

DR- 4778

Public Assistance and Hazard Mitigation

NEBRASKA

Good Life. Great Strength.

PUBLIC ASSISTANCE

CFDA # 97.036

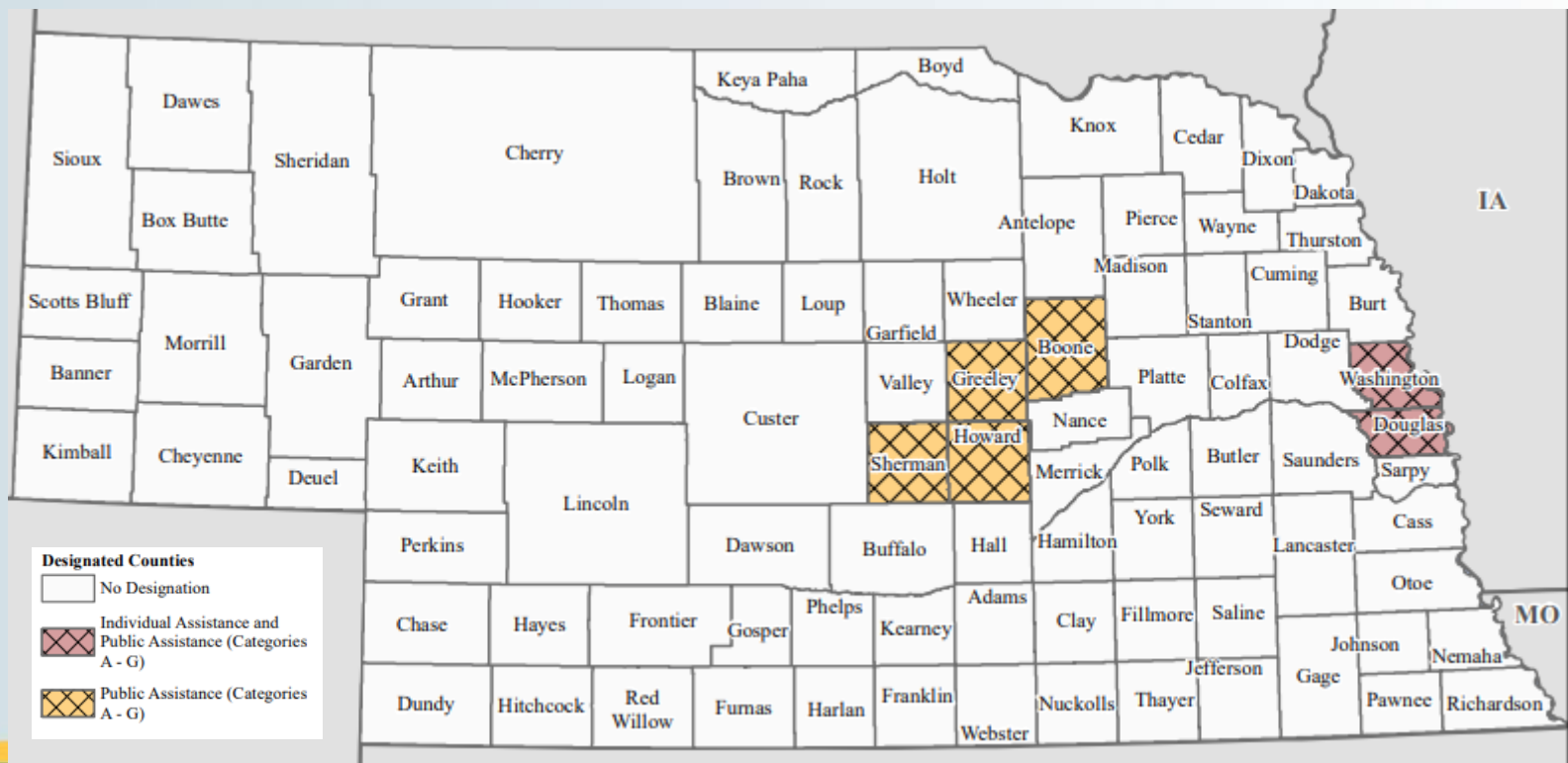
DR # 4778

INCIDENT PERIOD: APRIL 25-27, 2024

SIGNED BY THE PRESIDENT: MAY 3, 2024

(SEVERE STORMS, STRAIGHT-LINE WINDS AND TORNADOES)

