Public Assistance

President Declares Disaster for Utah
April 4, 2020
Disaster DR-4525
Incident Period January 20 - Continuing
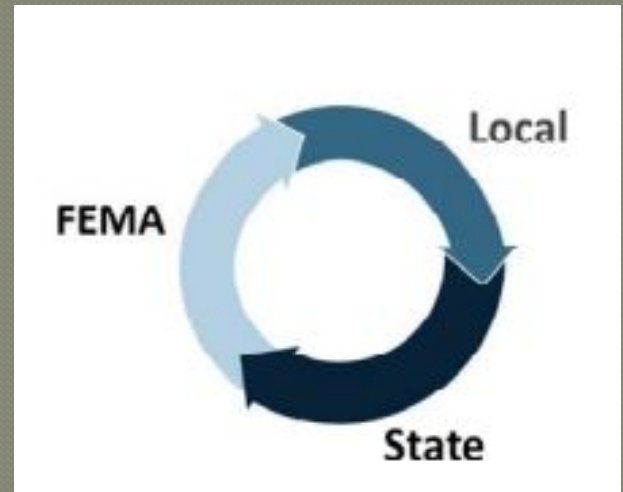
Public Assistance

The **Public Assistance** (PA) Program provides supplemental Federal disaster grant assistance for the repair, replacement, or restoration of disaster-damaged, publicly owned facilities and the facilities of certain Private Non-Profit (PNP) organizations

PA Program does not provide assistance to individual homeowners or businesses

Other Funding

FEMA CANNOT duplicate funding from other Federal agencies.

Some activities may be eligible for funding through both FEMA and other federal agency funding sources for COVID-19

The Applicant should not request funding for activities where the costs have been or will be claimed from another federal funding source.

Other Federal Funds

- Congress has appropriated $ for this incident under the CARES Act
- Other Federal Agencies, Health and Human Services (HHS)
- The State is receiving funding which can be used for similar costs
- GOMB, DEM and UDOH are working on de-conflicting these costs and providing additional guidance

Terminology

Recipients - states, tribes or territories that receive and administer Public Assistance Federal Awards

Applicants - state, local, tribes or private non-profit entities that submit requests for assistance under a Recipient's Federal Award

Sub-recipients - state, local, tribal, or private non-profit entities that submit requests for assistance under a Recipient's Federal Award

Public Assistance

Process Overview

| Virtual Applicant Briefing | Grants Portal Account Creation and RPA | COVID-19 Streamlined Project Application | FEMA and Recipient Review | Applicant Signs Project | Post-Award Activities |

Not your Grandpa's PA

Not even your PA…

For COVID-19 Declarations, Applicants will have the ability to apply for assistance directly through FEMA's Grants Portal without requiring traditional Exploratory Calls or Recovery Scoping Meetings.

FEMA's Quick Guides and How-To Videos provide step-by-step instructions and can be found in the Grants Portal, https://grantee.fema.gov.

For technical assistance with Grants Portal, Applicants can call the Grants Portal Hotline at 1-866-337-8448 or
Eric Martineau 801-946-4022
emartineau@utah.gov

Public Assistance

Federal Share: Public Assistance funds will be limited to **75%** %of total eligible costs within the designated counties

The local share is 25%

Must be met using non-Federal funds State does not contribute any portion of the 25%

Public Assistance

DR-4525 has only been approved for Category B (Emergency Protective Measures) work at this time

A: Debris Removal

B: Protective Measures

C: Road System

D: Water Control Facilities

E: Buildings And Equipment

F: Public Utility Systems

G: Other (Park and Recreational)

Public Assistance

Category B - <u>Emergency Protective Measures</u>
Actions taken before, during, and after a disaster to save lives, protect public health, and safety or eliminate immediate threat of significant damage to improved public and private property

Examples for COVID-19:

- EOC operations
- Emergency medical care
- Medical sheltering
- Medical supplies and equipment
- Provisions for food, water, ice, medicine and other essential needs
- Security and law enforcement for temporary facilities
- Communications of general health and safety information to the public

