




Applicant Briefing

FEMA-4355-DR

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Key Personnel



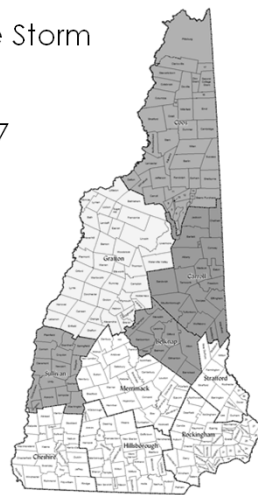
- ✓ State Coordinating Officer – Fallon Reed
- ✓ Federal Coordinating Officer – Nick Russo
- ✓ FEMA Public Assistance Officer – Tom Perry
- ✓ HSEM Field Representative
- ✓ FEMA Program Delivery Manager

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FEMA-4355-DR-NH



- October 29 – November 1st, 2017 Severe Storm & Flooding
- Declaration Date: **January 2, 2018**
- Incident Period: Oct. 29th to Nov. 1st, 2017
- Public Assistance Declared Counties
 - Belknap
 - Carroll
 - Coos
 - Grafton
 - Sullivan
- Hazard Mitigation Grant Program
 - Statewide



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STAFFORD ACT ASSISTANCE PROCESS



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Public Assistance Grant Program



- Assists in the restoration of community infrastructure.
- Supplemental funding program with specific eligibility requirements.
- FEMA share of eligible costs will be awarded to the Recipient (HSEM) for disbursement to the subrecipient.
- 75/25 cost-share

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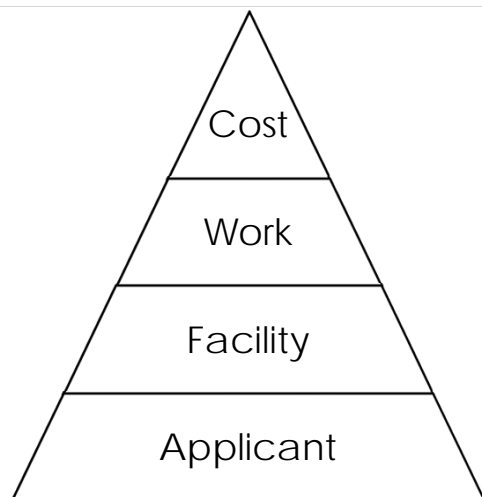
Definitions



- PA – Public Assistance
- Recipient – State of NH
- Applicant – entity applying for grant or subgrant
- Subrecipient – once a grant is awarded, the applicant becomes the subrecipient
- PNP – Private Non-Profit
- PDM – Program Delivery Manager
- CFR – Code of Federal Regulations

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Public Assistance Eligibility

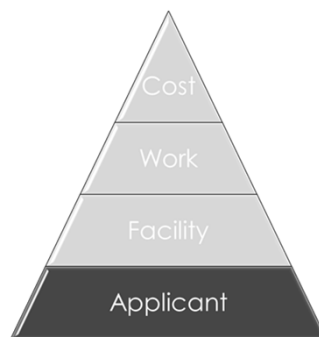


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Applicants



1. **State Government Agencies.**
2. **Local governments and special districts**
3. **Private nonprofit organizations (PNPs).**
 - Provide *critical or essential* services
4. **Federally recognized Native American Indian Tribes (none in NH)**



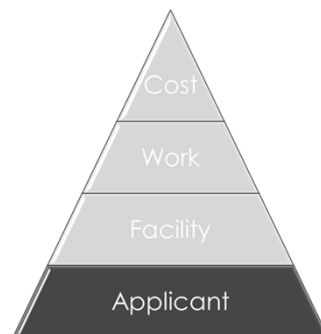
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Private Non-Profits



To be eligible for PA funding, a PNP must meet the following requirements:

1. Provide critical or essential government-type services
2. Be a tax-exempt nonprofit
3. Non-critical PNP's may be open to the public



Critical Services – provide essential services to a community's viability

Non-Critical, Essential Services – provide other essential governmental-type services to the community.

