

Federal Emergency Management Agency Public Assistance Grant Program



Agenda

- FEMA Public Assistance (PA) Program and Timelines
- Requesting Public Assistance
- Project Documentation, and Contracting
- Deadlines, Alternate project options
- Subgrants, Completion Reports, and how to request MONEY!



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PA Eligibility Thresholds (FFY'19)

Statewide

- \$1.50 per capita...
- = \$1 million

and ...

County

- \$3.78/capita x 2010 county census



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FEMA Public Assistance Program

- The FEMA Public Assistance (PA) Program **provides reimbursement** grant funding to eligible sub-recipients (applicants) for eligible disaster recovery related activities such as:
 - Debris Removal
 - Emergency Protective Measures
 - Permanent Repairs or Replacement of applicant owned infrastructure (e.g. roads, public trails, culverts, parks, buildings, equipment, utilities)
- Eligible applicants typically include municipalities, state agencies, certain private non-profits, municipal light corporations, and tribal organizations.



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ERAF- State share

- Grant funding is awarded when a Project is obligated at 75% Federal funding.

The remaining 25% is based on your community's ERAF (Emergency Relief and Assistance Fund) status. The State of Vermont contributes at least 7.5% of eligible costs. For communities that take specific four specific actions, the State contributes 12.5%. For communities that take an additional action, the State contributes 17.5%.

- **ERAF** (Emergency Relief and Assistance Fund) provides a higher state share percentage to communities that take steps to become flood resilient. www.Floodready.vermont.gov –to see where your community stands.



ERAF STATE SHARE CONTINUED

12.5% ERAF- communities are eligible if they meet all four of these criteria:

- **National Flood Insurance Program** participation;
- **Town Road and Bridge Standards** adopted in accordance with the **VTrans Orange Book**: (recently updated to include stormwater compliance).
- **Local Emergency Operations Plan** (adopt annually after town meeting and before May 1);
- **Local Hazard Mitigation Plan** - Adopt a FEMA- approved local plan (valid for five years). Or, a draft plan has been submitted to FEMA Region 1 for review.

17.5% ERAF - eligible communities also:

- **Protect River Corridors** from new encroachment; or, protect their flood hazard areas from new encroachments and participate in the FEMA Community Rating System (as determined by ANR).



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What determines Eligibility?



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Eligible Applicant - Within declared county

- State government
- Local government (city, village, township, etc.)
- Private Non-Profits (PNP)- those which provide certain services



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Private Non-Profits

- PNP's must submit a questionnaire as part of their application and other qualifying documents
 - Some PNP's must also first apply to the Small Business Administration (SBA).
 - Procurement guidance is different than that for state/local governments. Otherwise, program requirements/management is the same.



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What is an Eligible Facility?

- Legal responsibility of the Applicant
- Not covered by another Federal program
- Facility must be in use at time of disaster

Buildings

Roads

Culverts

Furniture and equipment

Dams

Vehicles

Library books

Contents

Sewer and water lines

Parks



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Two Types of Eligible Work

1. Emergency Work- Debris and Temporary
2. Permanent Work- Permanent repairs



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1. Emergency Work- Includes Category A and B

Cat A Debris Removal - Eligible when necessary to:

- Eliminate an immediate threat to life, public health and safety; or eliminate an immediate threat of significant damage to improved property; or ensure the economic recovery of the affected community.

Cat B Emergency Protective Measures- Includes Emergency Protective Measures - actions taken to save lives, protect public health and safety, and to protect improved property



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2. Permanent Work- Includes **Cat C-G**

C- Roads and Bridges

D- Water control facilities

E- Buildings and Equipment

F- Utilities

G- Parks, Recreation and Public Cemeteries



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Small vs. Large Projects

- Damage must be at least **\$3,200** of eligible costs (FY 2019) within a single category for a Project Worksheet (PW) to be written.
- Project worksheets exceeding **\$128,900** are considered “large projects” and must be revised based on actual documented costs in a new final version of the PW. This process is known as “close-out”.