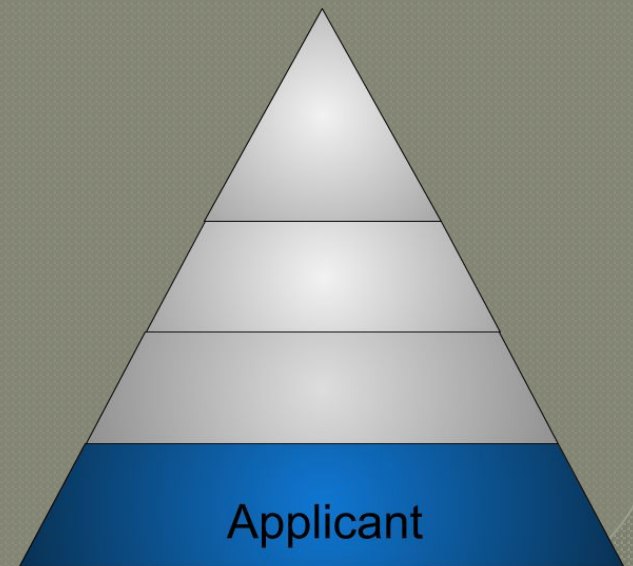FEMA.gov News Releases COVID-19 Eligible Emergency Protective Measures

Public Assistance

Four 'Tiers' of Eligibility
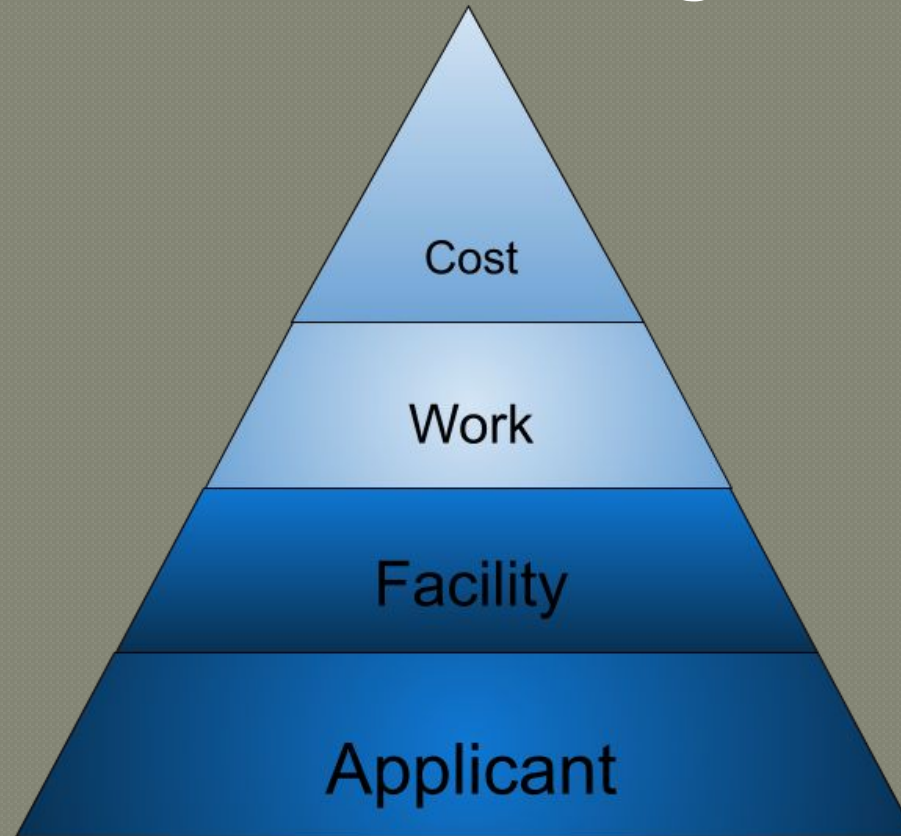
All four 'tiers' must be eligible to obtain FEMA funding

Eligible Applicants

- State Governmental Agencies

- County Governments

- Municipalities, cities, towns, & townships

- Tribes

- Special Service Districts

- School Districts

Applicant

Private Non-Profit

Critical PNP organizations

- Medical Facilities, such as hospitals, outpatient and rehabilitation facilities, laboratories
- Custodial care facilities that provide institutional care for persons who require close supervision and some physical constraints in their daily activities
- Educational facilities, such as primary and secondary schools, colleges and universities
- Emergency facilities, such as fire departments, rescue squads, and ambulance services

Private Non-Profit

Essential/Non-critical PNP organizations
- Community centers
- Child care facilities
- Food assistance programs
- Senior citizen centers
- Homeless shelters
- Performing arts facilities
- Houses of worship

Eligible Work (activities)

- <u>Necessary</u> to protect public health and safety pursuant to public health guidance and conditions and capabilities

