Public Assistance

APPLICANT BRIEFING

Tropical Storm Debby 2024

Event Details

Declaration – FEMA-EM-3608-NC

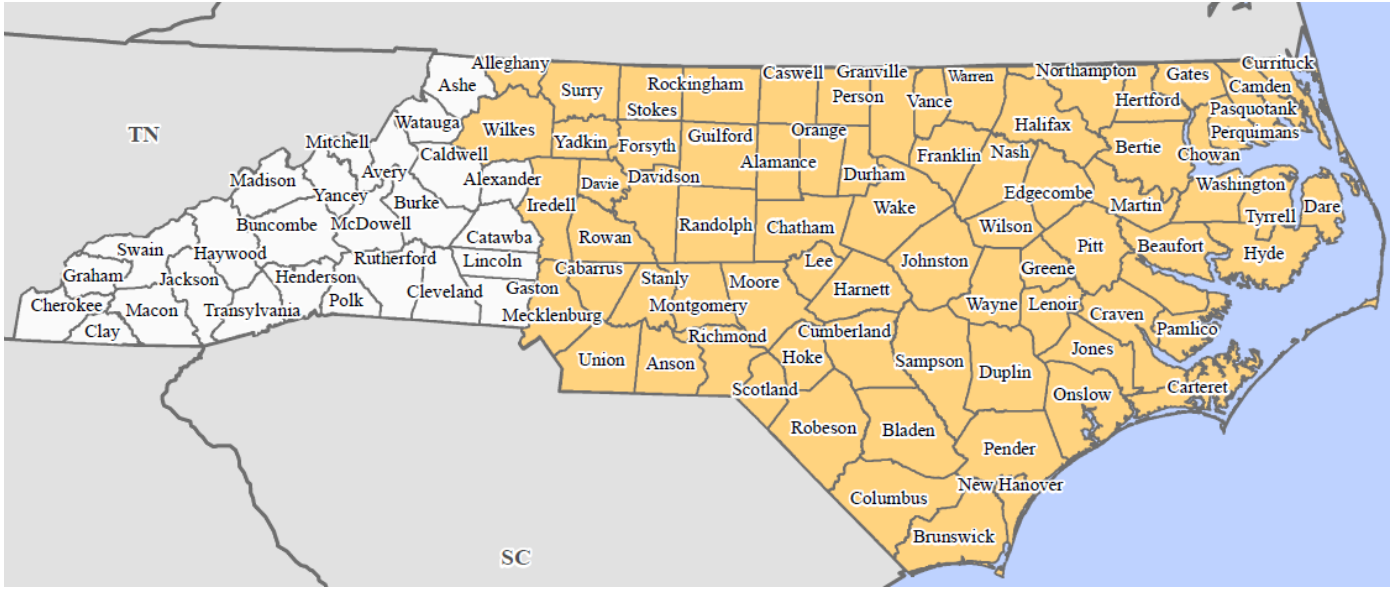
Declaration Date – August 8, 2024

Incident Period - August 5, 2024, through August 19, 2024

RPA Deadline –September 18, 2024

Declared Categories of Work – CAT B

Emergency Declaration Map



AGENDA

- Public Assistance Program Overview
- 3 Steps to Request FEMA Reimbursement
  - Submit a Request for Public Assistance in FEMA's Grants Portal
  - Once Approved, Register in EM Grants (State Portal)
  - Document Expenses
- Procurement
- Contracts and Resources

FEMA Public Assistance Program

Public Assistance Program Overview

Public Assistance Application Process

Public Assistance (PA)

Provides grants to eligible state, local governments, EBCI and eligible private non-profits ("Applicants") to assist with the cost of responding to and recovering from disasters

Governing Laws, Regulations, and Policies

Stafford Act	44 CFR	2 CFR	PA Program & Policy Guide (PAPPG)
Law	Program Regulations	Procurement Requirements	Policy

Request for FEMA Public Assistance (RPA)
3 Easy Steps

-Steps you **MUST** take to start the FEMA Reimbursement Process-

STEP 1	STEP 2	STEP 3
Request for Public Assistance (RPA) in Grants Portal	Register in EM Grants (State Portal)	Document Your Expenses

