Applicant Briefing

FEMA-4516-DR-NH: COVID-19
Purpose of Applicant Briefing

• Overview of the Public Assistance (PA) Program
• Describe the COVID-19 specific PA process
• Answer general eligibility questions
  – Specific eligibility questions must be answered by FEMA during project development
Agenda

- Major Disaster Declaration Granted
- Explanation of Public Assistance (PA) Program
- Eligibility
- How To Apply
- Simplified PA Program Process for COVID-19
- Project Considerations
- Applicant Next Steps
- Q & A
• COVID-19 Pandemic in NH
• Declaration Date:
  – DR 4516: April 3, 2020
• Incident Period:
  – January 20, 2020 and ongoing
• Public Assistance: Category B (Emergency Protective Measures) and Direct Federal Assistance (DFA)
  – Approved Statewide (All Counties)
• Individual Assistance:
  – Pending Statewide
• Hazard Mitigation Grant Program
  – Pending Statewide
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
- **PDMG** – Program Delivery Manager
- **PW** – Project Worksheet
- **CFR** – Code of Federal Regulations
Public Assistance (PA) Grant Program – COVID-19

- Supplemental funding program with specific eligibility requirements
- Provides grant assistance for life-saving emergency protective measures
  - COVID-19: Unique declaration under the PA Program where only specific emergency actions are eligible for reimbursement – no permanent work is eligible
- 75/25 cost-share
  - A federal cost share increase has been requested, but is not guaranteed
- Any facility that receives funding from the CARES Act, CDC, DOJ, etc. may not request PA funding for the same expenses (duplication of benefits)
COVID-19 DISASTER ASSISTANCE PROCESS

Today → Applicant Briefing

- Initial Damage Assessment (IDA)
- Joint Preliminary Damage Assessment (PDA)
- Governor Requests Presidential Declaration (Submitted within 30 days of disaster date)
- Program Availability Public Assistance (PA)
- Presidential Declaration Granted
- Submit Request for Public Assistance (RPA)
- Exploratory Call (Scheduled within 7 days of PDA Assignment)
- Recovery Shopping Meeting (Scheduled within 21 days of Exploratory Call)
- Project Execution + Grants Management
- Project Review + Sign Off
- Eligibility Determination + Project Formulation
- Closeout
Public Assistance Eligibility
Applicants

1. State Government Agencies
2. Local governments and special districts
   • Including county level administrative offices, law enforcement, etc.
3. Private Nonprofit organizations (PNPs)
   • Provide critical or essential services
4. Federally recognized Native American Indian Tribes (none in NH)
Private Nonprofits (PNP)

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 must provide services to the general public

Critical Services – provide essential services to a community’s viability
Non-Critical, Essential Services – provide other essential governmental-type services to the community
PNP – Critical Services

PNP must own or operate facilities that provide the following critical services to be eligible for emergency work:

- Education
- Utility
- Medical
  - Including State/County/Locally operated Nursing Facilities
- Emergency Services (Fire, Ambulance, Rescue)
PNP – Non-Critical, Essential Services

Essential service facilities are eligible for emergency work.

FEMA may fund select COVID-19 expenses for:

- Assisted Living Facilities
- Senior Citizen Centers
- Food Assistance Programs
- Homeless Shelters
- Rehabilitation Facilities
- Community Centers
- Houses of Worship
- Libraries
- And other facilities that provide health and safety services of a governmental nature and are open to the general public
- A more complete list of eligible PNPs can be found on the [HSEM Resource Center](#)
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
- Located within the designated disaster area

These requirements apply to all Applicants.
To be eligible, the work must be:

- The legal responsibility of an eligible Applicant
- Required as the result of the declared disaster
- Located within a designated disaster area
Emergency Work: Address an immediate threat

Permanent Work: Restoration of Eligible Facilities under Categories C-G
Category B – Emergency Protective Measures

Emergency measures/actions taken by an Applicant before, during, and after a disaster to save lives and protect public health and safety. Actions must be taken in direct response to COVID-19.

- Management, Control, and Reduction of Immediate Threats to Public Health and Safety
- Emergency Medical Care
- Provision of Medical Services
- Enhanced Medical Facilities
- Sheltering
COVID-19 Emergency Protective Measures

Management, Control, and Reduction of Immediate Threats to Public Health and Safety

- Emergency operations center activities
- Training
- Facility disinfection
- Technical assistance on emergency management
- Dissemination of information to the public to provide warnings and guidance
- Pre-positioning or movement of supplies, equipment, or other resources
- Purchase and distribution of food, water, or ice
- Purchase and distribution of other commodities
- Security, law enforcement, barricading, and patrolling
- Storage of human remains or mass mortuary services
COVID-19 Emergency Protective Measures

Emergency Medical Care

• Purchase and distribution/use of medical supplies and equipment including:
  – In vitro diagnostic supplies, Decontamination Systems, Ventilators and products modified for use as ventilators, Therapeutics
  – Personal Protective Equipment including:
    • Respirators, N95 Respirators, Medical Gloves, Surgical Masks, Medical Gowns, Coveralls, Face Shields, etc.