- **<u>Must be the applicant's legal responsibility</u>**

- Emergency protective measure taken to respond to COVID-19 emergency at the <u>direction or guidance</u> of public health officials
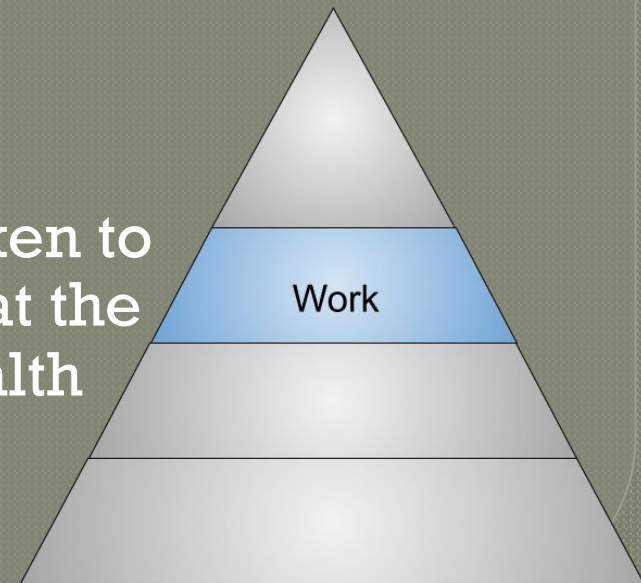
Work

Eligible Work

Eligible Work Includes:

- Management, control and reduction of immediate threats to public health and safety

- Medical sheltering (e.g. when existing facilities are reasonably forecasted to become overloaded in the near future and cannot accommodate needs)

- Movement of supplies and people

- Emergency medical care

Eligible Work Continued:

- Security and law enforcement

- Communications of general health and safety information to public

- Reimbursement for state, tribe, and/or local government force account overtime costs

- Household pet sheltering and containment actions in accordance with CDC guidelines

- Purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits

Non-Congregate Shelters

Quarantine & Isolation Sites - separates and restricts the movement of people who may have been exposed to see if they become sick

Alternative Care Sites - separates sick people from people who are not sick with COVID-19

- Must be pursuant to the direction of appropriate public health officials

- FEMA must pre-approve all shelters, must follow CDC guidelines

- Limited to that which is reasonable and necessary to address the public health needs of the event

- Support services like mental health counseling and case management are NOT eligible under PA

Submit all NCS information or questions to Tiffany Snowball 385.321.6947 tiffanysnowball@utah.gov

Cost Eligibility & Documentation

- **Directly tied to the COVID-19 event**
- **Consistent with policies and procedures**
  - **Local procurement**
  - **Federal procurement**
  - **Contracing**
- **Reasonable**
- **The quality of your documentation will determine the speed you will receive reimbursement**
- **Providing all the documentation to FEMA and the State in an organized fashion will result in a more expedient reimbursement process**
- **Providing piecemeal and inadequate documentation will result in a reimbursement process that will take years**
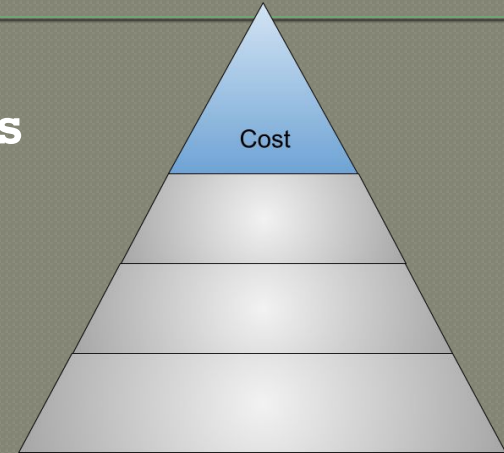
Force Account Labor Cost

For this incident labor costs are only eligible as follows:

Emergency Work Labor Eligibility		
Budgeted Employees	Overtime	Straight-Time
Permanent employee	☑	
Seasonal employee working during normal season of employment	☑	
Unbudgeted Employees	Overtime	Straight-Time
Essential employee called back from administrative leave	☑	☑
Permanent employee funded from external source	☑	☑
Temporary employee hired to perform eligible work	☑	☑
Seasonal employee working outside normal season of employment	☑	☑

Labor Cost Documentation

- Signed timesheets
- Activity logs providing details describing specific tasks and accomplishments
- Payroll information
- Payroll records/check records
- Payroll policies
- Overtime policies
- Fringe benefit rates and policies

Force Account Materials

- Purchased or used from stock
- Used for eligible work
- Invoices, historical data, or quotes from your local vendors will be required to justify costs