As applicants, you are applying for a grant from FEMA to reimburse for eligible expenditures

STEP 1: REQUEST for Public Assistance in Grants Portal

FEMA Grants Portal Overview & Registration

Grants Portal

https://grantee.fema.gov/

FEMA GRANTS PORTAL

The primary access point between FEMA, the Applicant, and the State

CREATE	Define/Assign Roles of your personnel within the system
SUBMIT	Request for Public Assistance
ASSIGN	Roles within Grants Portal to organizational staff
UPLOAD	Upload information to document your projects
RECEIVE & RESPOND	Correspondence from FEMA – platform to efficiently submit responses to maintain continuity
UPLOAD & UPDATE	Information related to reimbursement requests (may vary depending on specific expenses)

Eligible Applicants for Public Assistance

Public Entities include:

- Electrical Co-Ops
- Counties
- Towns/Cities
- Federally Recognized Tribes
- Public Schools
- Community Colleges
- Water & Sewer Authorities
- Public Transportation Authorities
- Public Housing Authorities
- Regional Councils of Government
- Other Subdivision of State

Not Sure your Organization Qualifies?
Register Anyway!

Private Non-Profits (PNP) include:

- Community Centers
- Custodial Care Facility
- Emergency Care Facility
- Houses of Worship
- Library
- Medical Care Facility
- Private Colleges
- Assisted Living
- Child Care
- Food Assistance Programs
- Health and Safety Services
- Senior Citizen Center
- Low Income Housing

Request for Public Assistance (RPA)

What Is The RPA?	Applicant's interest to participate in the FEMA PA program Must be submitted to start PA process
Where Do I Get It?	Only available through Grants Portal Include UEI number (www.sam.gov)
How Do I Submit It?	Submit through Grants Portal Deadline: 30 days after the Declaration Date

Don't wait!

The ***reimbursement*** process ***cannot start*** until the RPA is approved!

Already Registered in Grants Portal?

Confirm Log In

- NCEM Recovery Staff can reset your password
- If you are not familiar with your PA Grants Manager, email pahotline@ncdps.gov

Check Personnel Information

- Make sure all needed personnel are added, and that their information is up to date.

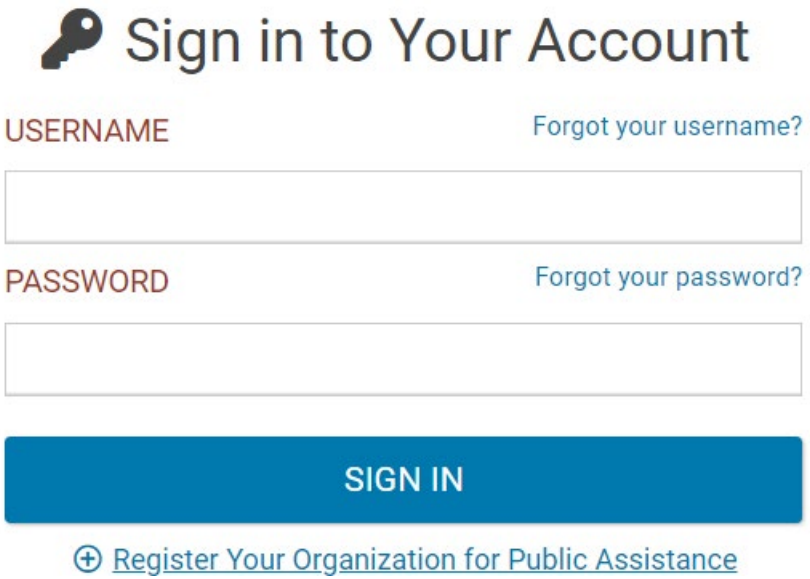
Ensure All Policies are Up to Date

- Upload recent insurance information, personnel policies, procurement procedures, etc.

PNP Documentation is Complete and Accurate

- Tax Exempt Certification, Articles of Incorporation, Charter, By-Laws, etc.

Not Registered for Grants Portal?



