

FEMA Public Assistance 101 - The Basics

Thursday, July 23 2020 at 1:00 pm EST

Hosted by Mary Glasscock
NCORR/NCEM Disaster Recovery Programs



Feel Free to Ask Questions

We'll try to answer as many of your questions as possible during the webinar.

You may use the chat box to type in your question, or hold your questions until we have a break between topics or until the end of the presentation.

We cannot address all specific eligibility questions during this webinar, particularly pertaining to expenses, but will be glad to advise you via email.



This webinar is intended to define basic elements of the FEMA Public Assistance program, and is being recorded for access any time at [NCEM's Public Assistance Web site](#).

About COVID-19

The majority of content discussed in this presentation is relevant to the types of federal declarations that are most common historically in North Carolina, including hurricanes, winter storms, floods, drought or mudslides.

The goal is for you to be prepared now that we are in hurricane season as hurricanes have historically effected every part of the state and involved all eligible categories of work, including permanent work.

COVID-19 is an unusual case because it does not provide reimbursement for all eligible categories of work (only Category B) and still has an open incident period.

*Note: HHS recently granted an extension to COVID-19 for all States and Territories for this public health emergency (PHE) and will remain in effect until October 23, 2020 unless HHS terminates it before then.

It is expected that in accordance with 44 C.F.R. §206.204(d) FEMA will keep the incident period open, and all Category B work (such as demobilization of temporary medical facilities or to address localized needs for health and safety) will also be extended to October 23, 2020.



PA 101 Basics - Agenda

- Brief Overview and Eligibility Basics
- Small and Large Project Thresholds
- Eligibility & Categories of Work Common to FEMA PA Disaster Events
- Special Considerations for Eligible Projects
- Duplication of Benefits
- Procurement
- Working in both the FEMA Grants Portal and EMGrants
- Required Timelines within the FEMA PA Program
- Specifics for the COVID-19 Federal Disaster Declaration
- Questions



Overview



Public Assistance is FEMA's largest grant program.



OUR LARGEST GRANT PROGRAM

**\$4.7 BILLION/YEAR
51% OF ALL GRANTS**



Resources

✓ [FEMA Public Assistance Program & Policy Guide \(PAPPG\)](#)



FEMA PA Quick Facts

- Public Assistance is a **reimbursement** program that provides federal funding to help communities respond to and recover from disasters
- Applicants must submit **Requests for Public Assistance** (RPAs) within 30 days* of the disaster declaration

*Note: The 30 day RPA requirement is **not** applicable to COVID-19

- FEMA and NCEM PA work with applicants to compile their **damage inventory**, a detailed list that may include costs related to emergency work performed or costs related to disaster-damaged roads, destroyed building contents and other infrastructure issues
- Government entities and nonprofits need to submit **supporting documentation** so FEMA can make eligibility determinations to continue moving eligible project costs toward **obligation**.

FEMA obligates funds to the State (as Recipient) once any project meets all eligibility requirements. NCEM serves as NC's designated agency to administer the FEMA PA program and pays NC's Subrecipients for obligated costs.



COVID-19 and North Carolina

Major Disaster Declaration: FEMA-4487-NC

 **Declaration Date: 3/25/2020** 
The date for which all timelines are based

Incident Period: January 20, 2020 (*start date for eligible expenses*) and ongoing.
End date is unknown at this time.

Request for PA Deadline (RPA): Ongoing, but submit if you think you have costs

Declared Categories of Work

Category B (*Emergency Protective Measures*) - Expenses for responding to the COVID-19 event