Boone, Douglas, Greeley, Howard, Sherman and Washington Counties



Public Assistance

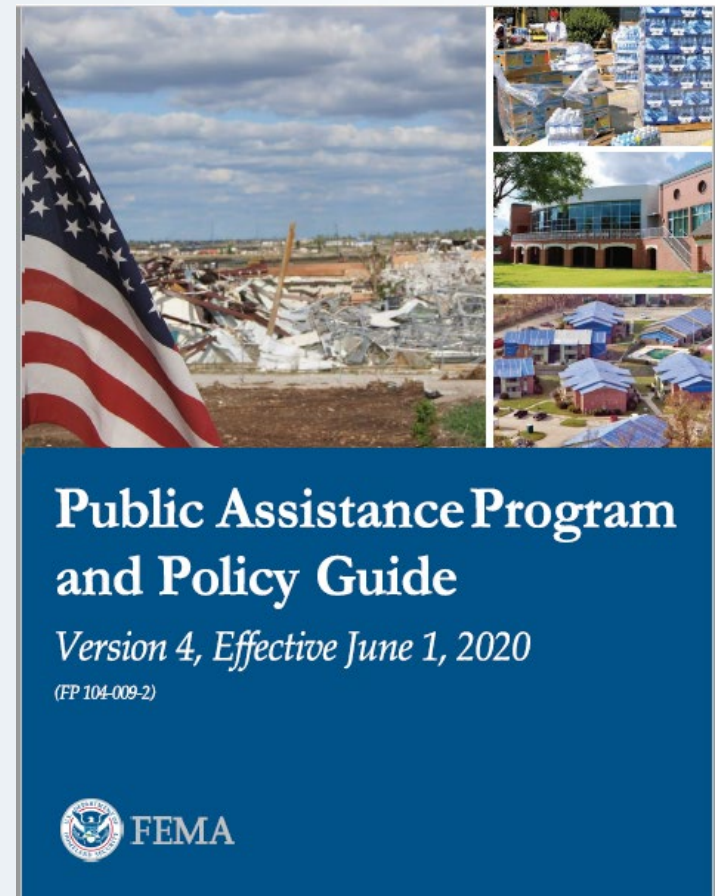
- Public Assistance is a voluntary FEMA program designed as a reimbursement program for eligible Applicants who have sustained damages or costs that are related to the response to, and recovery from, certain incidents as declared under the authority of the Stafford Act.
- Public Assistance is for damages to public infrastructure and facilities, not for private homes and businesses.
- Eligible Public Assistance projects are paid out with a 75% Federal Share of eligible, obligated costs.
- The State of Nebraska will provide a cost share of up to half the **obligated** non-federal share of the project total based on documented costs.
 - Full documentation must be submitted and validated for cost share to be paid
 - Not all applicants are eligible for the State cost share

Program Authorities and Governing Documents

- State Statute 81-829, 36 50 75
- Stafford Act
- Disaster Mitigation Act of 2000
- Disaster Recovery and Reform Act of 2018 (DRRA)
- Regulation – 44 CFR, 2 CFR
- Public Assistance Program and Policy Guide, Version 4 (PAPPG)
- Governor's Emergency Fund Guidelines for Public Officials
- Nebraska Emergency Management Act

Public Assistance Program and Policy Guide (PAPPG)

- Combines all Public Assistance Policy into a single volume and provides an overview of the PA program implementation process with links to other publications and documents that provide additional process details.
- This disaster will fall under June 2020 guidance (Version 4)
- Pay attention to updates, as noted on pages 12-16
- Policy updates are made from time to time, and are posted on FEMA.gov



Time Limits for Aid Request

- Applying for a PA Grant : 30 days from disaster declaration
 - Request for Public Assistance (RPA) is done by the Applicant in Grants Portal by June 28, 2024
- Damage Identification
 - Applicant must identify all incident-related damages within 60 days of the recovery scoping meeting (ON DAMAGE INVENTORY SHEET, IN GRANTS PORTAL)
 - Damage identification should include all facility damage, debris quantities, and emergency protective measures to address immediate threats being claimed by the applicant.
 - Damages not identified and submitted to FEMA within the regulatory time limits will not be eligible.

Project Worksheets

After your Request for Public Assistance (RPA) is approved, you will have several phone calls and meetings with FEMA staff. They will work with you to develop Project Worksheets (PWs) that will indicate:

1. The damage the project is intended to repair. This will be in the section referred to as the Damage Description and Dimensions (DDD).
2. The approved work completed/to be completed to make the needed repairs to return the facility to **pre-disaster condition**. This will be in the section referred to as the Scope of Work (SOW).
 - A. If work needs to be done to include approved hazard mitigation or codes and standards upgrades, that will be clearly indicated in the PW.
3. The approved cost for the repairs indicated in the PW.
4. If the work has been completed and you have provided all the related documentation to FEMA during project development, the project will be written for actual costs according to the information provided.
5. If the work has not been completed, the project will be written with estimates and will indicate contract labor. That does not mean you need to contract the work out, that is just how FEMA does their estimates.