Additional RPA Documentation

Private Nonprofits must submit this information as part of the RPA process:

- Tax Exemption Certification *(IRS Letter showing 501 (c),(d) or (e) status, or NC Secretary of State Tax Exempt Letter)*
- Proof of Ownership or Legal Responsibility
- Proof of Insurance
- Corporate Documents: Articles of Incorporation, Charters, & By-Laws
- Accreditation *(for private educational organizations only)*

This Does NOT Apply to Public Entities!

Step 2: REGISTER in EM Grants

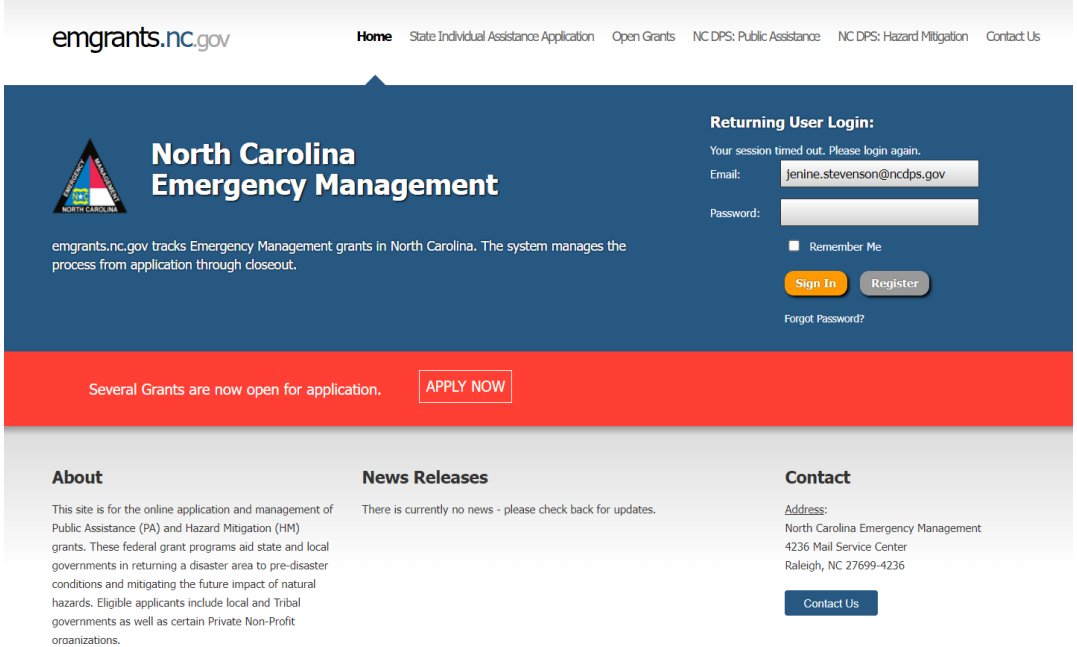
Once you have received notification that your Request for Public Assistance has been approved, you will need to complete the Funding Agreement in EM Grants (State Portal).