Components of PPE

- Gloves
- Gowns
- Aprons
- Masks
- Goggles
- Visors
- Caps
- Theatre footwear

Equipment Documentation

- Equipment logs which show the date, number of hours the equipment is in use -or-
- Mileage logs if the vehicle is being used for transportation
- Additionally, all equipment must be tied to an operator and the following information is needed for the operator:
    - Signed timesheets
    - Payroll information
    - Payroll records / check records

Contract Expenses

- Invoices
- Contracts
- Amendments/ Change Orders/ Task Orders
- Proof of Payment
- Procurement Documentation

Emergency Procurement

Memo for each procurement action that outlines the following:

- **Costs are reasonable** (Search for Public Assistance Reasonable Cost Evaluation Job Aid at https://www.fema.gov/de/media-library/assets/documents/90743)
- **Costs are necessary**
- **Local policies were followed or waived** (if waived documentation is still needed to show the waiver and how the waiver complies with the policy)
- **More information available at:** https://www.fema.gov/news-release/2020/03/20/procurement-under-grants-under-exigent-or-emergency-circumstances

Contracting

Time and material contracts are discouraged, and will be ineligible unless all of the following are true:

- No other contract was suitable
- The contract has a ceiling price that the contractor exceeds at its own risk
- The non-state entity can demonstrate it provided a high degree of oversight to obtain reasonable assurances that the contractor used efficient methods and effective cost controls

Contracting

- Sole Source Contracting discouraged
- Cost plus percentage of costs contracts are ineligible
- Piggyback contracting is generally ineligible
- Contracts over $10,000 must include clauses for termination for cause and convenience
- Contracts over $250,000 must include all federal provisions listed in 2 CFR Part 200, Appendix II

Public Assistance

2 CFR 200 - Uniform Admin Requirement

- You must follow local/State/federal procurement regulations
  - Utah has some lesser requirements - must follow stricter federal requirements for federal grants.
- Subrecipient Monitoring applies to ALL federal grants, not just PA
- The State will be talking and meeting with you regularly on the status of all your projects
- Quarterly reports, phone calls, face-to-face visits, etc
- Documentation will be checked by State

Floodplain Requirements

- COVID-19 support locations cannot be located in the Special Flood Hazard Area
  - Non-congregate Quarantine and Isolation Shelters
  - Alternative Care Sites
  - COVID-19 Support Distribution Centers

- Work with your local floodplain administrator

- If no other alternative sites are available and you choose a location in a flood hazard zone, FEMA will require an Emergency Evacuation Plan for the site or will not fund it

- For additional assistance contact Utah's State Floodplain Manager Kathy Holder 385-315-3566 kcholder@utah.gov

Environmental & Historic Preservation

- Obtain ALL required permits, including environmental and historic preservation (EHP) permits, from the appropriate agencies before setting up any COVID-19 support structure (or have evidence that a permit is not required)
- All federal and state historic and cultural laws and regulations are still applicable during the pandemic and MUST be followed; and if modifying or constructing a new structure, consider impacts to natural and cultural resources

Donated Resources

Labor, equipment, and materials can be used to offset the non-federal share of your award, the following applies:

- The donated resources is from a third party
- A third party includes private entities or individuals, including individuals that are normally paid employees of the applicant or federal, state or tribal government, but are volunteering as unpaid individuals and not on behalf of the employer
- The donated resource is necessary and reasonable
- The applicant uses the resource in the performance of eligible work and within the respective project's period of performance
- The applicant or volunteer organization tracks the resources and work performed including description, specific locations and hours