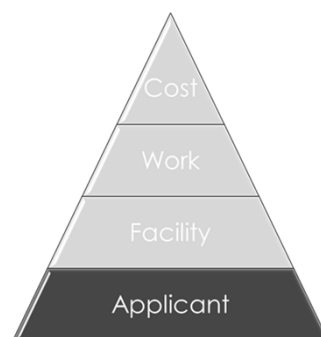
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PNP – Critical Services



Own or operate facilities that provide the following critical services are eligible:

- Education
- Utility
- Medical
- Emergency Services (Fire, Ambulance, Rescue)



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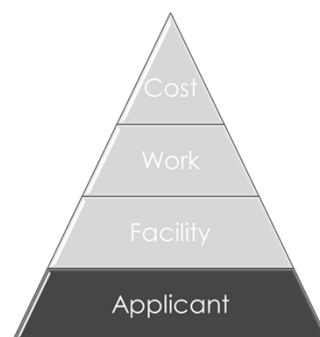
PNP – Non-Critical, Essential Services



Essential service facilities are eligible for emergency work.

The PNP must apply to the Small Business Administration (SBA) for a disaster loan for permanent repair work. If the PNP is denied a loan, FEMA may fund the repairs.

- Museums
- Community centers
- Houses of Worship
- Libraries
- Homeless Shelters
- Rehabilitation facilities
- Zoos
- Senior citizen/Childcare centers
- Food Assistance Programs
- Other facilities that provide health and safety services of a governmental nature and are open to the general public



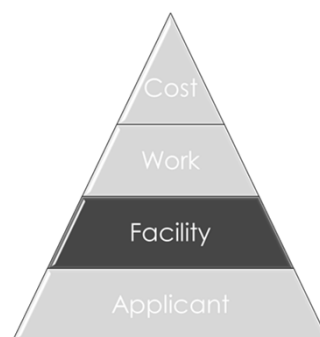
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Facility Eligibility



To be eligible, the facility must be:

- ✓ The legal responsibility of an eligible Applicant
- ✓ In **active** use at the time of the disaster
- ✓ Damaged as a result of the declared disaster
- ✓ Located within the designated disaster area



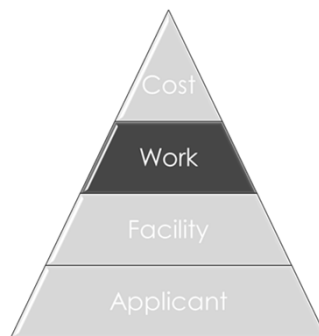
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Work Eligibility



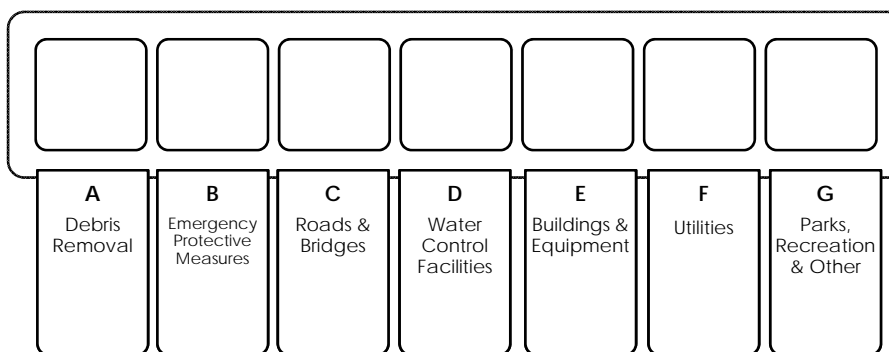
To be eligible, the work must be:

- ✓ Required as the result of the declared incident
- ✓ Located within a designated disaster area
- ✓ The legal responsibility of an eligible Applicant



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Work Categories



Emergency Work:
address an immediate threat

Permanent Work:
restoration of categories C-G

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Emergency Work Category A – Debris Removal



Debris removal is eligible when:

- ✓ The clearance, removal and/or disposal of disaster-related items
- ✓ Eliminates an immediate threat to life, health, and safety
- ✓ Eliminates an immediate threat of significant damage to improved property
- ✓ It ensures economic recovery of the community and provides a benefit for the community-at-large



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Debris Removal – Private Property



- Generally the responsibility of the property owner.
- If so widespread that public health, safety, or economic recovery of the community is threatened, FEMA **may** provide PA funding for the debris removal.
- FEMA must approve removal of debris from private property **before** the work begins for that work to be eligible.



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Emergency Work Category B – Emergency Protective Measures



Actions taken by an applicant **before, during, and following** a disaster to save lives, protect public health and safety, or eliminate immediate threat of significant damage to improved public and private property through cost effective measures.