EM Grants

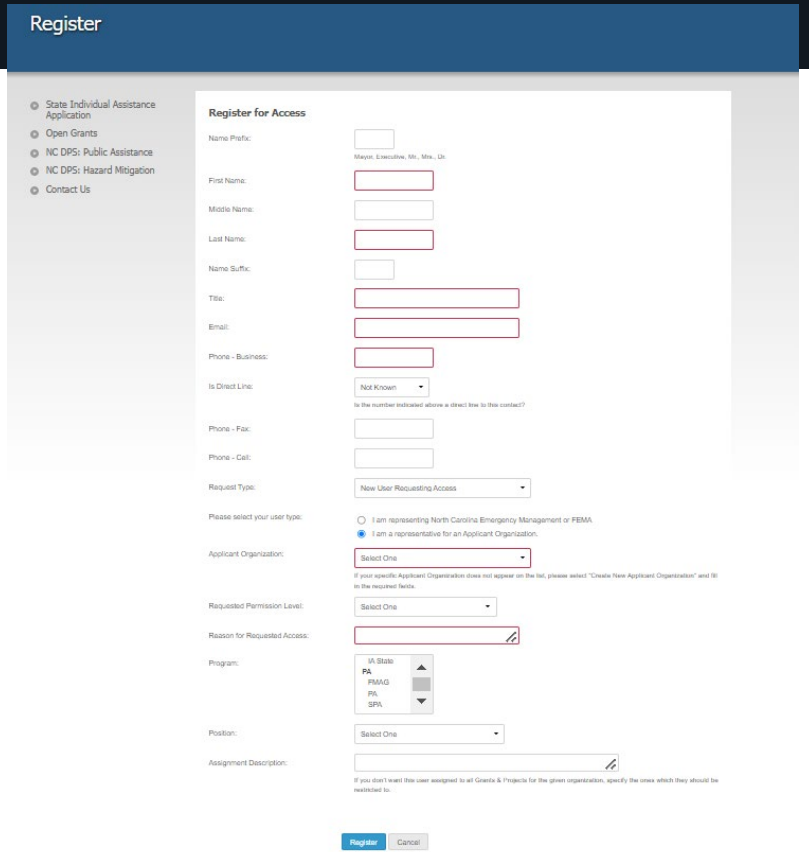
Funding Agreement	Generated in EM Grants once RPA is Approved
SAA	Contract between State and Applicant that authorizes reimbursement payments
DAA	Designates the organization's agents who will be the primary and secondary contacts for the Applicant

Important - A new W-9 is required for every event.