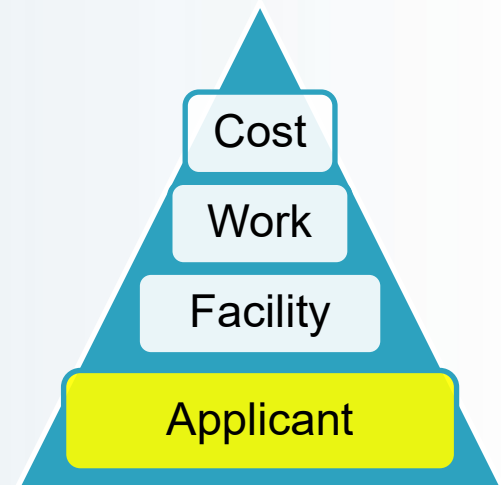
Before final approval of the project, or obligation, it is your responsibility as the applicant to thoroughly review every part of your project(s) to ensure everything you discussed with the FEMA staff appears in it to your satisfaction.

General Program Eligibility Building Blocks



Eligibility Building Blocks: Applicant Eligibility

- State Government
 - DOT, DNR
- Local Government
 - County Government
 - Cities/Towns/Villages/Townships
 - School districts
- Tribal governments
- Public Utilities (Public Power Districts)
- Natural Resources Districts
- Certain types of private non-profit organizations
 - Critical Services
 - Essential/Non-Critical Services

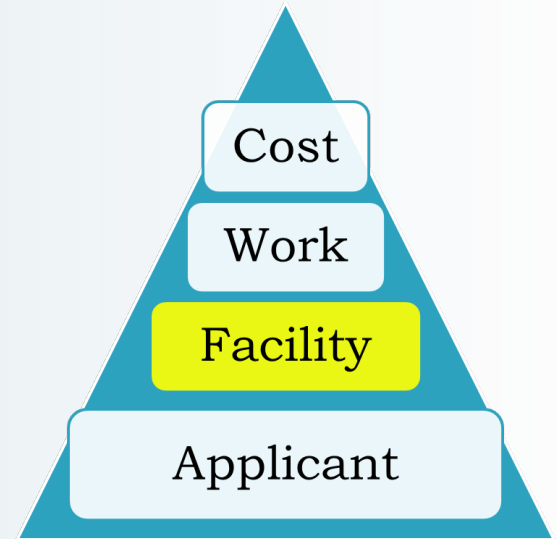


Private Non-Profit Requirements

- Only certain PNPs are eligible applicants.
- For an PNP to demonstrate eligibility, the PNP must provide the following documentation:
 - Tax Exempt Letter, 501(c), (d), or (e) IRS designation
 - Or a Documentation from the State substantiating it is a non-revenue producing, nonprofit entity, organized or doing business under State law.
 - Articles of Incorporation, Organizational Charter, and/or Organizational By-Laws
- These documents will need to be uploaded to Grants Portal prior to receiving approval of the Requests for Public Assistance (RPA)
- The PNP must demonstrate that they provide either Critical Services or Essential Non-Critical Services
 - Descriptions of those can be found in Tables 1 and 2 of the PAPPG v.4 (Pages 45&46) and in Appendix B of the PAPPG.

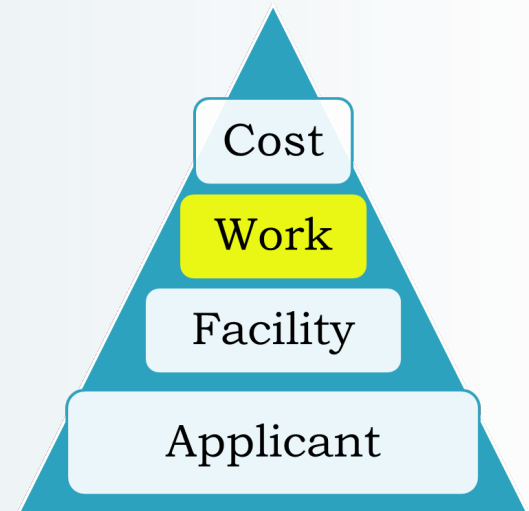
Eligibility Building Blocks: Facility Eligibility

- Facility:
 - Buildings, works, systems, or equipment owned by an eligible applicant
- To be eligible:
 - Damage/Costs must be disaster related
 - Damage must be properly identified and documented within the allotted time frame
 - Facility must be the legal responsibility of an eligible applicant
 - Facility must have been in active use at the time of the disaster
 - Facility must be in the designated disaster area
 - If the facility is under the specific authority of another Federal agency, FEMA does not provide funding to restore the facility.