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Hazard Mitigation opportunities

- In addition to bringing facilities back to “pre-existing condition”, FEMA can include 406 hazard mitigation to make the facility more resilient against future storms.
- ASK about hazard mitigation opportunities on all permanent projects!
- For example, repetitively-damaged utility lines look at mitigating with closer spans and/or underground burial of lines.



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Special Considerations

Special considerations are issues other than program eligibility that could affect the scope of work and funding of a project.

Insurance – FEMA picks up where insurance leaves off. If not insurance, you will be required to purchase and maintain it.

Floodplain Management – For in-stream projects, confer with your ANR River Engineer: General Stream Alteration Permit, USACE

NRCS EWP - MUST apply and be denied funding before PA funds if covered by NRCS

Hazard Mitigation – May be added into a project

Environmental Protection – permitting requirements, endangered species considerations. Talk to Army Corps before conducting work on major projects.

Historic Preservation and Cultural Resources – e.g if 50+ years old



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Documentation

- **EQUIPMENT:** List of Equipment make/model, size, name of driver, location operated and work performed.
- **MATERIALS:** Invoices and/or historical area vendor quotes for materials used on eligible work.
- **LABOR:** Time cards, fringe benefits, list of personnel and job title and hourly wage, daily logs, and pay policy
- **CONTRACTS:** Newspaper clippings, Requests for Proposals, signed agreements, work orders/changes, invoices, how procured.
- **MUTUAL AID:** Mutual Aid can be used for Category A (Debris Removal) and Category B (Emergency Protective Measures).
- **REQUIRED IN PORTAL:** Town insurance, pay policy, procurement policy, codes and standards



FEDERAL EMERGENCY MANAGEMENT AGENCY
FORCE ACCOUNT LABOR SUMMARY RECORD

Page 1 of 1

1. APPLICANT EVERYWHERE TOWNSHIP	2. PA ID N/A	3. PW # SITE 1	4. DISASTER NUMBER N/A
5. LOCATION/SITE TOWNSHIP ROAD 10	6. CATEGORY C	7. PERIOD COVERING 6/1/06 to 6/3/06	

8. DESCRIPTION OF WORK PERFORMED
 DITCH CLEANING AND SHAPING, CHIP AND SEAL

NAME	DATES AND HOURS WORKED EACH WEEK							COSTS				
	DATE	6/1/06	6/2/06	6/3/06				TOTAL HOURS	HOURLY RATE	BENEFIT RATE/HR	TOTAL HOURLY	TOTAL COSTS
NAME JOHN JOHNSON	REG.	10.0	10.0	8.0				28.0	\$ 0.00	/	\$	\$ 0.00
JOB TITLE TRUSTEE	O.T.								\$	/	\$	\$
NAME JULIE JONES	REG.	8.0	8.0				16.0	\$ 10.52	.724 / 1	\$ 18.14	\$ 290.24	
JOB TITLE- ROAD SUPERVISOR	O.T.	2.0	2.0	8.0			12.0	\$ 15.78	.181 / 1	\$ 18.64	\$ 223.68	
NAME PHIL PHILLIPS	REG.	8.0	2.0				10.0	\$ 7.00	/	\$ 7.00	\$ 70.00	
JOB TITLE PART TIME - ROAD WORKER	O.T.		6.0	8.0			14.0	\$ 7.00	/	\$ 7.00	\$ 98.00	
NAME ANDREA ANDREWS	REG.						0.0	\$	/	\$	\$ 0.00	
JOB TITLE EXTRA HIRE ROAD WORKER	O.T.	8.0					8.0	\$ 5.00	/	\$ 5.00	\$ 40.00	
NAME	REG.							\$	/	\$	\$	
JOB TITLE	O.T.							\$	/	\$	\$	

Total Cost for Force Account Labor Regular Time \$ 360.24

Total Cost for Force Account Labor Overtime \$ 361.68

I CERTIFY THAT THE ABOVE INFORMATION WAS OBTAINED FROM PAYROLL RECORDS, INVOICES, OR OTHER DOCUMENTS THAT ARE AVAILABLE FOR AUDIT.