To Register in EM Grants

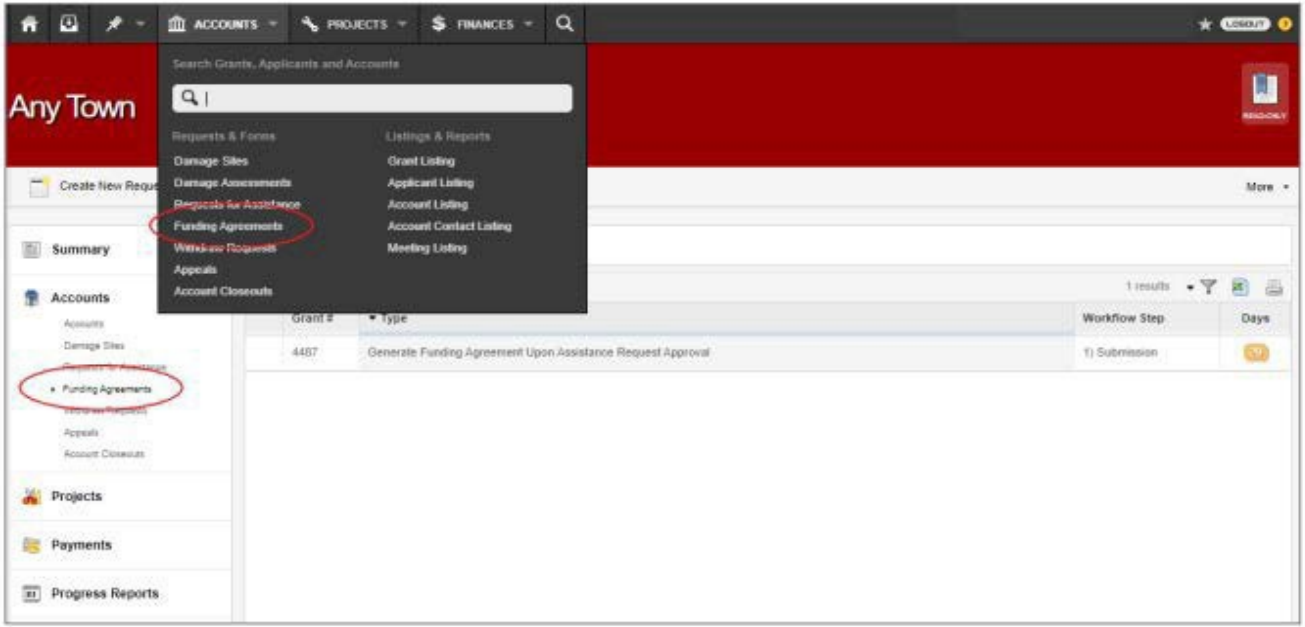


EM Grants Registration



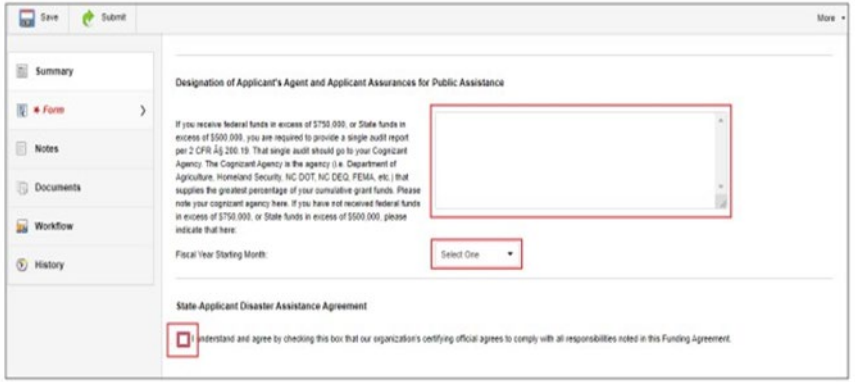
Complete a Funding Agreement

To locate the Funding Agreement workflow, under **Accounts** on the left-hand side or in the top menu bar you can navigate to the **Funding Agreement**. The Account is defined as the individual disaster or grant.

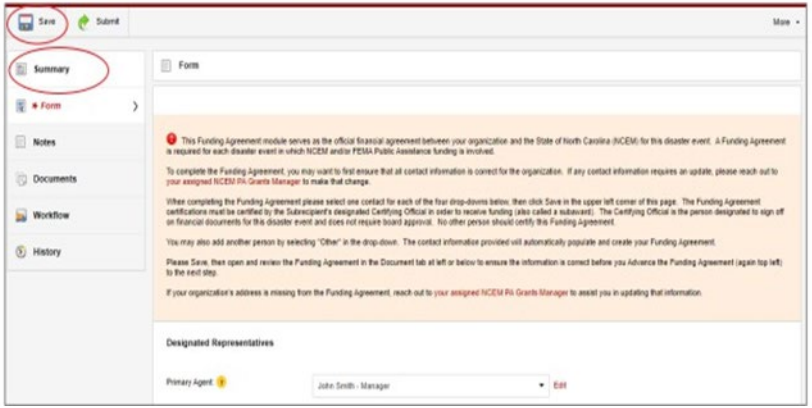


Generate DAA & SAA in EM Grants

Then complete the **Designation of Applicant's Agent and Applicant Assurances for Public Assistance** by entering your Cognizant Agency and Fiscal Year Starting Month. Next, check the box to certify the **State-Applicant Disaster Assistance Agreement**.



Then click on **Save** and navigate back to the **Summary**.



Audit Requirements

- Federal law requires a non-Federal entity that expends $750,000 or more in Federal awards during the entity's fiscal year have a single audit conducted for that year *(2 CFR § 200.501(a))*
- State law requires a local government or public authority that expends $500,000 or more of State financial awards during a fiscal year have a State Single Audit *(G.S. 159-34)*
- <u>For local governments, this means</u>:
  - If you expend $750,000 or more in Federal awards and/or expend $500,000 or more in State awards
  - Your auditor must conduct a single audit during the fiscal year, which includes the audit of Federal and/or State awards, if applicable, and your annual financial audit
- <u>Discuss these requirements with your local auditor to determine the type of audit your local government will require</u>
- When your audit is complete, forward a copy to State NCEM Public Assistance at: pahotline@ncdps.gov

Registration Process Recap

- Register and Submit a Request for Public Assistance in Grants Portal (https://grantee.fema.gov/)

- Complete Funding Agreement, DAA, SAA and upload updated W-9 in EM Grants (https://emgrants.nc.gov/)

Step 3: DOCUMENT Your Expenses

Eligible Activities

Eligibility for Tropical Storm Debby

- For this event, eligible Cat B expenses include:
  - Mass care, including evacuation & shelter support
  - EOC Operation Costs
- To be eligible, costs must satisfy all steps of the eligibility pyramid
- Guidance will be updated on the NCEM Public Assistance Website as it is received.