Category Z (*Management Costs*) - Expenses for managing your FEMA reimbursement

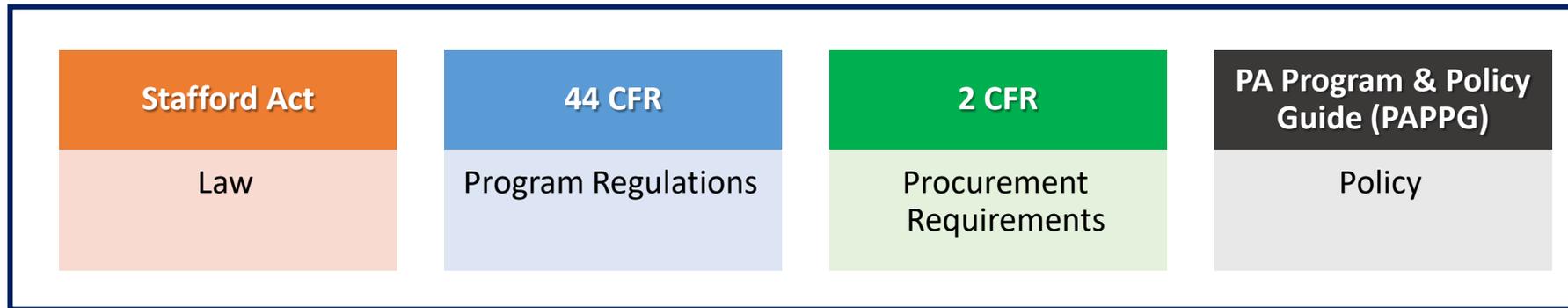


[FEMA COVID-19 Guidance](#)



Public Assistance Law, Regulations and Policies

The **Stafford Act** is a 1988 amended version of the **Disaster Relief Act** of 1974. It created the system in place today by which a presidential **disaster** declaration or an **emergency** declaration triggers financial and physical assistance through the Federal **Emergency** Management Agency (**FEMA**).



*While states or territories typically must request federal assistance under the Stafford Act, due to the unique circumstances of the COVID-19 pandemic, the nationwide emergency was declared without requiring action from states or territories.



[Recent Updates to the FEMA Public Assistance Program](#)



Public Assistance is managed by NC Emergency Management AKA “The Recipient”

Public Assistance (PA) reimburses at least 75% of eligible disaster-related expenses that are submitted as cost reimbursements. As costs go up, the state may receive greater federal assistance, for example 90% or the total 100% of the damage costs.

Historically, the State of North Carolina has picked up the remaining 25%, and the state will pay the 25% cost share for COVID-19 as well.

PA grants help pay for efforts to protect people and property, clean up neighborhoods, repair buildings and protect against biological events, as with COVID-19.



[FEMA PAPPG to reference for COVID-19 \(April 2018 v. 3.1\)](#)



Small vs. Large Projects



FEMA PA Cost Thresholds Presently

Project Minimum: \$3,300

Small Project Threshold: \$131,100

Small Projects – paid on estimates and do not need supporting documentation (exception is insurance)

Large Projects – paid on actual costs or a fixed-cost offer from FEMA plus all supporting documentation, including insurance, loans, or other grants

Expedited Large Projects – paid at 50% up front, then remainder paid with supporting documentation



[FEMA Per Capita Project Thresholds and Impact Indicators](#)



FEMA PA - Small and Large Projects

To facilitate review, approval and funding, emergency work and permanent work projects are divided by dollar amount into small and large projects.

A small project is eligible work, either emergency or permanent, that for FY 2020 fall between \$3,300 to \$131,100 (\$131,100 is the threshold for small projects at this time). Funding for large projects is based on actual costs to complete the eligible scope of work or a mutually agreed-upon “fixed cost offer” above the threshold of \$131,100.

Small Projects

- The federal cost share is paid upon approval
- Funding is based on a reasonable estimate
- Certification of project completion is required when the project is finished

Large Projects

- Federal cost share is paid as work is accomplished or completed or upon agreement of a “fixed-cost offer”
- Final assistance for permanent work is based upon actual costs or an estimate using approved cost estimating tools
- Closeout requests must be submitted to NCEM Recovery