The Applicant Process
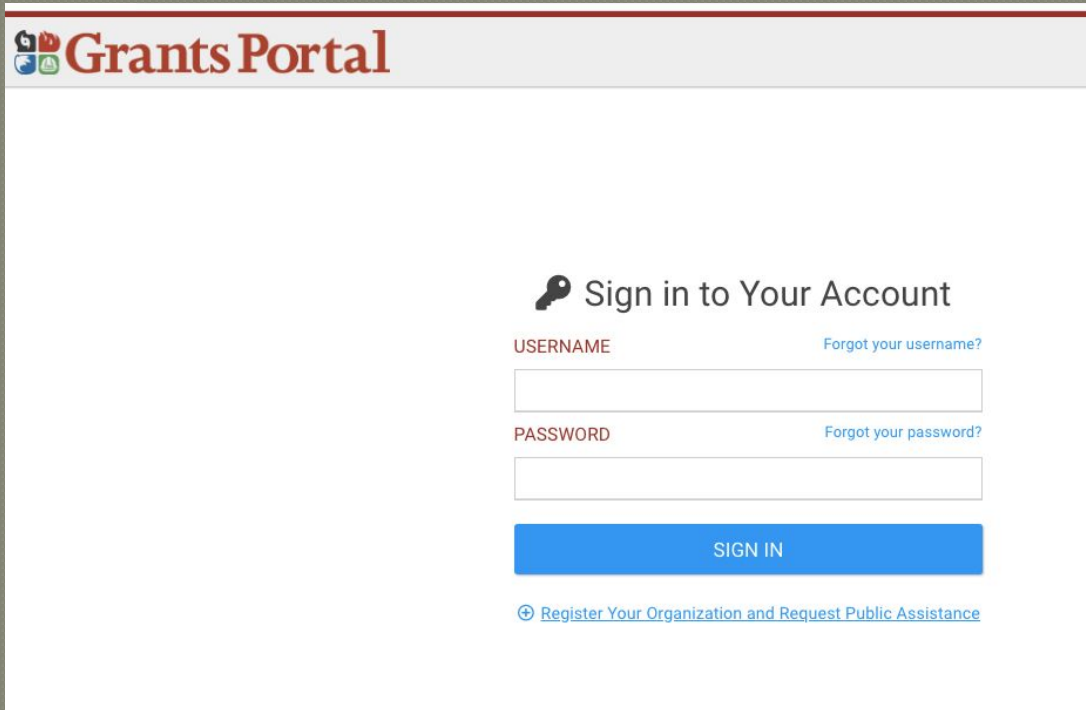
1. Applicants' Briefing (current meeting)

2. FEMA has set an open period for Request for Public Assistance (RPA) submission for COVID-19. No RPA deadline currently in effect for DR 4525.

3. DUNS Number - Required to receive a federal grant, add this number to your RPA and there is info on FEMA's Grants Portal page for how to find your DUNS number if you don't know it

4. PNP will need 501(c)(3) documentation, articles of incorporation, bylaws or charter, etc.

5. Create Grants Portal account and submit an RPA

6. Eric Martineau - Grants Portal 801.946.4022 emartineau@utah.gov

Grants Portal Information

Website: grantee.fema.gov

Before you can submit a reimbursement request, you must register in Grants Portal and submit a Request for Public Assistance (RPA)

Register on your own at grantee.fema.gov or email esf14recovery@utah.gov and request access to Grants Portal with your contact information.

COVID-19 Streamlined Project Application/

- Go to grantee.fema.gov
- Click on the 'Resources' tab
- Select "COVID-19 Guidance" or "Forms and Templates" to download and complete the fillable pdf application ("Streamlined Project Application")

COVID-19 Streamlined Project Application

Submit completed Project Application
-- upload it to Grants Portal.

COMPONENTS OF THE COVID-19 PROJECT APPLICATION

- Section I - Project Application Information
- Section II - Scope of Work
- Section III - Cost and Work Status Information
- Section IV - Project Certifications

Only Complete if total cost of activities is **$131,100** or greater

- Schedule A - Expedited Funding Estimate
- Schedule B - Completed Work Estimate
- Schedule C - In Progress Work Estimate
- Schedule D - Large Project Eligibility Questions

- Schedule EZ - Small Project Estimate

Cost Estimate

Section I – Project Application Information

Instructions: Applicants must complete this section and should refer to the Public Assistance Grants Portal for the declaration # and FEMA PA code. The Applicant must assign a unique title and number for each project application. This title and number can help the Applicant connect this project application to their accounting or other systems. Any documents attached to this project application should include the project application number and title.

Declaration #:	Name of Organization Applying:	FEMA PA Code:	Applicant-Assigned Project Application #:

Project Application Title:

Continue to Section II – Scope of Work.

Section II – Scope of Work

Instructions: Applicants must complete this section and describe the activities that the Applicant conducted or will conduct in response to COVID-19. For certain activities Applicants must provide additional information in Schedules D and F.

1.   DESCRIPTION OF ACTIVITIES

Please provide a brief description of the activities the Applicant conducted or will conduct:

Please select all the activities the Applicant conducted or will conduct:

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
- ☐ Other. *Please describe:*

Emergency Medical Care
- ☐ Purchase and distribution/use of **medical supplies & equipment** including:

Continue to Section III – Cost and Work Status Information.

Section III – Cost and Work Status Information

Instructions: Applicants must complete this section and provide the costs of the activities reported in Section II. Applicants must also complete Schedule A, B, C, or EZ as instructed below to estimate a project cost.

