



FEMA



MEMA

# STATE AGENCY 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

*Category B - FEMA Public Assistance Program*

*FEMA Individual Assistance Program - Crisis Counseling (through MA DMH)*

# AGENDA

- FEMA PUBLIC ASSISTANCE PROGRAM
- GRANTS PORTAL
- APPLICATION PROCESS
- ELIGIBLE ACTIVITIES AND COSTS
- EXPEDITED PROJECT REQUESTS
- PROCUREMENT REQUIREMENTS
- 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 project documentation and determinations will flow; live 24/7 (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
- Municipalities will have the ability to apply for assistance 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

# Guidance for State Agencies

A document that consolidates available guidance for state agencies to best position you to apply for FEMA-PA is available on the MEMA website.

The guidance includes the following sections:

- Introduces and answers key questions on the FEMA PA Process
- Proposes immediate action items for State Agencies to prepare documents today
- Provides guidance on procurement, cost tracking, and eligibility
- Compiles available resources and links from MEMA, FEMA, Office of the Comptroller, and A&F**

The collage consists of several overlapping graphics:

- Guidance: Tracking Expenses and Documentation**: A text-based graphic explaining what to track and collect, referencing the MEMA State Workbook and Category 2 Management Cost Workbook. It states that applicants must prepare documentation to submit for reimbursement, and eligible costs will be denied if not documented.
- How do I identify and prove to FEMA that my costs and expenses are eligible?**: A flowchart titled "What is the journey of an agency in Massachusetts preparing documentation for COVID-19 FEMA reimbursement?". It shows a process from "Agency Action" (Identify, Document, Submit) to "FEMA Review" (Review, Approve/Disapprove) and finally to "Payment" (FEMA, State, Agency). It includes a "Timing Convention" box.
- FEMA PA Process and Eligibility Overview**: A text-based graphic explaining the FEMA PA Grant Program's purpose and the process to receive assistance through FEMA PA. It mentions that FEMA and MEMA empower applicants to drive their own recovery and directly apply for assistance through FEMA's online Grants Portal.
- What are types of sample supporting**: A graphic showing examples of supporting documents like General Orders, Workbooks, and Emails.
- FEMA PA Funding is available to MA State Agencies to meet eligible costs for COVID-19**: A graphic detailing the expected FEMA Public Assistance (PA) process for COVID-19, including steps like "Step 1: Administer FEMA PA" and "Step 2: Create your request in FEMA Grants Portal".
- What should I be doing today?**: A graphic with a "1. Educate yourself through this guidance document and available MEMA briefings" and "2. Organize documents of COVID-19 purchases and activities".

Please direct any outstanding questions about cost tracking and eligibility to the MEMA [form stack](#). Our team will answer your questions and connect you to the appropriate resources.

FEMA PA funding is available to MA eligible applicants to cover eligible costs and expenses for COVID-19



## What is the expected FEMA Public Assistance (PA) process for COVID-19?

Step 1. Attend Applicant Briefings Hosted by MEMA

Step 2. Create your account in FEMA Grants Portal

Step 3. Complete and submit Request for Public Assistance (RPA)

*Other sources of funding in addition to FEMA PA may also be available.*

Step 4. Complete and submit Streamlined COVID-19 Project Application – WAIT FOR FINAL PROJECT APPLICATION TEMPLATE BEFORE SUBMITTING DOCUMENTATION

Throughout this process, applicants should prepare and store **supporting documentation**.



Step 5. FEMA review documents  
Answers questions as requested

Step 6. Review and sign final grant

Step 7. Receive funding



## What should I be doing today?

1. Educate yourself through this guidance document and available MEMA briefings

2. Diligently document all COVID-19 purchases and activities

3. Register for the FEMA Grants Portal

4. Watch for announcements from MEMA on opening of PA Application



# REQUEST FOR PUBLIC ASSISTANCE (RPA)

**REGISTERED PORTAL USERS** - Enter RPA in Grants Portal  
ONE RPA per applicant

## **UNREGISTERED PORTAL USERS**

### ***STATE AGENCIES AND MUNICIPALITIES ONLY***

Directly request portal account at <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](mailto: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