CERTIFIED LISA RICHARDS	TITLE FISCAL OFFICER	DATE 8/15/06
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Procurement of Contractual Services

- State, local and federal procurement rules. Federal rules for grant administration, including procurement are found at 2 CFR 215.
- If the work is over \$150K, it **MUST** be competitively bid. Procurement transactions must allow for **full and open competition** (with some minor exceptions allowed in emergency circumstances). This includes 2 C.F.R. requirements regarding small businesses, woman- and minority-owned businesses.
- For projects less than \$150,000, price quotes must be obtained from a minimum of 3 qualified sources. Documentation required.
- ACCD's Procurement Technical Assistance Program (PTAC) can disseminate RFPs and bid advertisements. Vermont's **Procurement Technical Assistance Center (ptac.vermont.gov)** is a good way to demonstrate effort to comply with 2 C.F.R. procurement requirements regarding making bid requests and RFPs available to small businesses and minority-and-woman-owned businesses. Here is a link where we encourage the town sign up for the Vermont Business Assistance Network and post their RFPs and RFQs:
- <http://www.vermontbidsystem.com/> **and** <https://bgs.vermont.gov/purchasing-contracting/forms>



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Types of Contracts to use

Lump Sum: Contract for work within a prescribed boundary with a clearly defined scope of work and a total price.

Unit Price: Contract for work done on an item-by-item basis with cost determined per unit (preferred method).

Type of Contracts to avoid

Time and Material: **T&M contracts should be avoided**, but may be allowed for work that is necessary immediately after the disaster has occurred when a clear scope of work cannot be developed and the work will not exceed 70 billable hours. This type of contract must be monitored to insure the cost ceiling or “not to exceed” provision in the contract is honored by the contractor.

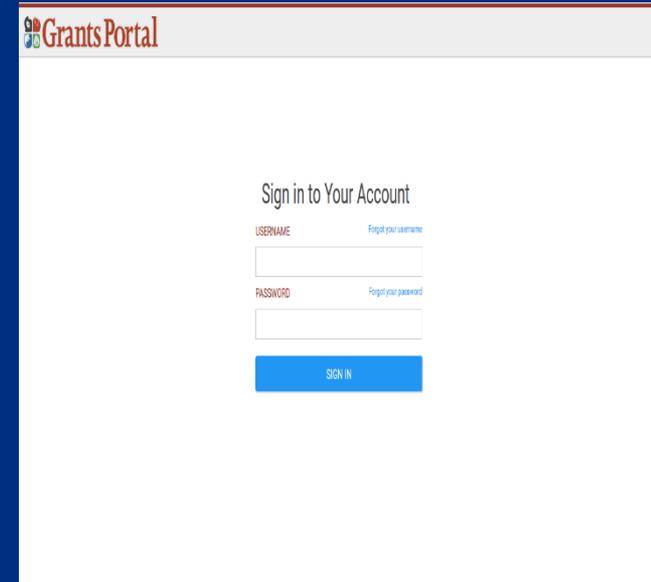


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Grants Portal

- Web-based tool through which all FEMA project documentation and determinations will flow
- You can track all projects, documentation, and information through the portal - live site, 24/7
- Towns should annually update and upload documentation even without a disaster declaration, such as:
 - Union pay policy, Insurance policy, Procurement policy, Equipment inventory list
- Each applicant should have one or more registered users entered in the system



The screenshot shows the 'Grants Portal' login interface. At the top left is the 'Grants Portal' logo. The main heading is 'Sign in to Your Account'. Below this, there are two input fields: 'USERNAME' and 'PASSWORD'. Each field has a 'Forgot your [username/password]' link to its right. A blue 'SIGN IN' button is positioned below the password field.