Examples:

- Search & Rescue
- Fire, Police & Medical Services
- Generators
- Sandbagging
- Activation of EOC
- Shelter Operations
- Security in Disaster Area
- Emergency Communications
- Alerts & warning of risks and hazards

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Emergency Work – Donated Resources



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

- ✓ The donated resource is from a third party that is not involved in the Federal award
- ✓ The subrecipient uses the resource to perform eligible emergency work
- ✓ The subrecipient or volunteer tracks the resources and work performed, including description, locations, and hours

Offset amounts can include unpaid volunteer labor, donated equipment, and donated materials.

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Permanent Work Categories C-G



Eligible permanent work:

- ✓ Must repair, restore, or replace disaster-damaged facilities in accordance with regulations
- ✓ Must restore to pre-disaster design (size and capacity) and function in accordance with applicable **codes and standards**
- ✓ Must be required as a result of the disaster
- ✓ Should include cost effective hazard mitigation measures when possible

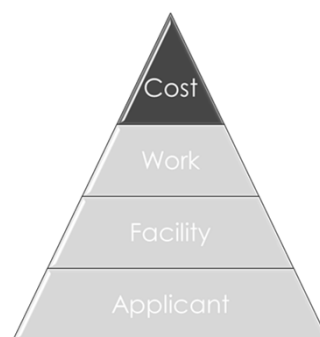
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Cost Eligibility



To be eligible for reimbursement, costs must be:

- ✓ Directly tied to the performance of eligible work,
- ✓ Adequately documented,
- ✓ Reduced by all applicable credits, such as insurance proceeds and salvage values,
- ✓ Authorized and not prohibited under Federal, State, Territorial, or local government laws or regulations
- ✓ Consistent with the Applicant's internal policies, regulations, and
- ✓ Necessary and reasonable to accomplish the work properly and effectively.



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Procurement Standards



- ✓ ALL Applicants must comply with Federal procurement standards and 2 CFR §200
- ✓ State applicants must follow the same policies and procedures as would for procurement with non-Federal funds;
- ✓ Non-State Applicants (Local governments and PNPs) must use their own documented procurement procedures that reflect applicable State, and local government laws and regulations; **and** 2 CFR §200

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Contracts



- ✓ FEMA reimburses costs incurred using three types of contract payment obligations:
 - Fixed-price
 - Cost-reimbursement
 - To a limited extent, Time and materials (T&M).
- ✓ Applicant must include required provisions in all contracts awarded and maintain oversight to ensure contractors perform according to the conditions and specifications of the contract and any purchase orders
- ✓ FEMA **does not** reimburse costs incurred under a cost plus percentage of cost contract or a contract with a percentage of construction cost method.

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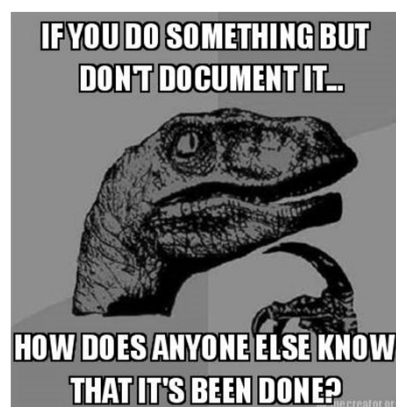
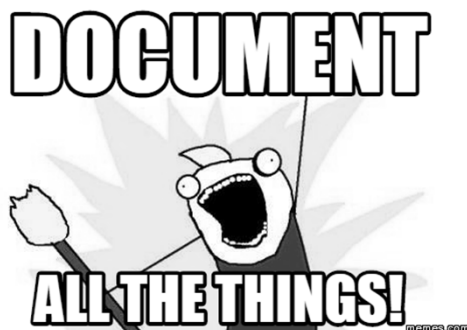
Project Documentation



- ✓ Must maintain all source documentation supporting project costs.
- ✓ The Recipient and the Applicant must keep all financial and program documentation for three years after the date of the Recipient's final Financial Status Report (FSR) (FEMA Form 112-0-1).
- ✓ Records are subject to audit by State auditors, FEMA, the U.S. Department of Homeland Security Office of Inspector General, and the U.S. Government Accountability Office.

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So Remember...



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Other Factors to Consider



- Improved Projects
- Alternate Projects
- Special Considerations
- Pilot Program

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Improved Projects



A project that restores the pre-disaster function, and at least the same capacity, of the damaged facility and incorporates improvements or changes to its pre-disaster design not required by eligible codes or standards.