• Provision of Medical Services including:
  – Disease Testing, Diagnosis, Emergency Medical Transport, Medical Waste Disposal

• Enhanced Medical Facilities including:
  – Alternate Care Sites or other temporary medical facilities, Expansion of capacity within an existing medical facility, Community-based testing sites
COVID-19 Emergency Protective Measures

Sheltering

- Isolation-related temporary lodging
- Quarantine-related temporary lodging
- High-risk population sheltering
- Healthcare Worker and First Responder Temporary Lodging
- Household pet/assistance animal/service animal sheltering
In addition to previously mentioned activities/costs:

- Related medical facility services and supplies
- Disinfection of eligible public facilities
- Movement of supplies and persons
- Security and law enforcement
- Communications of general health and safety information to the public
- Non-deferrable medical treatment of infected persons in a shelter or temporary medical facility
- Temporary medical facilities and/or enhanced medical/hospital capacity
- Use of specialized medical equipment
- Purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits
ACS Eligibility Info

- 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.
  - Temporary facilities and expansions may be used to treat COVID-19 patients or non-COVID-19 patients, as appropriate.
- Emergency medical transport related to COVID-19
- Emergency medical treatment of COVID-19 patients
- Prescription costs related to COVID-19 treatment
- Triage and medically necessary tests/diagnosis related to COVID-19 cases
- Use/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 (disposition requirements may apply)
- Medical waste disposal related to eligible emergency medical care
- **The State will cover the 25% non-federal share of ACS expenses**
The CARES Act has made funding available to the State of NH for the **Education Stabilization Fund** for the following activities:

- Remote learning
- Facility cleaning and sanitation
- Extended waiver on meals outside of the school environment through September 2020
- Mental and emotional support for students

More coverage than Public Assistance
Childcare Facilities

- NH Childcare Collaborative funding
  - This $5M fund has been made available to Emergency Child Care Programs (ECCP) for staffing and operational costs
  - Email ECCP@dhhs.gov for more information
- More coverage than Public Assistance
  - FEMA has determined that PNPs do not have the legal responsibility to provide childcare services for essential workers; therefore, these costs are not eligible
  - Continue to track all costs associated with COVID-19 as guidance is frequently changing and new funding sources are being announced weekly
Category B - 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; AND
- 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.
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.

Any facility that receives funding from the CARES Act may not request PA funding for the same expenses (duplication of benefits)
Costs Not PA Eligible for COVID-19

What is not eligible under PA?

- Supplies for telework or remote learning operations
  - Including computers, software, networking, etc.
- Costs funded by another source
  - i.e. CARES, CDC, HHS, DOJ, insurance, any State or Federal funding, etc.
- Lost revenue or increased operating costs
- Child care costs for health care workers, first responders, and essential employees

(PAPPG v3.1 page 42)
Administrative Costs: Program Changes

- Changes made to administrative costs in the PA Program via the Disaster Recovery Reform Act (DRRA) of 2018
- Direct Administrative Costs (DAC) are no longer formulated within each project
- The Public Assistance Alternative Procedures Pilot Program for DAC (PAAP DAC) has been eliminated

**All Applicants will now receive reimbursement for administrative expenses via Management Costs (MC)**

- MC is calculated based on the total cost of all Category B projects and is paid out as a separate Category Z project
Management Costs (MC)

- Administrative costs reimbursed as Management Costs are for **costs incurred through the management of the grant**, not on work/activities completed as part of the Category B project.
  - Costs incurred to manage the project = project costs
  - Cost incurred to manage the PA grant = Management Costs (MC)
Management Costs (MC)

- Reimbursement
  - **up to 5%** of the total project amount obligated for the disaster
  - for **actual costs** incurred only (no excess funds)
  - 100% federal share (no cost share for the Subrecipient)

- Documentation required for all expenses

- Awarded as a separate Category Z project

- Eligible expenses include:
  - Indirect costs
  - Direct Administrative Costs
  - Other administrative expenses associated with the disaster
MC Eligible Expenses