Responsibilities, Eligibility and Categories of Work



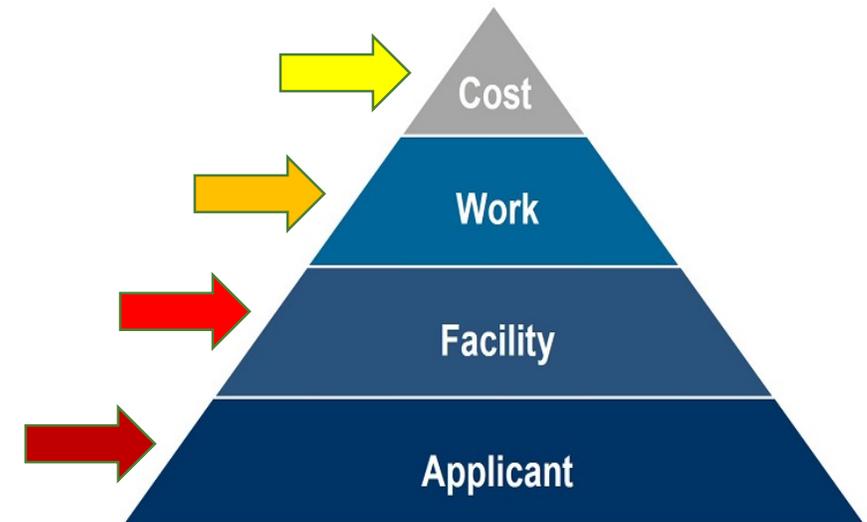
Basic Elements of Eligibility and Overall Responsibilities

Understanding the Public Assistance Responsibilities

FEMA	Recipient (State)	Subrecipient (Applicant)
<ul style="list-style-type: none"> Coordinates with all Federal, State, Local agencies Establishes Joint Field Office Collects project and cost data Approves grants and obligates funds Provides Technical Assistance 	<ul style="list-style-type: none"> Educates subrecipients Works with FEMA to manage Public Assistance Program Collects project and cost data Disburses grants to applicants (Ex: Community, county, local public entity) Monitors and manages use of grants by subrecipients 	<ul style="list-style-type: none"> Requests assistance Identifies damaged facilities Provides information to support request Maintains accurate documentation Performs necessary work (repairs, debris, etc.)

FEMA, the State/Recipient, and Subrecipients have specifically denoted responsibilities throughout the lifetime of any one federal disaster declaration involving FEMA funding.

FEMA must determine that each building block is legally eligible, starting at the foundation with the Applicant working up toward cost to ensure full eligibility.



The Four Basic Elements of Eligibility

Applicant: State, Local, Tribal, Territorial governments, and certain types of private nonprofit organizations are eligible Applicants for Public Assistance.

- The Applicant is responsible for demonstrating that each component of the pyramid is eligible by providing supporting documentation.

Facility: Facilities must be owned and/or managed by a State, Local, Tribal, Territorial governments or PNP's which have legal responsibility to make repairs. Facilities must have been active and fully operational at the start of the incident period.

- A facility (culvert, roof, playground, laboratory, levee/dam) that has not been maintained may be deemed ineligible by FEMA due to deferred maintenance issues. FEMA routinely reviews maintenance records to qualify damage costs on hard-hit facilities for eligibility.



The Four Basic Elements of Eligibility

Work: Must be required to repair and restore a facility to its pre-disaster condition as a direct result of a declared incident and performed within the designated disaster area.

- Must restore the damaged facility to its pre-disaster design and function, including applicable & required codes and standards, and any identified eligible mitigation measures.
-

Cost: To be eligible for reimbursement under the Public Assistance Program, costs must be directly tied to the performance of eligible work. Work must also be deemed “necessary and reasonable” to accomplish the work properly and efficiently.

- Must be compliant with Federal, State and local requirements for procurement.
- Reduced by all applicable credits, such as insurance proceeds and salvage values.



About Private Non-Profits (PNPs)

PNPs must provide a ruling letter that they have been granted tax exempt status by:

- The IRS as a 501(c), (d), or (e) of the Internal Revenue Code of 1954 or
- The State of North Carolina as a non-revenue producing organization doing business under state law.

Note: Non-critical private nonprofits with physical **must** apply for a disaster loan from the Small Business **Administration***. The determination letter from the SBA must be uploaded to FEMA Grants Portal.

Non-Critical PNP's Include:

Senior citizen and community centers, houses of worship, day care services, custodial centers, assisted living facilities, low-income housing, homeless shelters, rehabilitation facilities, performing or community arts centers, libraries, zoos, aquariums and museums

Critical PNP's Include:

Hospitals and other medical treatment facilities; utilities, including water, sewer and electrical systems; nursing homes; public and private schools that provide elementary or secondary education; emergency services, community colleges and institutions of higher education



* Not applicable for COVID-19



FEMA Public Assistance Categories of Work

Emergency Work (Categories A & B)

A: Debris Removal

B: Emergency
Protective Measures

- Subrecipients have six months from declaration date to complete all emergency protective measures
- Category A – Debris Removal: Both Regular & Overtime are eligible
- Category B – Emergency Protective Measures: Only Overtime is Eligible
- NCEM, as Recipient, can grant an additional six months to the timeline – subrecipient must submit request.