Eligibility Building Blocks: Work Eligibility

- To be eligible:
 - Work must be required as a result of the declared incident
 - Be located within the designated area
 - Be the legal responsibility of an eligible applicant
 - Permanent Work (Categories C–G) must restore a facility to its pre-disaster design (size and capacity) and function in accordance with applicable codes and standards.
- Note: work must be reasonable, completed in a timely manner, and comply with all Federal, State, and local laws and regulations



Work Eligibility- Potential Concerns

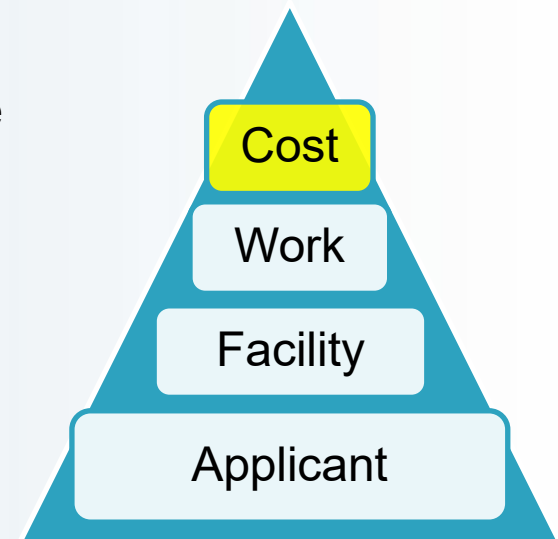
- All work done must follow all applicable Federal, State, and Local Environmental and Historic Preservation (EHP) laws.
 - Permits, permissions, and/or concurrence statements may need to be obtained from various Federal, State, and Local agencies, including:
 - US Army Corps of Engineers (USACE)
 - US Fish and Wildlife Service (USFWS)
 - Nebraska State Historic Preservation Office (SHPO)
 - Nebraska Department of Environment and Energy (NDEE)
 - Nebraska Department of Natural Resources (NDNR)
 - Failure to comply with these policies prior to starting work may lead to loss of funding.
- Damages that cannot be proven as being caused by the incident will be considered ineligible.
 - Maintenance records, inspection reports, and third-party sourced images and documents may be referenced to make those determinations.
- Damages not properly identified within the guidelines established by regulation and policy will not be eligible.

Work Eligibility- Potential Concerns

- All work must be done according to the FEMA-Approved and obligated Scope of Work (SOW)
 - Work completed outside of the approved SOW will not be eligible for reimbursement and may result in partial or complete deobligation of funds
 - Failure to complete the approved work may result in partial or complete deobligation of funds
- If you wish to do work other than what is in the FEMA-Approved Scope of Work, you must get approval from FEMA, through NEMA, before work is started.
 - Potential ways to do this are Alternate Projects and Improved Projects.

Eligibility Building Blocks: Cost Eligibility

- FEMA evaluates the eligibility of all submitted costs
- To be eligible the 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, Tribal or local government laws or regulations
 - Consistent with applicant's internal policies, regulations, and procedures that apply uniformly to both federal awards and other activities of the applicant
 - Necessary and reasonable to accomplish the work properly and effectively.



Potentially Eligible Additional Costs: Hazard Mitigation (406)

- Hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects. FEMA has authority to provide PA funding for cost-effective hazard mitigation measures for facilities damaged by the incident.
- To be eligible for PA funding, the mitigation measures must directly reduce the potential of future damage to the damaged portion(s) of the facility.
- Applies only to the damaged elements.
- Program allows for an additional 15% of costs on most permanent work projects, up to an additional 100% of costs for some. (Projects still paid at a 75% Federal Share)
- Eligibility is based on certain benefit/cost ratio limits
- **Hazard Mitigation must be approved by FEMA before starting work in order to be eligible for reimbursement.**
- Please see PAPPG V4, pp 153-157; 242-246

Potentially Eligible Additional Costs: Codes and Standards Upgrades

- Upgrades and increased costs required due to Codes and Standards that apply to a facility may also be eligible for public assistance funding as part of eligible restoration projects.
- Such upgrades typically occur when older facilities, particularly buildings, must be repaired in accordance with codes that were adopted after original construction.
- For the cost of an upgrade to be eligible, the code or standard must be in effect before the disaster takes place, it must have been formally adopted, and it must be enforced and uniformly applied.
- Codes and Standards upgrades must be approved by FEMA before starting work in order to be eligible.