The improved facility must have the same function and at least the same pre-disaster capacity as the damaged facility.

Examples of Improved Projects:

- Laying asphalt on a gravel road
- Replacing a fire station that originally had two bays with one that has three bays
- Incorporating requirements dictated by a code or standard that does not meet PA eligibility criteria
- Relocating a facility when the relocation is not required by FEMA

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Improved Projects



- ✓ The improvements **must** be approved by FEMA and the Recipient prior to construction.
- ✓ The subrecipient is responsible for the cost of the improvements;
 - Federal funding is limited to the Federal cost share of the approved estimated cost to restore the facility to its pre-disaster design and function or improved project costs, whichever is less.

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Alternate Projects



When restoration of a damaged facility or function does not serve the public welfare, a subrecipient may use a Public Assistance award for another public facility.

- Must be a permanent project that benefits the general public, serving the same general area that was being served by the original facility.
- **Must** be approved by FEMA prior to construction.
- May require an environmental assessment.
- Federal funding is limited to 90% of the Federal share of the original project estimate or actual alternate project cost (whichever is less).

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Special Considerations



Special considerations outside of program eligibility that may affect the scope of work and funding of a project include:

- ✓ Insurance
- ✓ Floodplain Management
- ✓ Hazard Mitigation
- ✓ Environmental Protection
- ✓ Historic Preservation and Cultural Resources

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Special Consideration - Insurance



- Actual or anticipated insurance proceeds will be deducted from the eligible project costs for facilities that are insured.
- All Applicants are required to obtain and maintain insurance coverage on all insurable facilities, as a condition of Public Assistance funding.
- For flood damaged facilities located within a Special Flood Hazard Area that are not covered by flood insurance, Federal assistance will be reduced by the maximum flood insurance proceeds that would have been payable had the facility been insured.

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Special Considerations – Floodplain Management

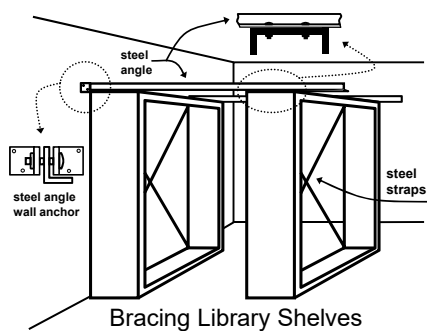


Any project within or affecting the floodplain must be reviewed to ensure that it meets the requirements of the Executive Orders on Floodplain Management and the Protection of Wetlands.



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Special Considerations – Hazard Mitigation



Cost effective measures that reduce or eliminate the potential for similar damages to a facility from a future event of the same type.

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Special Consideration – Environmental Protection



- Several statutes, Executive Orders (EO), and regulations establish requirements to protect the environment and preserve the Nation's historic and prehistoric resources.
- FEMA must review each PA project to ensure the work complies with applicable Federal environmental and historic preservation (EHP) laws and their implementing regulations, and applicable EOs.
- The Applicant is responsible for complying with applicable Federal, State, Territorial, or Tribal EHP laws even if FEMA is not providing PA funding for all of the work.

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Special Considerations – Historic Preservation & Cultural Resources



Property eligible for listing on the National Register of Historic Places requires special consideration under the National Historic Preservation Act.



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Alternative Procedure - Debris



Force Account Labor

If an Applicant uses their own labor forces to perform all or part of debris removal operations FEMA will reimburse (at the appropriate cost share level) the **REGULAR + OVERTIME** wages for existing employees and hiring of additional staff.

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Alternative Procedure – Permanent Work



Large Projects Only

Requirement: Must accept a subaward based on a capped funding amount (fixed estimate)

Options:

1. Fixed Cost Estimate Subawards.
2. Consolidation of Fixed Cost Estimate Subawards
3. Elimination of the Reduction in Eligible Costs for Alternate Projects
4. Use of Excess Funds
5. Special Consideration Reviews

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Projects



- Formulate incident-related damage and work into projects based on logical groupings of the damage and work.
- Who, what, where, why and how much

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Minimum Project Thresholds



FY 2018: \$3,140

If a Project totals less than the minimum threshold after the Applicant has accounted for all project costs—including Direct Admin Costs and reductions to avoid duplication of benefits—the project is **not eligible**.