**Labor, Equipment, and Supplies associated with the following activities:** *(not an all inclusive list)*

- Applicant Briefings
- Meetings regarding the PA Program or overall PA damage claim
- Preparing correspondence
- Collecting, copying, filing, or submitting documents to support a claim
- Developing the detailed damage description
- Organizing PA damages into logical groups
- Preparing and Reviewing PWs
- Preparing Small and Large Projects
- Requesting disbursement of PA funds
- Travel expenses
- Training
- **Track ALL time and expenses spent on the management of the grant**
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
Exigent and Emergency Procurement

✓ Federal government has established that **exigent and emergency circumstances currently exist**

✓ For the duration of the national Public Health Emergency (from January 27, 2020 and ongoing):

   “local governments, tribal governments, nonprofits, and other non-state entities **may proceed with new and existing noncompetitively procured contracts** in order to protect property and public health and safety, or to lessen or avert the threats created by emergency situations for:

   1) Emergency protective measures under FEMA's Public Assistance Program and

   2) Use of FEMA non-disaster grant funds by non-state recipients and sub-recipients to respond to or address COVID-19”

For full information, see the **“Procurement Under Grants Conducted Under Exigent or Emergency Circumstances”** FEMA Fact Sheet

This does not apply to State agencies, which must follow their own procurement procedures as well as Federal requirements for procurement
Contracts

- Limited regulatory relief for contracting requirements is available when necessary to use exigent or emergency procurement—see FEMA Procurement Fact Sheet for all information.

- 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.
COVID-19 DISASTER ASSISTANCE PROCESS

**DISASTER EVENT**
- Initial Damage Assessment (IDA)
- Joint Preliminary Damage Assessment (PDA)
- Governor Requests Presidential Declaration (Submitted within 30 days of disaster date)

**Application Process**
- Applicant Briefing
- Program Availability
- Presidential Declaration Granted

Submit Request for Public Assistance (RPA)

**Closeout**
- Project Execution + Grants Management
- Project Review + Sign Off
- Eligibility Determination + Project Formulation

New Hampshire Department of Safety • Division of Homeland Security & Emergency Management
The Request for Public Assistance (RPA) must be submitted to HSEM.

- No current cut off date, submit as soon as possible.

Each Applicant in the PA Program must submit this form.
RPA Submission Process

State and local government agencies

- Account in Grants Portal? **Yes**
  - Submit RPA through the [Grants Portal (GP)](link)

- Account in Grants Portal? **No**
  - Apply for a GP account and submit RPA online ([online form here](link))
  - **OR** complete a [hard copy form](link) and scan/submit to [NHPA@dos.nh.gov](mailto:NHPA@dos.nh.gov)
Private Non-Profit Entities

• Account in Grants Portal? Yes
  – Submit RPA through the Grants Portal (GP)

• Account in Grants Portal? No
  – Apply for a GP account by submitting a Public Assistance Application Form for Private Non-Profits
  – State and FEMA approval required
  – State Liaison will follow up to complete RPA
COVID-19 DISASTER ASSISTANCE PROCESS

DISASTER EVENT

Initial Damage Assessment (IDA)

Joint Preliminary Damage Assessment (PDA)

Governor Requests Presidential Declaration
(Submitted within 30 days of disaster date)

Applicant Briefing

Program Availability
Public Assistance (PA)

Presidential Declaration Granted

Submit Request for Public Assistance (RPA)

Exploratory Call
(Scheduled within 7 days of PDA Assignment)

Recovery Staging Meeting
(Scheduled within 21 days of Exploratory Call)

CLOSEOUT

Project Execution + Grants Management

Project Review + Sign Off

Eligibility Determination + Project Formulation

FEMA
COVID-19
PA Application Process

• RPA submission and approval
• State Liaison assigned to Applicant
• Applicant complete Damage Inventory (DI) and collect documentation
• Submit DI to State Liaison
• State Liaison works with Applicant to develop Project Worksheet (PW)
• Submit PW to FEMA
Project Development: Damage Inventory (DI)

• Excel spreadsheet to log all activities and expenses, includes:
  – Activity Name
  – Description of Work
  – Approximate/Actual Costs
  – % Work Complete
  – Labor Type
  – Priority for Reimbursement

• Submitted through Grants Portal

Identify any and all possible COVID-19 costs at this time. Eligibility will be determined later.
Project Development: COVID-19 Project Worksheet (PW)

- Use the new COVID-19 paper or PDF fillable Project Worksheet (PW) to log expenses, certify work, and request reimbursement
  - HSEM liaisons are available to help Applicants complete this form
  - Provide documentation to support activities and expenses
  - Site Inspections not required (except for some temporary facilities)

- Projects broken up by date costs incurred
  - Project 1: January 20 – March 31
  - Project 2: April 1 – April 30
  - Project 3: May 1 – May 31, etc.
Project Development: COVID-19 PW

Required Information

• Description of Activities including when, where, and by whom the activities were completed or will be completed

• Summary of costs, including costs associated with contract, labor, equipment, supply, material, and other cost types

• Documentation supporting the activities completed and costs claimed

• Certification of compliance with federal, state, and local laws and regulations
Small Project Threshold

Small Projects

FFY 2020: $3,300

• If a project totals less than the minimum threshold after the Applicant has accounted for all project costs, the project is not eligible.