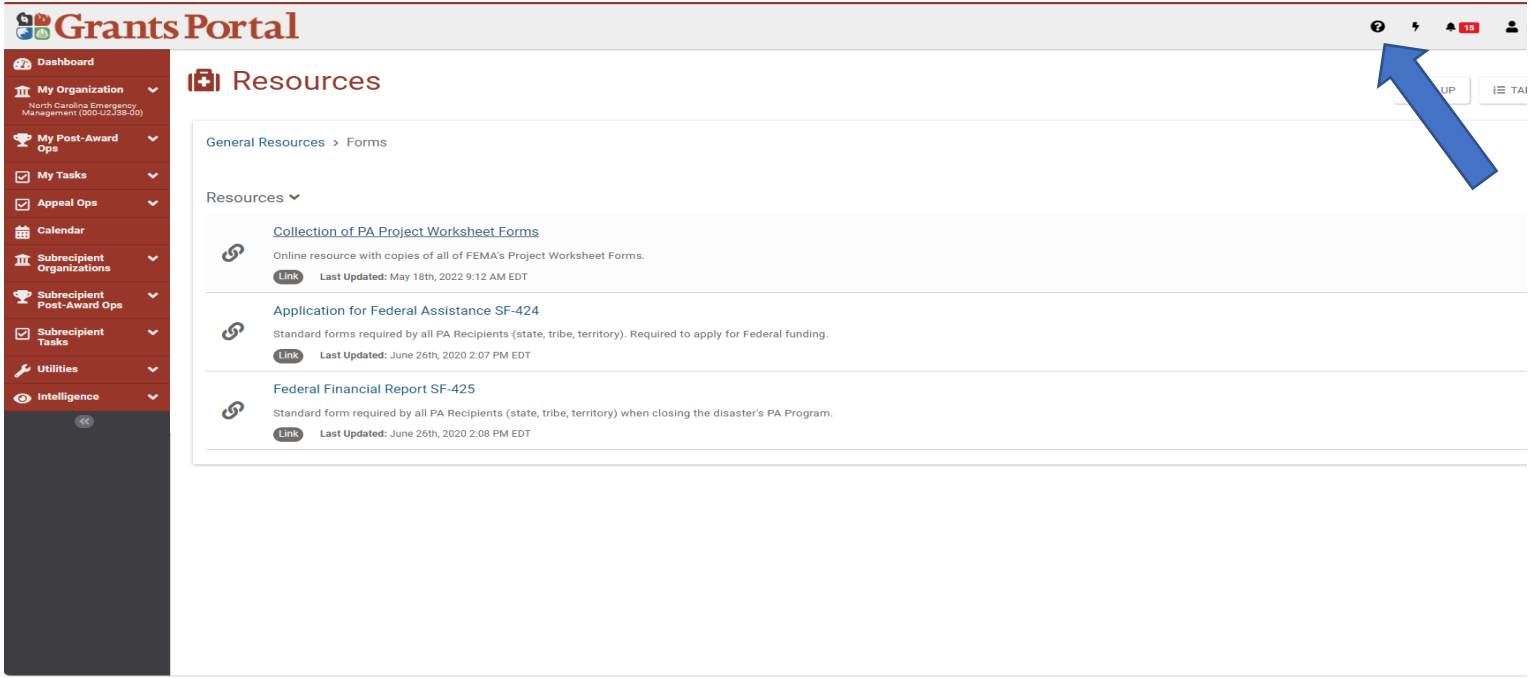
For now - document, document, document everything!

Document Expenses NOW

- Basic information to track ***now*** for reimbursement requests ***later***:
  - Date expenses were incurred
  - Description of expense/work performed
  - How expenses/work performed are related the emergency
  - For equipment, hours used and location
  - Overtime Labor Rates and Fringe Benefit Rate

For now - document, document, document everything!