Temporary Facilities may also be eligible for PA when services provided by public, Tribal and PNPs are disrupted due to a major emergency or disaster event



FEMA Public Assistance Categories of Work

C: Roads & Bridges

D: Water Control
Facilities

E: Buildings &
Equipment

F: Utilities

G: Parks, Recreation
& Other

Permanent Work (Categories C, D, E, F & G)

- Subrecipients have 18 months from Declaration Date to complete Permanent Work
- Overtime and Regular Time Labor Costs are eligible
- Time extensions up to an additional 30 months may be granted by NCEM for permanent work. All extension requests must be submitted to the NCEM Public Assistance team using EMGrants.

Resources

[UNC SOG/NCEM Personnel Policy Guidance](#)



FEMA Public Assistance Categories of Work

Management Costs (Category Z) – subrecipients and recipients of FEMA PA funds may be reimbursed for reasonable and necessary costs of requesting, obtaining, and administering federal assistance both directly and indirectly.

Examples of indirect and direct costs include, but are not limited to:

- Attending a webinar or training related to the disaster
- Evaluation of hazard mitigation measures for a specific PA project
- Collection, copying, filing, or submittal of documents to support the project
- Request of disbursement of Public Assistance funds



Special Considerations and Duplication of Benefits



FEMA's Special Considerations

1) Insurance – FEMA must reduce all project grants for insured property by actual or anticipated insurance based upon a review of the insurance policy by FEMA specialists.

The term “insurance” applies to both general property insurance and flood insurance.

- For flood damage, the reduction of eligible costs is dependent on whether or not the facility is located within the Special Flood Hazard Area (SFHA).
- As a condition of receiving federal assistance, subrecipients must obtain and maintain insurance sufficient to protect against future loss.
- If insurance is not maintained, there will likely be no federal assistance (which could include any federal assistance, not just FEMA Public Assistance)
- **Tip** – Have the proper levels and types of insurance and plans in place to get assistance moving more quickly (even before FEMA shows up)



[FEMA's Insurance Considerations for Public Assistance Funding](#)



FEMA's Special Considerations

2) Environmental and Historic Preservation (EHP) – As a federal grant program, FEMA must comply by law with all federal, state and local laws and regulations

- EHP review addresses the environmental and historical impacts caused by federal actions
- EMA and State specialists on staff to address these issues in advance of funding being finalized and review includes disaster-specific permitting and compliance requirements
- EHP Review is a collaboration between FEMA, the State, applicants, tribal entities, and local organizations

3) Hazard Mitigation (406 Mitigation) - damaged facilities may be eligible for additional funding assistance to implement damage and facility specific hazard mitigation measures



Resources

[EHP Questions to review in advance of the next disaster](#)



Resources

[FEMA Guide on PA and 406 Mitigation Eligibility](#)



Duplication of Benefits

Recipients or Subrecipients may not receive funding from two or more sources for the same item of work. This is called a Duplication of Benefits.

If a subrecipient obtains assistance for a project from another federal or state agency, or from insurance or a loan, now or in the future, FEMA cannot provide funds for that project or FEMA funds must be returned for that project.

The Stafford Act Section 312(a) states, “... no such person, business concern, or other entity will receive such assistance with respect to any part of such loss as to which he has received financial assistance under any other program or from insurance or any other source.”