• Initial project payments will be made at the time of project approval based on documented actual costs.
Large Project Threshold

Large Projects

**FFY 2020: $131,100**

- Projects with a total cost of this amount or greater are considered to be Large Projects.
- Adjusted each Federal Fiscal Year (FFY)
- Initial project payments will be made at the time of project approval based on documented actual costs.
Project Costs

Costs Incurred:

• Labor
  – Actual hourly rates plus the cost of employees actual fringe benefits.
  – For budgeted employees, FEMA will only reimburse overtime.

• Equipment
  – Use of applicant-owned equipment based on hourly rates. May provide funding for purchased or leased equipment.
    • [2019 FEMA Schedule of Equipment Rates](#)

• Materials and Supplies
  – Eligible if the materials/supplies were purchased and justifiably needed to effectively address threats caused by COVID-19, or the materials/supplies were taken from stock and used to address threats caused by COVID-19.

• Contracts
  – Based on terms of the contract if meetings federal procurement and contracting requirements.
Project Completion Deadlines

The Period of Performance (POP) is the time limit in which a project must be completed. This deadline begins on the disaster declaration date.

- Emergency work must be completed within 6 months

- **DR 4516: POP = October 3, 2020**

Extensions may be requested from the Recipient (State) for an additional 6 months for emergency work. FEMA must approve extensions outside of these limits.
✓ 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 the entire disaster is closed out with FEMA. HSEM will send out record retention dates as disasters are closed out.

Special Considerations

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

- Insurance
- Floodplain Management
- Environmental Protection
- Historic Preservation and Cultural Resources
Special Consideration: Insurance

- FEMA will not provide PA funding for emergency medical care costs if they are covered by another source, including private insurance, Medicare, Medicaid, or a pre-existing private payment agreement.

  - Applicant must provide documentation verifying that insurance coverage or any other source of funding, including private insurance, Medicaid, or Medicare, has been pursued or does not exist for the costs associated with emergency medical care and emergency medical evacuations.

  - Applicant must agree to the stipulation in the grant conditions of the COVID-19 PW form that funding is not also being received from another funding source.
Special Considerations: Floodplains

All critical facilities—including temporary facilities—should be located outside all high-risk flood hazard areas.

All facilities providing patient care that are located in a Special Flood Hazard Area must have a Flood Threat Evacuation Plan to be eligible for PA funding.

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.

FEMA Floodplain Considerations for COVID-19
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 EO.
  - New streamlined EHP process in place for COVID-19 projects for faster processing

- 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.

- See FEMA’s Environmental Protection Guidance for COVID-19
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.

This consideration will likely only apply to temporary facilities that are constructed/staged in a historic building or on undisturbed land.
Expedited Funding

- Large Projects Only >$131,100
- Justification of immediate need to continue life-saving emergency protective measures required
- These will be awarded on a case by case basis.
- State Liaison will work with Applicants under this circumstance
Grants Portal:

- FEMA web-based program developed to streamline the Public Assistance Process.
- Facilitates full project visibility/transparency
- Upload all work and documentation related to the projects, store for future use.
- Sends automatic notifications when there are tasks to complete
- Significantly improves document collection and retention
- May receive emails from support@pagrants.fema.gov
Timelines & Deadlines

• Applying for a Public Assistance Award
  The normal deadline for the Request for Public Assistance (RPA) has been extended due to the ongoing nature of the COVID-19 Pandemic.
  
  **HSEM requests that RPAs be submitted by May 15, 2020.** Later submissions will be accepted without penalty

• Appeals
  Any determination of ineligibility 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. No extensions permitted.
Applicant Next Steps (Recap)

- Apply for Grants Portal Access (if your organization does not have an account)
- Submit an RPA
- Following RPA submission, a State Liaison will be assigned to you
- You will receive an email from your liaison with the Damage Inventory Spreadsheet to be completed and information about next steps
Contact Info: HSEM PA Staff

HSEM Public Assistance Staff:
NHPA@dos.nh.gov

Vanesa Urango
State Public Assistance Coordinator
Vanesa.Urango@dos.nh.gov
603-223-3602  |  603-931-0309

Fallon Reed
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Submit RPA via Grants Portal, WordPress, or nhpa@dos.nh.gov