Document Expenses NOW Example Summary Records



Confused about FEMA forms? Create excel spreadsheet to track expenses – FEMA or NCEM PA staff will help you after you have completed registration!

Public Assistance Cost Types

- Force Account Labor
- Force Account Equipment
- Materials
- Contract Work
- Rented Equipment

Eligible Expenses - Management Costs (Category Z)

Administrative costs incurred in the management of Public Assistance grants

- Applicant may receive up to 5% of project net cost, based on actual costs
- Documentation and Final Inspection will be required. Will need a Management Cost summary sheet, time sheets and payroll records.
- Eligible costs included, but are not limited, to conducting PDAs, FEMA/State correspondence, and grant management activities.

Large vs. Small Projects

Project Thresholds:

- Minimum Project Worksheet Amount: **$3,900**
- Small projects: Less than **$1,037,000.00**
  - Small project funding is fixed & paid as obligated, whether written on estimated or actual cost
  - Exception: verification of actual insurance proceeds if applicable
- Large projects: **$1,037,000.01 and Greater**
  - Is offered as a 428 Fixed Cost offer/ need to decline to be reimbursed on actuals
  - Request for Reimbursement
  - Quarterly Progress Report
  - Final Inspection required, 90 days after project is complete.

Duplication of Benefits

- FEMA will not reimburse for expenses paid for with any other funding sources
- Be prepared to demonstrate no duplication of benefits if requested by FEMA

Procurement Requirements

Federal Procurement Requirements

Federal Procurement Requirements

- Federal Uniform Guidance (2 CFR Part 200) procurement requirements apply to FEMA Public Assistance grant funds
- More information about Uniform Guidance and FEMA Procurement Requirements is available at:

FEMA Procurement Disaster Assistance Team (PDAT) Website

Exigent or Emergency Circumstances (E/E)

- Exception to Uniform Guidance competitive procurement requirements
- Only permissible during the actual exigent or emergency circumstances

Exigency - a need to avoid, prevent, or alleviate serious harm or injury, financial or otherwise, to the non-state entity, and use of competitive procurement proposals would prevent the urgent action required to address the situation. Thus, a noncompetitive procurement may be appropriate.

Emergency - a threat to life, public health or safety, or improved property requires immediate action to alleviate the threat.

Resource [Procurement under Exigent or Emergency Circumstances]

E/E Exception– What Rules Still Apply?

1. Your own local purchasing policies (waiver of policy is determined locally)
2. Required federal contract clauses
   Resource ✓FEMA PDAT Contract Template
3. Bonding requirements for construction contracts costing above Federal Simplified Acquisition Threshold ($250,000 or more)
4. Contracts must be awarded to a responsible contractor
5. Costs must be reasonable
6. Independent cost or price analysis for contracting costing above Federal Simplified Acquisition Threshold ($250,000 or more)
7. Cost-plus-percentage-of-cost contracting is prohibited
8. Time and materials contracts must include not- to-exceed cap
9. Documentation and oversight of contractors
10. Conflicts of interest prohibitions (if a conflict of interest is unavoidable due to the exigent or emergency circumstances, must justify in procurement documentation)

Time/Materials and Cost-Plus Contracts

Time & Materials

• Only allowed under very specific conditions:

1. For a reasonable time during circumstances where clear scope of work (SOW) cannot be defined
2. When no other possible alternative exists
3. Must set a ceiling price that the contractor exceeds at its own risk ("not-to-exceed" contract price)
4. Work must be bid when SOW can be defined

Cost Plus

- Also called "Cost Plus Percentage of Cost" contracts
- Never allowed under any circumstances under Federal law

We're Here to Help!

NCEM Public Assistance Contacts

NCEM Public Assistance Management

Brenda Morris, Deputy Recovery Chief
919-594-7168 or Brenda.morris@ncdps.gov

Bob Barker, PA Branch Manager
919-714-2809 or bob.barker@ncdps.gov

Contact NCEM Public Assistance

PAHotline@ncdps.gov

Grants Portal Hotline for FEMA Public Assistance

(866) 337-8448

or

FEMA-Recovery-PA-Grants@fema.dhs.gov