Procurement



FEMA Procurement

When FEMA funding arrives, a **different or modified** set of procurement laws and policies will most likely also arrive for subrecipients of PA funding

- The most restrictive rules between federal, state and local government must be determined and used for purchases or contracting for that federal disaster event
- All contract procurement should be conducted in a manner providing full and open competition in compliance with federal, state and local procurement regulations

Resources → [UNC School of Government Procurement & Contracting](#)

Resources → [Exigent and Emergency Procurement Fact Sheet](#)

Resources → [FEMA Procurement Disaster Assistance Team](#)



Working with FEMA and NCEM on Public Assistance Projects



Required Action #1 - Registration with FEMA PA

*Please do **not** try to register yourself!*

Email the below information below to: pahotline@ncem.org

- ✓ Organization Name
- ✓ Most Accessible or Best Contact's Name
- ✓ Best Contact Phone Number
- ✓ Best Contact's Email Address
- ✓ Non-Profits Only: Indicate in your email whether your organization is tax exempt per IRS or NC Secretary of State

*If a PNP, be prepared to provide Articles of Incorporation, Charter, By-Laws, Proof of Insurance, Proof of Ownership or Legal Responsibility, Tax Exempt Certification or Letter.



Required Action #2 – Submit your RPA in FEMA Grants Portal

Grants Portal

Dashboard
My Organization
North Carolina Emergency Management (000-U2J38-00)
My Tasks
Calendar
Subrecipients
Subrecipient Tasks
Utilities
Intelligence

Request Public Assistance

<https://grantee.fema.gov/>

1 Start 2 General Info 3 Contacts 4 Addresses 5 Other Info 6 Submit

Welcome to the FEMA Request for Public Assistance (RPA) process. Over the next few minutes we will ask you a series of questions regarding your organization, contacts, mailing addresses, and supporting information. Once complete, you will be provided with the opportunity to review your submission and, once you are satisfied, you will then be able to directly submit your RPA to FEMA.

Following submission you will receive automatic notifications and will be able to track the progress of your RPA review. If your organization is deemed eligible for Public Assistance by FEMA, you will be automatically notified and will be able to use this system to collaborate with your FEMA partners.

Prior to starting this process, you may wish to [click here](#) to review your Organization Profile to ensure that all your information is up-to-date.

To get started, press the **Next** button at the bottom of this form.

← PREV **NEXT** → ○ CANCEL


FEMA Grants Portal
Register organization and all relevant personnel.


An RPA is required by FEMA for **each** federal disaster event.

Required Action #3 – NC Funding Agreement

4285 Hurricane Matthew (PA) > Aberdeen, Town Of > Account for 4285 (PA) - Aberdeen, Town...

Funding Agreement #1

Routing in Progress: Submission (Step 1 of 3)

Advance Set on Hold Deny Delete

- Summary
- Notes
- Documents
- Workflow
- History

Funding Agreement Details

This form represents the State-local agreement upon determination of eligibility in a given grant. The agreement must be authorized by an authorized representative from the Applicant. Please be advised that all fields should be completed, and signature is required. The agreement can be approved (please indicate n/a if area is not applicable).

Grant Agreement Type: Generate Funding Agreement Upon Assistance Request Approval
Funding Agreement Template

Applicant Correspondence Preference: Electronic

Authorized Agent(s)

Mailing Address: 115 N Poplar St
Aberdeen, NC 28315

Request for Assistance Status: 3) Complete

Workflow Summary

<https://emgrants.nc.gov>

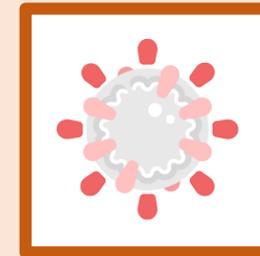
EMGrantsPro
Register
organization's
relevant
personnel.

"Funding Agreement Template"

Access to both the **FEMA Grants Portal** and **EMGrantsPro** is essential to successful project management and cost reimbursement.

FEMA Grants Portal: Use this online portal to build your PA projects, submit projects & costs, stay on top of FEMA's activities and track your events and project statuses.

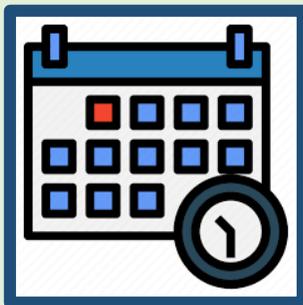
- Must be registered
- Submit your projects
- Submit your costs
- Review project activities



EMGrants: Payment Management and Deadline-Specific Task Requests

Use this online portal to request payments and various actions that operate using strict FEMA-defined timelines and include:

- Get Paid
- Time Extension Requests
- Scope Change Requests
- Project Closeout Requests



FEMA Public Assistance and COVID-19



Specifics for COVID-19 and North Carolina

Major Disaster Declaration: FEMA-4487-NC

Declaration Date: 3/25/2020

Incident Period: January 20, 2020 (*start date for eligible expenses*) and ongoing.