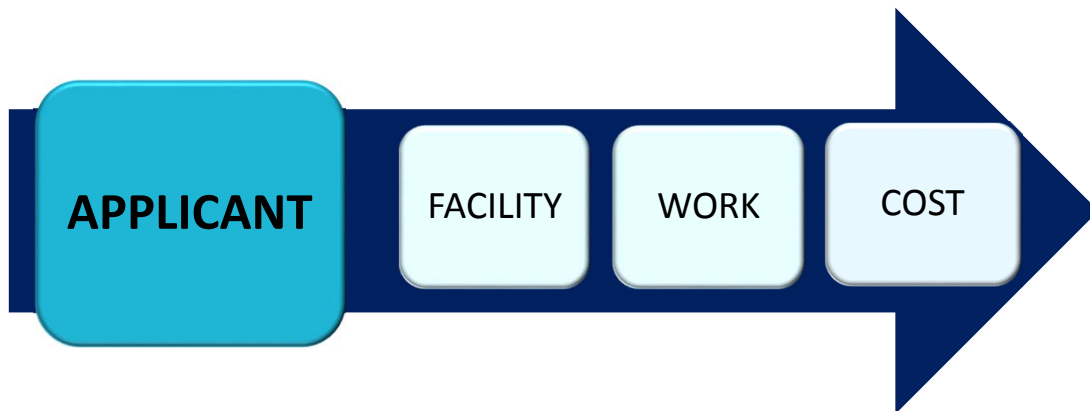
APPLICANT

FACILITY

WORK

COST

# APPLICANT ELIGIBILITY



- 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

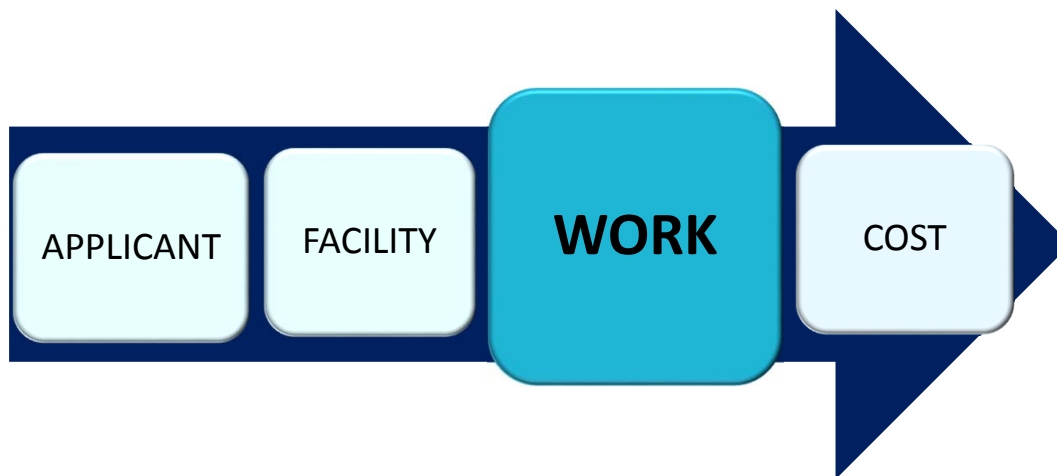


- FEMA must determine whether the PNP owns or operates an eligible facility.
- If a Parent PNP legally operates multiple facilities, the Parent PNP must identify all subsidiaries as FEMA must evaluate each facility independently, even if all are located on the same grounds.

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.

# WORK ELIGIBILITY



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

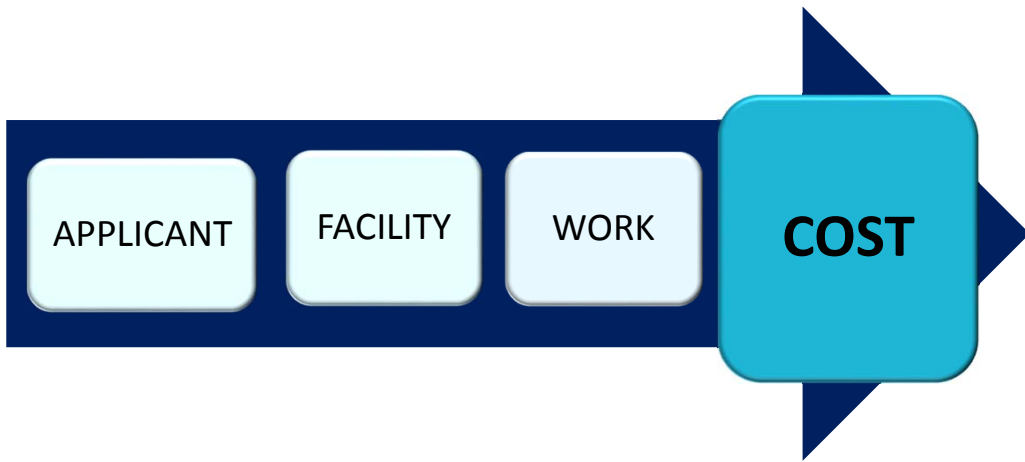
- required as a result of the declared incident;
- located within the designated area; and
- the legal responsibility of an eligible Applicant.