Special Considerations

- Issues which could affect the scope of work and funding of a project:
 - Insurance and National Flood Insurance Program
 - Floodplain Management
 - Hazard Mitigation
 - Environmental preservation
 - Historic preservation and cultural resources
- Some projects may be written to include a requirement that the applicant obtain and maintain insurance on a facility following completion of the eligible repairs.
 - Failure to do so may result in denial or deobligation of PA funds related to noncompliance

NOTE!!! YOU MUST NOTIFY NEMA PA STAFF OF ANY CHANGES TO THE SCOPE OF WORK **PRIOR TO STARTING WORK** OR RISK LOSS OF FUNDING FOR THE PROJECT!

Duplication of Benefits

- FEMA is legally prohibited from duplicating benefits from other sources.
- Duplication of benefits can result in the reduction in funding to eligible costs, partial de-obligation of funds, or total de-obligation of funds.
- FEMA cannot provide funding that duplicates:
 - Insurance proceeds
 - Actual proceeds, if known when the project is being developed, or
 - Anticipated proceeds based on FEMA's reading of the insurance documents
 - Non-Federal Grants
 - **Ear-marked** Cash Donations
 - Other Federal Awards
 - Funding Between FEMA Programs

Categories of Work

Emergency Work

Address an immediate threat:

- A** Debris removal
- B** Emergency protective measures

Permanent Work

Restoration of:

- C** Roads/bridges
- D** Water control facilities
- E** Buildings/equipment
- F** Utilities
- G** Parks, recreational, and other facilities

Emergency Work: Debris Removal Category A

- Debris removal is eligible when:
 - It eliminates an immediate threat to life, health, and safety
 - It eliminates an immediate threat of significant damage to improved property
 - It ensures economic recovery of the community and provides a benefit for the community-at-large
- Straight-time and Overtime labor costs are eligible for reimbursement.

Emergency Work

Category B – Emergency Protective Measures

- Emergency protective measures are actions taken before, during, and following a disaster to save lives, protect public health and safety, or eliminate immediate threat of significant damage to improved public and private property.
 - For Emergency Protective Measures (Category B projects), only overtime labor is eligible for budgeted employees.
 - For unbudgeted employees performing Category B work, both straight-time and overtime labor are eligible.
 - Reassigned employees
 - Reassigned employees funded from an external source
 - Backfill employees
- If Cat A/B emergency work projects are not completed within a timely manner, FEMA may determine that there was no immediate threat to life, health, safety, or improved property, and determine that the work is ineligible for reimbursement
- Please see PAPPG V.4, pp 69-72

Emergency Work Labor Eligibility

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	✓	✓

Emergency Work

Donated Resources – Category B

Individuals and organizations often donate resources (equipment, supplies, materials, or labor) to assist with response activities.

CAT B:

- FEMA prepares the donated resource project separate from the emergency work projects for the applicant's incurred costs. FEMA does not obligate donated resources projects until after all the applicant's emergency work projects have been obligated
- Volunteer labor must be **well-documented** (name, hours worked, work site/location, and description of work for each volunteer)
- Donated equipment and materials need supporting/equivalent information.
- Donated Resources Emergency Work Projects may be used to offset the non-federal cost share of other eligible emergency work (Category A&B) projects.

Permanent Work Categories C-G

Applicants may claim reimbursement for eligible costs incurred while performing eligible permanent work, including:

- **Force Account Labor**
 - This includes hourly pay AND associated benefits for the applicant's employees, for straight-time and overtime
- **Force Account Equipment**
 - The cost to operate equipment owned by the applicant
- **Materials**
 - The cost of materials used in the repair or replacement of an eligible facility
- **Contract Labor**
- **Rented Equipment**
 - Reimbursed according to the rental agreement

Project Completion Dates

- Time limits for project completion begin on the disaster declaration date:
 - Emergency work (Categories A&B) must be completed within 6 months (November 3, 2024)
 - Permanent work (Categories C-G) must be completed within 18 months (November 3, 2025)
- For extenuating circumstances or project requirements, deadlines may be extended 6 months for emergency work and 30 months for permanent work
- **Time Extensions are not automatically granted by NEMA or by FEMA**

Time Extension

From PAPPG V4, pp196-197:

FEMA generally considers the following to be extenuating circumstances beyond the Applicant's control:

- Permitting or EHP compliance related delays due to other agencies involved;
- Environmental limitations (such as short construction window);
- Inclement weather (site access prohibited or adverse impact on construction); and
- Lack of availability of materials, equipment, or contractors to complete work.