1. GENERAL COST & WORK STATUS QUESTIONS

Optional: Request Expedited Funding

An Applicant may request approval for expedited funding from the Recipient and FEMA if they have an immediate need for funding to continue life-saving emergency protective measures. If approved, the Applicant will be awarded 50% of the FEMA-confirmed project cost based on initial documentation. However, the Applicant will then be required to provide <u>all information</u>, including all documentation to support actual incurred costs, to support the initial 50% of funding before receiving <u>any additional funding</u>. Applicants will be required to return any funds that were not spent in compliance with the program's terms and conditions. In general, <u>Applicants who have never received FEMA Public Assistance funding and do not have significant experience with federal grant requirements should avoid expedited funding</u> or, at a minimum, discuss expedited funding with their Recipient emergency management office *prior* to requesting expedited funding. Expedited funding is only available for activities completed during specific time periods.

Does the Applicant want to request expedited funding?

◯ No. *Continue to the next question.*

◯ Yes. *Please complete Schedule A to request an expedited project from FEMA and return to Section IV.*

Is the Applicant's estimated cost for activities reported in Section II greater than or equal to $131,100?

◯ Yes. *Continue to the next question.*

◯ No. *Please complete Schedule EZ to provide a small project estimate and return to Section III Part 2.*

What is the status of the activities reported in Section II?

Section IV – Project Certifications

Instructions: Applicants must complete this section to certify that the activities and costs reported in this project application comply with applicable federal, state, tribal, territorial, and local laws and regulations.

1. CERTIFICATION THAT BENEFITS WILL NOT BE DUPLICATED

Has the Applicant applied for any funding for COVID-19 from any other federal program?

An Applicant may request funding from other programs but may not receive funding for the same costs from multiple programs.

◯ No.

◯ Yes. *Please list other programs:*

If yes, has the Applicant applied for any funding from any other federal program for the activities reported in Section II?

SCHEDULE A – Expedited Funding Estimate

Instructions: The Applicant must complete this section if requesting expedited funding in Section III of the project application. Expedited funding is only available if the total net cost for the request is greater than or equal to $131,100.

1. GENERAL ELIGIBILITY

Please explain why there is an immediate need for funding:

Please select the time-period for which the Applicant is requesting expedited funding for the activities

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SCHEDULE B – Completed Work Estimate

Instructions: Applicants must complete this schedule if the Applicant (1) has completed the activities reported in Section II, (2) has documentation available to support the actual costs, and (3) the cost of the activities is over $131,100.

1. PROJECT COST & COST ELIGIBILITY

Please select the resources necessary to complete the activities reported in Section II. For each resource selected, please provide the cost and requested information.

	Cost
☐ Contracts.	$

Please enter the total cost of contracts. To calculate the total cost, complete FEMA Public Assistance COVID-19 Contracts Report (attached) or provide all information contained therein.

Please also provide:
- ☐ Contracts, change orders, and summary of invoices
- ☐ Cost or price analysis (for contracts above $250,000, the federal simplified acquisition threshold)
- ☐ The Applicant's procurement policy

Schedule EZ – Small Project Estimate

Instructions: Applicants must complete this schedule if the total project cost is less than $131,100 and provide the costs of the activities reported in Section II.

1. BUDGET ESTIMATE

Please attach a budget estimate created using standard procedures the Applicant would use absent federal funding. The estimate should be broken down by the resources necessary to complete the work (contracts, labor, equipment, materials & supplies, and other costs).

If the activities are complete, please attach the corresponding summary records:

Public Assistance

Information Required for a Project:

- List of damages and emergency protective measures undertaken
- Insurance information
- List of paid staff, regular and OT hours, dates and times
- Fringe benefit information
- List of equipment used, hours of operation dates and times, miles driven
- List of materials and supplies purchased or used
- Copies of any contracts used for this event
- Procurement policies and documentation of compliance

Public Assistance

Summary of Project Process Steps	
Pending Formulation Completion	The project application is pending completion and upload by the Applicant.
Pending CRC Project Development, Peer Review, Insurance Completion, QA Review, or EHP Review	FEMA specialists are processing the project, including reviewing documentation, developing scopes of work and cost estimates, and ensuring compliance with applicable requirements.
Pending Final FEMA Review	A FEMA official is conducting a final project eligibility review.
Pending Recipient Final Review	A Recipient official is conducting a final project eligibility review.
Pending Applicant Project Review	The project is ready for the Applicant's final review and signature.
Applicant Signed Project	The project is ready for FEMA to make funding available through the Recipient for the Applicant.
Obligated	Federal funding has been approved for release through the Recipient to the Applicant.