## 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*

# COST ELIGIBILITY



- 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
- Purchase and distribution of food - *Coronavirus (COVID-19) Pandemic: Purchase and Distribution of Food Eligible for Public Assistance **FEMA Policy FP 104-010-03***
  - Legally responsible state, local and tribal governments may enter into formal agreements or contracts with private nonprofit (PNP) organizations such as food banks, to purchase and distribute food when necessary as an emergency protective measure in response to the COVID-19 Public Health Emergency. In these cases, PA funding is provided to the legally responsible government entity, which would then reimburse the organization for the cost of providing those services under the agreement or contract.
  - Emergency feeding requires FEMA pre-approval – ([TEMPLATE Request to FEMA re Emergency Feeding](#))
- 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

FEMA approval for State-wide non-congregate sheltering by **STATE AND LOCAL GOVERNMENT** - temporary quarantine and isolation to prevent the spread of COVID-19 among vulnerable populations, including hotels and college university dormitories to house three specific populations:

- ✓ First responders and healthcare workers who need to quarantine safely without exposing their families;
- ✓ Homeless families, with at least one member who tested positive for COVID-19 who live in congregate shelters and will require isolation; and
- ✓ Homeless individuals who require quarantine or isolation.

Other entities needing to quarantine or isolate individuals other than those listed above will need to submit a request to MEMA. MEMA will review and if deemed reasonable will forward to FEMA requesting to amend the state-wide approval.

- ✓ **LEGAL RESPONSIBILITY**
- ✓ **CONTRACTUAL AGREEMENT THROUGH AN MOU, OR OTHER TYPE OF WRITTEN AGREEMENT**

## MUTUAL AID

When an Applicant does not have sufficient resources to respond to an incident, it may request resources from another jurisdiction through a “mutual aid” or “memorandum of understanding” agreement.

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. **FEMA WILL REIMBURSE THE REQUESTING ENTITY.**

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 the Applicant by an organization that would normally provide the same resources under its mission are 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) per project.
- 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

## 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.

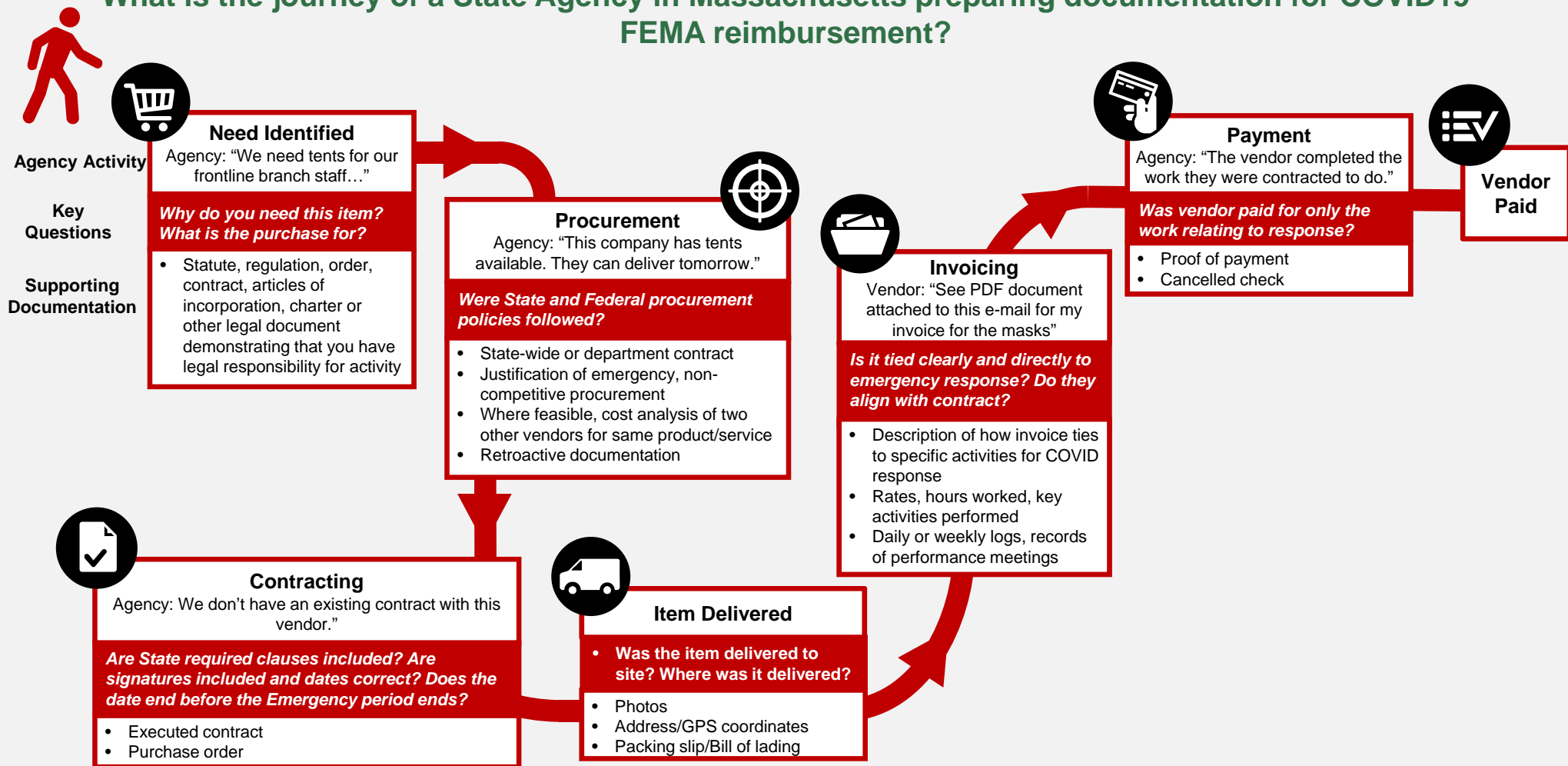
Current Federal procurement standards (found at 2 C.F.R. § 200.320(f)(2)) allow non-state entities to noncompetitively procure contracts (i.e., sole-sourcing) under certain emergency or exigent circumstances. For instances where sole source is the circumstance, it is recommended to submit a narrative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