Request for PA Deadline (RPA): Ongoing

Declared Categories of Work

Category B (*Emergency Protective Measures*) - Expenses for responding to the COVID-19 event

Category Z (*Management Costs*) - Expenses for managing your FEMA reimbursement



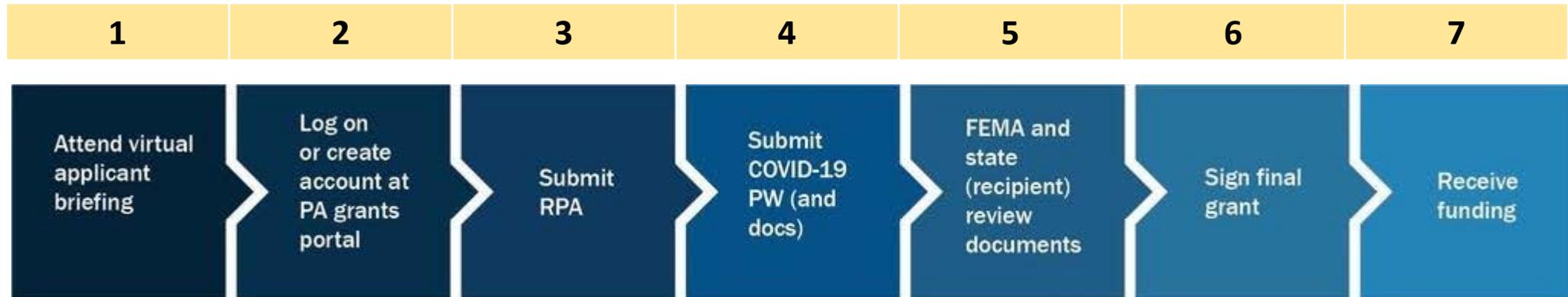
Resource

[FEMA COVID-19 Guidance](#)



Simplified FEMA PA Application Process for COVID-19

- FEMA PA process for this event not the same as a “normal” disaster
- Process simplified to expedite reimbursement approval and payments
- Applicants will apply for reimbursement online directly through the FEMA Grants Portal



[NCEM PA's COVID-19 Web page](#) and [COVID-19 Applicant Briefing](#)



Examples of Ineligible Costs for COVID-19/Category B

- Individual meals or group outings during a disaster
- Work or actions taken without a clear authority that establishes an entity's responsibility to take on the action
- The entire cost of necessary equipment (disposition)
- Lost revenue (ex: utility fees, local occupancy and prepared food and beverages tax revenues, sales tax revenues, facility rental/event revenue)
- General operating expenses
- Expenses paid for with other federal funds (ex: CDC, HHS, CARES Act for COVID-19)
- Expenses not directly related to responding to COVID-19
- Telework expenses (ex: laptops for your employees to work from home)
- Permanent Work repairs (only Category B work for COVID-19)



[FEMA PA Guidance on COVID-19 Eligibility](#)



Procurement for COVID-19

Remember that FEMA Guidance for COVID-19 continues to evolve

[UNC School of Government Procurement for COVID-19](#)

COVID-19 Question & Answer Sessions from April/May 2020

FEMA procurement guidance, best practices under FEMA procurement guidelines and state law, and general purchasing and contracting questions related to COVID-19.