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FEMA will assign a Program Delivery Manager (PDMG)

- The PDMG is your primary FEMA Point of Contact
- Assigned after your RPA is approved by FEMA
- Key PDMG responsibilities:
 - Conducts Meetings
 - Assists with documentation upload into Grants Portal
 - Grants Portal troubleshooting
 - Coordinates between FEMA staff, state staff, and applicant
 - Requests site inspections
 - Identifies and troubleshoots any/all questions or concerns



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Exploratory Call (EC)

- State schedules Exploratory Call (EC) with PDMG.
- EC should happen within **7** days of PDMG assignment.
- The purpose of the EC is to:
 - Introduce the PDMG to the applicant
 - A State person should be on the call
 - Discuss damages at a high level
 - Schedule date/time for Recovery Scoping Meeting



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Recovery Scoping Meeting (RSM)

- PDMG conducts RSM within **21** days of applicant assignment
- RSM similar to the “kickoff meeting” in the old model
- At the RSM:
 - First in-person meeting between PDMG, applicant, and State
 - Review and discuss all disaster related damages
 - Determine need for site inspections
 - Identify all potential or actual Environmental/Historic Preservation, Mitigation, and Insurance questions/concerns
 - Discuss Damage Inventory spreadsheet
 - Determine Essential Elements of Information
 - Comprehensive list of required documentation for each type of damage/work
 - Assist with documentation upload into the Grants Portal
 - Develop correspondence and completion schedule



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Site Inspections (SI)

- PDMG will schedule site inspections for all work **incomplete** at time of RSM
 - State Program Coordinator or Vtrans District may attend SI
- A site inspector will be dispatched to meet with applicant and view incomplete work
 - SI records detailed information
 - Latitude/Longitude
 - Photos
 - Dimensions of damage
- Report of all damage will be created from each site inspection
- Report must be reviewed and approved in Grants Portal by PDMG and applicant



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Request for Information (RFI)

- RFI's if missing information/documentation
- Have time limit to provide information

Determination Memo (DM)

- A detailed explanation of ineligible costs/activities



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Management Funds

(Formerly Direct Administrative Costs)

- Grant administration of your projects direct and indirect costs up to 5 percent of the total project award amount
 - Time spent putting together paperwork and meeting with FEMA for all projects
 - NOW includes time at applicant briefing and Recovery Scoping meeting.
 - Funding withheld until closeout which requires full documentation
 - Full Documentation includes; Name of person performing work, pay rate including fringe, dates worked, activity worked, time cards, contracts if any, invoices.
 - 100% Federal Cost share for this project

Preliminary Damage Assessments

Meetings regarding the PA Program or overall PA damage claim

Organizing PA damage sites into logical groups

Preparing correspondence

Site inspections

Travel expenses

Developing the detailed site-specific damage description

Evaluating Section 406 hazard mitigation measures

Preparing Small and Large Projects

Reviewing PWs

Collecting copying, filing, or submitting documents to support a claim

Requesting disbursement of PA funds

Training



Project Completion Deadlines

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

- Emergency work – 6 months
- Permanent work – 18 months

For extenuating circumstances or project delays beyond your control, the State has authority to extend the emergency work deadline an additional 6 months and the permanent work deadline an additional 30 months on a project by project basis.

Applicants must submit a Time Extension request to the State before the Period of Performance runs out.



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September 13, 2019

Flexibility to rebuild better/stronger/more resilient...

Improved Projects

- Increasing size, capacity, or adding additional functions
- Applicants must fill out a request for an Improved project and submit with a letter from the Town to the State for FEMA's approval.
- Improvements are at applicant's expense.
- Improved projects must be approved PRIOR to construction.

Alternate Projects

- Doing something different instead of replacing
- Applicants must fill out a request with all necessary documentation for the new project, and submit with a letter from the Town for FEMA's approval.
- Alternate projects must be approved PRIOR to construction.



Appeals

- Applicant has **60 days** to appeal from when notified of a FEMA decision.
- There are two levels of appeal. The first level is to the FEMA Regional Administrator (RA). The second level appeal is to FEMA Headquarters. Statute precludes further legal appeal.

Questions?

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