the FINAL ACTUAL costs are *lower* than the 50% initial estimate/obligation, the applicant is required to return the excess funds. Conservative estimates *are* recommended for expedited projects.

INSURANCE REQUIREMENTS

FEMA requires Applicants to pursue claims to recover insurance proceeds.

- Some insurance policies and parametric policies may provide coverage under civil authority actions.
- Generally the emergency procurement of supplies nor the establishment of temporary medical facilities is an insured loss
- If claiming clean-up or disinfecting of an insured location then an applicant must submit a copy of their commercial property insurance policy.
- There are no Obtain and Maintain (O&M) insurance requirements associated with emergency work.

ENVIRONMENTAL AND HISTORIC PRESERVATION (EHP) REVIEW

- Avoid placement of critical actions, such as temporary hospitals, in high-risk flood hazard areas
- Avoid placement in wetlands, brownfields, and other use restricted sites.
- Place tents, temporary structures, and modular units on existing parking lots, other hard surfaces, or improved surfaces and connect to existing utilities
- Avoid new ground disturbance when possible. Should ground disturbance reveal archaeological resources, notify FEMA and State Historic Preservation Officer immediately

PROGRAM REQUIREMENTS

Ensure federal laws are followed with all documentation and process requirements, as needed before the grants are closed.

Quarterly Progress Reports - A tool for FEMA and the Recipient to track the progress of open Large Projects on a quarterly basis

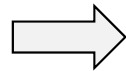
Project Reconciliation and Closeout - The purpose of closeout is for the Applicant to certify that all work has been completed

Appeals - Applicants may appeal any FEMA determination related to an application for assistance.

Audits - Sub-recipients are subject to Federal and non-Federal audits. All documents associated with reimbursement must be retained for a period of seven (7) years (beginning from the first day after the final contract payment has been made)

REIMBURSEMENT

FEMA obligates PW funding to the State (MEMA)



MEMA emails PW, State standard contract package and P.4 Report to Sub-recipient



STATE STANDARD CONTRACT PACKAGE

- Prior to release of funding, the authorized signatory (as indicated on the CASL) must sign and return contract documents to MEMA

P.4 REPORT

- Hold until work is 100% complete
- When PW is complete, sign and return P.4 Report to MEMA with project closeout request and documentation
- REIMBURSEMENT – Electronically transferred into Applicant's account

STATE PUBLIC ASSISTANCE CONTACTS

- MA Assistant Director for Mitigation and Recovery

Thad.Leugemors@mass.gov

- MA Public Assistance Officer

Erica.Heidelberg@mass.gov

- MA Public Assistance Program Coordinator

Lorraine.Eddy@mass.gov

- Questions?

<https://www.mass.gov/info-details/covid-19-federal-disaster-declaration#questions->

Disaster.Recovery@mass.gov