FEMA generally considers the following to be circumstances within the control of the Applicant and **not justifiable for a time extension**:

- Permitting or environmental delays due to Applicant delays in requesting permits;
- Lack of funding;
- Change in administration or cost accounting system; and
- Compilation of cost documentation.

Time Extension

- Time Extension Requests must be in the form of a letter, on your organization's letterhead, and will include:
 - Date the Time Extension Request is being made
 - Disaster Number
 - Applicant Name and FIPS No.
 - Project (PW) #
 - Percentage of work complete to date
 - Description of damaged facility
 - Date of original Project approval / funding (Obligation date)
 - Date Project is currently approved through
 - Number of previous extensions
 - Revised estimated completion date (leave yourself enough time!)
 - Detailed Timeline of reason(s) for the delays and justification of why time extension is needed (“extenuating circumstances”)
- In years past, we have accepted a checklist, we no longer will
- Time Extension Requests submitted through Grants Portal will not be accepted

Documentation

- Applicants are responsible for presenting complete documentation packages to FEMA and/or NEMA for project development and closeout, as required.
- Pictures taken before, during, and after repair or clean-up are highly recommended
- Please submit and maintain your documentation separated by project.
- Applicants are required to maintain project files for all PA projects that contain all necessary backup information and to retain those files for five (5) years after the disaster has been officially closed for audit purposes. If your jurisdiction requires longer time, then you must keep it that long- minimum is 5 years.

Documentation

Required documentation:

- Force account labor summary sheet
- Force account equipment summary
- Force account material summary
- Contract summary sheet
- Rented equipment summary sheet
- All documentation supporting the summary sheets
 - Timesheets
 - Equipment logs
 - Activity logs
 - Signed contracts
 - Rental agreements
 - Invoices
 - Proof of payment

Summary Sheet drafts can be found at:

<https://nema.nebraska.gov/public-assistance.php>

Force Account Labor

- FEMA refers to the applicant's personnel as "force account".
- FEMA reimburses force account labor based on actual hourly rates plus the cost of the employees' actual fringe benefits.
- FEMA calculates the fringe benefit cost based on percentage of the hourly pay rate because certain items in a benefit package are not dependent on hours worked (i.e., health insurance), the percentage for overtime is usually different than the percentage for straight-time.
- Fringe benefits may include:
 - Holiday leave
 - Accrued vacation leave
 - Sick leave
 - Social security matching
 - Medicare matching
 - Unemployment insurance
 - Workers' compensation
 - Retirement
 - Health insurance
 - Life and disability insurance
 - Administrative leave

Applicant Owned (Force Account) Equipment

- FEMA provides PA funding for the use of applicant-owned equipment
- FEMA only applies equipment rates to the time the applicant is operating equipment. Although costs associated with mobilizing equipment to a project site are eligible, costs for stand by time are not unless the equipment operator uses the equipment intermittently for more than half of the working hours for a given day. In this case the intermittent standby time is eligible.
- Local rates are those developed under local government guidelines for use in normal day-to-day operations. FEMA generally provides PA funding for local equipment rates if they are properly documented and reasonable.

New Equipment Rates

- New rates are for disasters declared on or after July 26, 2023
- The rates on this Schedule of Equipment Rates are for applicant-owned equipment in good mechanical condition, complete with all required attachments.
- FEMA's equipment rates are comprehensive, in that they include associated costs such as fuel and maintenance
 - You may not claim additional costs for fuel
- [Google 2023 FEMA Schedule of Equipment Rates](#)
- A link to this information can also be found on NEMA's website

Materials/Supplies

- The cost of supplies, including materials is eligible if:
 - Purchased and justifiably needed to effectively respond to and/or recover from the incident; or
 - Taken from the applicant's stock and used for the incident
- The applicant needs to track items taken from stock with inventory withdrawal and usage records.
- FEMA provides PA funding for these items based on invoices, if available. If invoices are not available for items used from stock, FEMA provides PA funding based on the Applicant's properly documented, established method of pricing delivery.