Public Assistance

Project Grants

Large Project Threshold
$ 131,100

Small Projects
Federal cost share is paid project approval*

Funding is based on an initial cost estimate**

Large Projects
Federal cost share is paid upon as work is accomplished.

Assistance is based on actual, reasonable, **eligible** costs.

*The State WILL treat some Small Projects like Large Projects

**Minimum Project Worksheet (PW) $3,300

Management Costs

- Direct and indirect administrative costs incurred to submit and process your FEMA project(s)
- Actual Costs must be fully documented
- Capped at a maximum of 5% of the Applicant total obligated project costs.
- Required to manage projects administratively
- Do not include costs incurred for actual work to complete a project

Eligible activities include

- Meetings regarding the PA program
- Preparing correspondence
- Reviewing PW
- Collecting and submitting documents for PA

Post Award Activities

After the initial subgrant has been awarded and obligated, FEMA and DEM will work with Applicants to

- Ensure federal laws are followed with all documentation and process requirements
- Update project information as needed before the grants are closed
- Quarterly Reports
- Reconciliation and Closeouts
- Appeals
- Audits

Record Keeping

- Vital to full FEMA reimbursement
- Track costs by project
- Keep electronic files, separate folders for each PW, and a backup
- FEMA has forms that assist in organizing and summarizing projects
- Original documentation required for audit or program review
- Ask State if you don't know what documentation you need to retain

*The Federal requirement is 3 years from the date of closeout*

Appeals

- Applicants may appeal ANY determination related to the Public Assistance process.
- Applicants have 60 days from the receipt of written notice from FEMA to appeal.
- Notify the State DEM immediately if you intend to appeal.

Public Assistance

PAPPG
FEMA Public Assistance Program and Policy Guide

https://www.fema.gov/media-library/assets/documents/111781
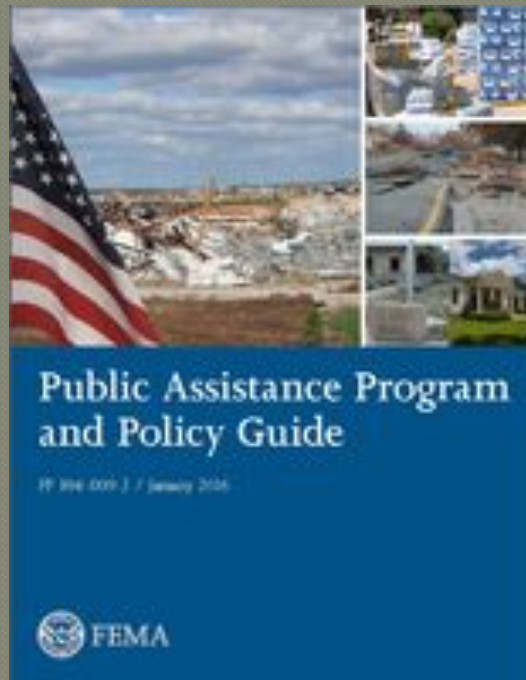
Help the process

Funds Are Lost If You Don't

➢ Ask questions

➢ Obtain FEMA pre-approval (**ALWAYS ASK FOR PERMISSION, NOT FORGIVENESS!**)

➢ Follow procurement procedures

➢ Follow the Scope of Work in the Project Worksheet

➢ Meet PA program deadlines

➢ Keep COMPLETE, clear and accurate records

NO AFTER-THE-FACT APPROVALS!!   YOU WILL LOSE YOUR FUNDING!!

Utah Public Assistance Team

Brad Bartholomew - Mitigation and Recovery
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Janna Wilkinson - IA/SBA
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Ember Herrick - Medical and Health Depts.
385.630.8246 esherrick@utah.gov