# WHAT PROCUREMENT RULES APPLY TO STATE ENTITIES?

State entities must follow three overarching procurement standards found in *the Uniform Rules* listed in various sections of the Electronic Code of Federal Regulations:

- Follow the same policies and procedures your agency uses for their non-Federal funds (2 C.F.R. 200.317).
- Comply with the procurement of recovered materials guidelines (C.F.R. 200.322).
- Ensure every purchase order or other contract includes contract clauses and any additional FEMA recommended provisions (2 C.F.R 200.326 and Appendix II).

# What is the journey of a State Agency in Massachusetts preparing documentation for COVID19 FEMA reimbursement?



# 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) – 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 with the remainder requested as FEMA PA.

# FORMULATION OF A PROJECT WORKSHEET (PW)

- 1) Project cost threshold – \$3,300
- 2) Project Description and Scope of Work
  - Applicants will complete and submit a “PROJECT APPLICATION” online in the FEMA Public Assistance Grants Portal. The Project Application Template will be available in approximately two weeks.
  - 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.

# SUPPORTING DOCUMENTATION

## 1) SUMMARY OF ALL COSTS - MEMA workbook or Applicant spreadsheet

MEMA workbook and workbook tutorial can be found on our website

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

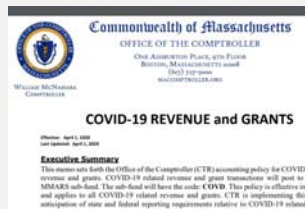
FEMA Public Assistance: Local, State, Tribal and Non-Profit

MEMA Forms for Public Assistance Projects

## 2) 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.

## What are types of sample supporting documentation for FEMA PA?



General Policies

Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon
4/6	4/7	4/8	4/9	4/10	4/11	4/12	4/13
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



E-mails



Contracts



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](http://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.**

- 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.
- State-owned facilities who claimed to be “self-insured” must submit the law to which this pertains.

## ENVIRONMENTAL AND HISTORIC PRESERVATION (EHP) REVIEW

- Avoid placement of critical actions, such as temporary hospitals, in high-risk flood hazard areas
- Avoid disposal of medical waste
- 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 AND GRANT MANAGEMENT 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**

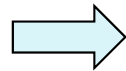
- Applicants may appeal any FEMA determination related to an application for assistance.

## **Audits**

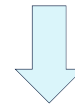
- Sub-recipients are subject to Federal and non-Federal audits. All documents associated with reimbursement must be retained for a period of seven (7) years (beginning from the first day after the final contract payment has been made)

# STATE AGENCY REIMBURSEMENT PROCESS

FEMA obligates PW funding to the State (MEMA)



MEMA emails PW and P.4 Report to Sub-recipient



## P.4 REPORT

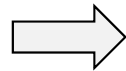
- Hold until work is 100% complete
- When PW is complete, sign and return P.4 Report to MEMA with project closeout request and documentation

## REIMBURSEMENT

Project funding is transferred in the Commonwealth's General Fund account.

# REIMBURSEMENT (ALL OTHER ENTITIES)

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



# STATE PUBLIC ASSISTANCE CONTACTS

- MA Assistant Director for Mitigation and Recovery

[Thad.Leugemors@mass.gov](mailto:Thad.Leugemors@mass.gov)

- MA Public Assistance Officer

[Erica.Heidelberg@mass.gov](mailto:Erica.Heidelberg@mass.gov)

- MA Public Assistance Program Coordinator

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

- Questions?

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

[Disaster.Recovery@mass.gov](mailto:Disaster.Recovery@mass.gov)