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Small v. Large Projects



Small project maximum threshold FFY 2018: \$125,500

- This threshold defines a project as large or small.
- Adjusted each Federal Fiscal Year
- Based on the final approved amount of eligible costs

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Small V. Large Projects



Small Projects

- Payment is made at the time of project approval based on an estimate, or actual costs if they are known.
- FEMA does not adjust estimated costs to the actual incurred amount when funding is made based on an estimate.

Large Projects

- Award funding based on estimated costs and project funding is later reconciled based on documented actual costs.
- Project payments are made to the Applicant (through the Recipient) as actual costs are documented.

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Project Completion Deadlines



Time limits for project completion begin on the disaster declaration date.

- ✓ Emergency work must be completed within – **6 months**
- ✓ Permanent work must be completed within – **18 months**

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Timelines & Deadlines



- **Applying for a Public Assistance Award**

Applicants must submit a Request for Public Assistance, to FEMA through the Recipient, within **30 days** of the designation of the declared disaster area. **February 1st due to FEMA – all RPA's to HSEM by January 26th**

- **Identify and Report Damage**

The Applicant is required to identify and report all of its disaster-related damage, emergency work activities, and debris quantities to FEMA within **60 days** of the Recovery Scoping Meeting.

- **Appeals**

Any determination related to Federal assistance may be appealed. The appeal must be submitted to the recipient within **60 days** of receipt of notice of the action which is being appealed.

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Administrative Costs



- Direct Administrative Costs (DAC) are costs incurred by the subrecipient that can be **identified separately and assigned to a specific project** (See 44 CFR §207.6(c)).

Staff time and expenses required to

- Conduct site visits/inspections,
- Prepare disaster-damage dimensions and description
- Developing scope of work

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STAFFORD ACT ASSISTANCE PROCESS



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New PA Model



What is NOT changing:

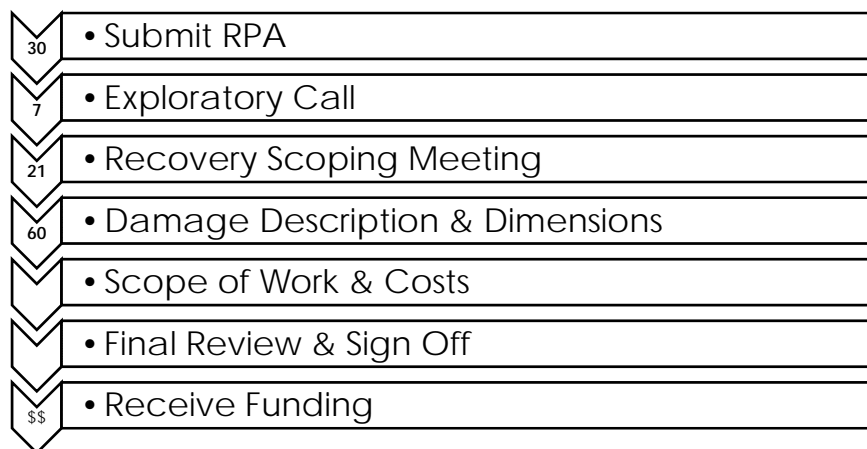
- Laws
- Regulation
- Policy

What is changing:

- Process
- Roles
- Tools & Templates
- Systems

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New PA Delivery Model



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PDM – Program Delivery Manager



- Dedicated – Single FEMA point of contact
- FEMA Public Assistance Specialist
- Expected to remain in place through the entire disaster
- Facilitates Exploratory Call and Recovery Scoping Meeting
- Assists with Damage Inventory Development
- Facilitates Document Collection & Coordination

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PA Grants Portal:



- Developed to assist the Applicant and Recipients
- Facilitates full project visibility/transparency
- Enhances coordination and communication
- User friendly - streamlines work and workflow
- Significantly improves document collection and retention

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Hazard Mitigation Grant Program (HMGP)



- The State will be receiving an additional 15% for HMGP
 - (funding is competitive statewide)
- Request for Letters of Intent (LOIs) were sent out on **January 9th, 2018**
- Applicants must have a Formally Approved Local Hazard Mitigation Plan with the project identified within the document
- LOIs will be accepted until **February 28th, 2018**
- HMGP applications will follow for all eligible projects
- Having an eligible project does not guarantee funding. Once we receive the full application package an inter-agency review will be conducted to prioritize the projects (communities within the declared counties will maintain precedence).
- Eligible activities can be located within the HMGP Brochure

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Contact Info



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