Eric Martineau - Grants Portal
801.946.4022 emartineau@utah.gov

Emma McFee - FEMA PA Expert
emcfee@utah.gov
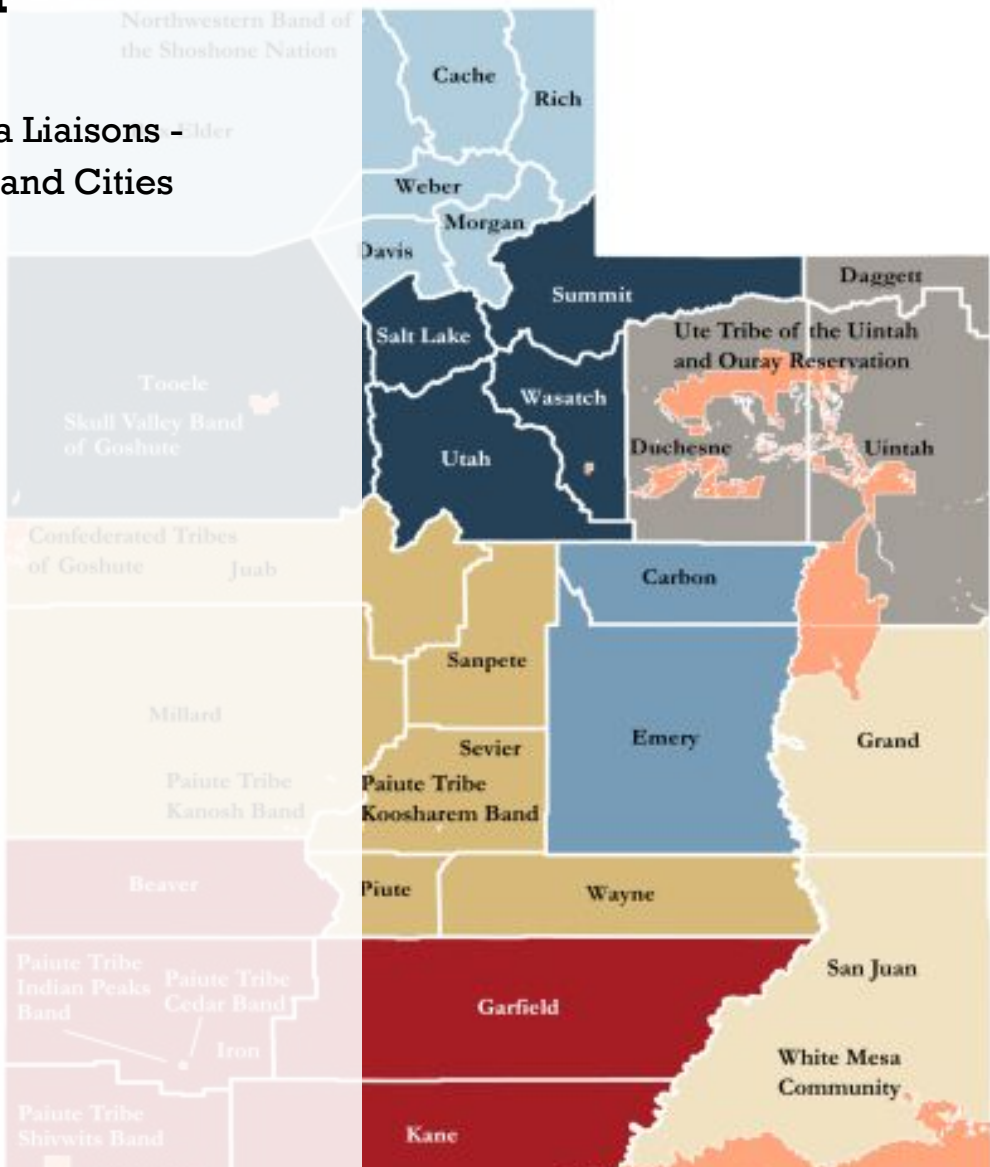
Kris Repp - State Agencies
801.538.3776 krepp@utah.gov

Anna Boynton - Tribes
801.718.5306 aboynton@utah.gov

Tiffany Snowball - Q&I and ACS
385.321.6947 tiffanysnowball@utah.gov

Utah Public Assistance Team

State Area Liaisons -
Counties and Cities

REGION KEY

1 - Northern Utah

2 - Wasatch Front

3 - Central Utah

4 - Southwest Utah

5 - Northeastern

6 - Castle Country

7 - Four Corners

Tribal Sovereign Nations

1 - Northern Utah – Kimberly
kgiles@utah.gov | 801.209.79

2 - Wasatch Front – Vacant

3 - Central Utah – Jeff Gallach
jgallacher@utah.gov | 801.20

4 - Southwest Utah – Scott Al
salvord@utah.gov | 801.703.

5 - Northeastern – Mechelle
mmiller@utah.gov | 801.707

6 - Castle Country – Angelia
7 - Four Corners
acrowther@utah.gov | 801.6

Tribal Sovereign Nations – Am
aboynton@utah.gov | 801.7

Program Manager – Tara Beh
tarabehunin@utah.gov | 801

Public Assistance

Questions?

Utah Department of Public Safety

Division of Emergency Management

https://dem.utah.gov/grants/disaster-grants/pa/