[April 3, 2020 | "It Depends . . ." – A COVID-19 Purchasing and Contracting Q&A Session](#)

[April 17, 2020 | "It \(Still\) Depends . . ." - Another COVID-19 Purchasing and Contracting Q&A Session](#)

[May 1, 2020 | "It \(Really Still\) Depends . . ." - Another COVID-19 Purchasing and Contracting Q&A Session](#)



Contact NCEM Public Assistance

Statewide Field Operations Map and Contacts
as of July 12, 2020



NCEM Recovery Public Assistance Team Contact Information

NCEM Recovery Chief
Todd Wright
todd.wright@ncdps.gov

NCEM Deputy Recovery Chief
Dot Henderson Bell
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State PA Operations Lead
Mary Glasscock
mary.glasscock@ncdps.gov



Western Branch
Team Lead: Charmaine George
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Western Lead Support: Andrew (AJ) Yowler
andrew.yowler@ncem.org

Grants Managers

- Area 11: David Vaughan david.vaughan@ncdps.gov
- Area 12: Michele Faison michele.faison@ncdps.gov
- Area 13: Andy Andrews andy.andrews@ncdps.gov
- Area 14: Tara Fikes tara.fikes@ncdps.gov
- Area 15: Tara Fikes tara.fikes@ncdps.gov

Central Branch
Team Lead: Debra Medina
debra.medina@ncdps.gov

Central Lead Support: Stacey Anderson-Ebener
stacey.anderson-ebener@ncem.org

Grants Managers

- Area 6: Lance Sanders lance.sanders@ncdps.gov
- Area 7: Jimalion Perry jimalion.perry@ncdps.gov
- Area 8: Shonda Corbett Shonda.Corbett@ncdps.gov
- Area 9: Eric Jefferson eric.jefferson@ncdps.gov
- Area 10: Melvin Williams melvin.williams@ncdps.gov

Eastern Branch
Team Lead: Brian Snell
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Eastern Lead Support: Rebeca Reyes
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Grants Managers

- Area 1: Barrett Cain barrett.cain@ncdps.gov
- Area 2: Helen Bunch helen.bunch@ncdps.gov
- Area 3: Jeff Welker jeffrey.welker@ncdps.gov
- Area 4: Barbara Johnson Barbara.johnson@ncdps.gov
- Area 5: Thomas Bennett thomas.bennett@ncdps.gov



NC Division of Emergency Management Recovery - Public Assistance Team



Recovery Chief - Todd Wright
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Deputy Recovery Chief
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Willie Mae Cox
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Daun Brown
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PA Hotline
919-825-2548
pahotline@ncem.org

<u>State Operations Lead</u>	<u>State Lead Support</u>	<u>Recovery Legal Counsel</u>	<u>Public and PNP Hospitals</u>
Mary Glasscock 919-306-8188 mary.glasscock@ncdps.gov	Meghan Hicks 512-808-6349 meghan.hicks@ncem.org	Kate Van Tol 984-218-3559 kathryn.vantol@ncdps.gov	Tim Barnett 919-817-7491 tim.barnett@ncdps.gov
Western Lead – Charmaine George 984-232-1460 (Cell) charmaine.george@ncdps.gov	Central Lead – Debra Medina 984-218-2084 debra.medina@ncdps.gov	Eastern Lead – Brian Snell 984-297-5659 (Cell) brian.snell@ncdps.gov	
11: David Vaughan 984-297-5660 david.vaughan@ncdps.gov	6: Lance Sanders 984-302-0934 lance.sanders@ncdps.gov	1: Barrett Cain 984-222-9995 barrett.cain@ncdps.gov	
12: Michele Faison 984-218-2498 michele.faison@ncdps.gov	7: Jimalion Perry 984-500-6752 jimalion.perry@ncdps.gov	2: Helen Bunch 984-500-7131 helen.bunch@ncdps.gov	
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14: Tara Fikes 984-222-5188 tara.fikes@ncdps.gov	9: Eric Jefferson 984-233-3124 eric.jefferson@cndps.gov	4: Barbara Johnson 919-812-1554 barbara.johnson@ncdps.gov	
15: Tara Fikes 984-222-5188 tara.fikes@ncdps.gov	10: Melvin Williams 984-233-3237 melvin.williams@ncdps.gov	5: Thomas Bennett 984-233-9581 thomas.bennett@ncdps.gov	

Thank you for your interest in the FEMA PA program

Additional questions or comments?

Please direct additional questions about EMGrants or the FEMA PA program to your NCEM PA Grants Manager or the Western, Central or Eastern Team Leads as noted in the map.

Mary Glasscock

mary.glasscock@ncdps.gov



Disaster Recovery/Infrastructure Programs
NC Office of Recovery and Resiliency
North Carolina Emergency Management - Recovery