Contracts

- FEMA reimburses costs incurred using three types of properly procured contract payment obligations:
 - fixed-price,
 - cost-reimbursement,
 - and, to a limited extent, time and materials (T&M).
- FEMA does NOT reimburse costs incurred under a cost plus a percentage of cost contract or a contract with a percentage of construction cost method
- FEMA does NOT reimburse costs incurred under a lump sum contract in which eligible and non-eligible work was completed under that contract

Rented Equipment

- FEMA reimburses costs incurred if the eligible work completed required the rental of equipment
- Eligible costs will be based on the language of the rental agreement
- The applicant must document the reasons for the rental as well as the procurement process used

Small and Large Project Thresholds

- **Minimum Project Threshold: \$3,900**
- **Large Project Threshold: \$1,037,000**
- Small projects are written, and the Federal Share paid, based on estimates (or actuals if work is completed when the project writing begins)
- Large projects are written on estimates, but paid out based on actual costs...(with the exception of certain types of capped projects)

This change in the large project threshold is a result of a rules change published in the Federal Register, August 3, 2022.

United States, Department of Homeland Security. "Public Assistance Program's Simplified Procedures Large Project Threshold." 87 Fed. Reg. 47,359

Small Projects

- Small projects are any projects written with a cost up to \$1,037,000
- For eligible projects, the State will cost-share up to 50% of obligated project non-federal share based on documented, validated costs
 - Documentation must be submitted and validated for cost-share to be paid out.
- All projects must be inspected to verify completion of approved scope of work prior to any state share payment being made
- All small project documentation must be kept for potential federal and state audit

Estimated	Actual	Actual
\$1,037,000 SA total	\$900,000 SA Total	\$1,200,000 SA Total
\$777,750 Fed Share	\$750,000 Fed Share	\$750,000 Fed Share
\$129,625 State Share	\$75,000 State Share	\$125,000 State Share
\$129,625 Local Share	\$75,000 Local Share	\$325,000 Local Share

Small Projects

FEMA only adjusts the approved amount on individual Small Projects if one of the following conditions applies:

- The Subrecipient did not complete the approved SOW;
- The Subrecipient requests additional funds related to an eligible change in SOW; or
- The Project contains inadvertent errors or omissions.

In these cases, FEMA only adjusts the specific cost items affected.

If the total actual cost of all of a Subrecipient's Small Projects combined exceeds the total amount obligated for all of the Small Projects, the Subrecipient may request additional funding through a Net Small Project Overrun Appeal. The Subrecipient must request the additional funding through the appeal process within 60 days of work completion on its last Small Project. The appeal must include actual cost documentation for all Small Projects that FEMA originally funded based on estimate amounts.

Procurement and Contracting

- Applicants must comply with Federal procurement standards as a condition of receiving PA funding for contract costs for eligible work. Federal procurement standards for State and Territorial governments are different than those for Tribal and local governments and PNPs.
 - States and Territorial Governments:
 - State and Territorial government Applicants must follow the same policies and procedures they would use for procurements with non-Federal funds
 - comply with 2 CFR § 200.322, Procurement of recovered materials
 - ensure that every purchase order or other contract includes any clauses required by 2 CFR § 200.326, Contract provisions (See Appendix K of the PAPPG, v4)
 - Non-State Applicants (Tribal, Local Governments and PNPs)
 - Non-State Applicants (Tribal and local governments and PNPs) must use their own documented procurement procedures that reflect applicable State, Territorial, Tribal, and local government laws and regulations, provided that the procurements conform to applicable Federal law and standards

Procurement, Continued

- Must comply with the following federal standards:
 1. Provide full and open competition;
 2. Conduct all necessary affirmative steps to ensure the use of minority businesses, women's business enterprises, and labor surplus area firms when possible;
 - What does this mean?
 1. Place qualified socioeconomic firms on their solicitation lists;
 2. Assure that socioeconomic firms are solicited whenever they are potential sources;
 3. Divide total requirements, when economically feasible, into smaller tasks or quantities;
 4. Establish delivery schedules, where the requirement permits, which encourage participation by socioeconomic firms;
 5. Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
 6. Require prime contractors to take steps (1) through (5) if they use subcontractors.

Procurement, Continued

3. Exclude contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals from competing for such procurements to ensure objective contractor performance and eliminate unfair competitive advantage;
4. Maintain written standards of conduct covering conflicts of interest and governing the performance of employees who engage in the selection, award, and administration of contracts;
5. Maintain records sufficient to detail the history of the procurement.
 - What does this mean?
 - Rationale for the method of procurement
 - Selection of contract type
 - Contractor selection or rejection
 - The basis for the contract price

Procurement Methods

- Tribal and local governments and PNPs must use one of the following procurement methods:
 - **Micro-purchase**
 - $\leq \$10,000$ or comparable state/local/tribal threshold, whichever is lower
 - Requires only ONE quote if price is reasonable
 - MUST distribute equitably among vendors
 - **Small purchase procedure**
 - $\leq \$250,000$ or comparable state/local/tribal threshold, whichever is lower
 - Requires quotes from an “adequate number” of qualified sources

Procurement Methods

– Sealed Bidding

- Preferred method for construction contracts
- Firm-fixed-price contract is awarded to the lowest priced, responsive, responsible bidder
- Non-state applicants must solicit bids from an adequate number of suppliers
- Local and tribal governments must publicly advertise the invitation for bids and open bids publicly

– Competitive Proposals (§ 200.320(d))

- Method generally used when conditions are not appropriate for sealed bidding
- Fixed price or cost reimbursement contract is awarded to the responsible firm whose proposal is most advantageous to the non-state applicant
- Non-state applicants must publicize requests for proposals (RFPs), and solicit proposals from an adequate number of qualified sources
- RFPs must identify all evaluation factors and their relative importance

Non-competitive Proposal

- FEMA may reimburse costs incurred under a contract procured through a noncompetitive proposal only when one or more of the following apply, and the reason for the exemption is thoroughly documented:
 1. The item is only available from a single source;
 2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 3. FEMA or the Recipient expressly authorizes a noncompetitive proposal in response to a written request from the Applicant; or
 4. After solicitation of a reasonable number of sources, competition is determined inadequate

Exigent or Emergency Circumstances

- Federal regulations allow for noncompetitive procurement under certain circumstances:
 - **Exigency:** When there is need to avoid, prevent, or alleviate serious harm or injury, financial or otherwise, to the non-state entity, and the use of competitive procurement proposals would prevent the urgent action required to address the situation.
 - **Emergency:** When a threat to life, public health or safety, or improved property requires immediate action to alleviate the threat.
- Emergency conditions are normally short lived, while exigent circumstances can exist for weeks or months
- Emergency or exigent circumstances do not automatically apply just because this is a declared disaster
- Because the exception to competitive procurement is available only while the exigent or emergency circumstances exist, applicants should, upon awarding a noncompetitive contract, immediately begin the process of competitively procuring similar goods and services in order to transition to the competitively procured contracts as soon as the exigent or emergency circumstances cease to exist.
- Please review the following FEMA Fact Sheet for more details:
- <https://www.fema.gov/news-release/2020/03/20/procurement-under-grants-under-exigent-or-emergency-circumstances>

Frequent Sources Of Non-compliance

1. Time and Materials Contracts
2. Cost-Plus-Percentage-of-Cost Contracts
3. Piggybacking
4. Geographic Preferences
5. Awarding to Contractors that Drafted Solicitation Documents
6. Use of Suspended or Debarred Contractors

Failure to comply with proper procurement procedures will result in a loss of some or all of the funding associated with the services and/or materials purchased.

Quarterly Report Requirements

- Timely completion and submission of quarterly reports is a condition of the Public Assistance Grant
- Standard Lane projects will be listed on every report until the applicant is closed
- Completed quarterly reports must be submitted to ensure proper payment as well as proper project deadlines are being met.
- Failure to complete and submit quarterly reports in a timely manner may jeopardize funding

Management Costs (Category Z)

- Includes both Indirect Costs, Direct Administrative Costs, and other administrative expenses associated with a specific project.
- Management Costs for each applicant will be on a single Category Z project.
- Management Cost Project will be closed and paid on actual expenses, up to 5% of the total eligible project costs: actual eligible PA project costs (Federal and non-Federal share) after insurance and any other reductions. Donated Resource projects are not included in the calculation, as they are not project awards.
- Under current policy, volunteer work cannot be used to claim Management Costs.
- The Category Z project is subject to the same validation requirements as all other projects.
- The Management Cost PW is paid with a 100% Federal Share!

Management Costs (Category Z)

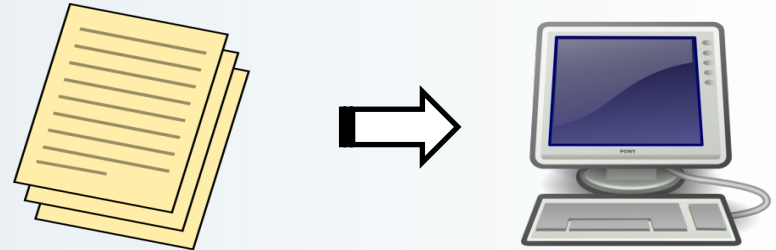
Documentation Requirements. In addition to the documentation needed for other projects, the following documentation is required to support the eligibility of management activities and associated costs.

- An explanation of work performed with a representative sample of daily logs/activity reports. The activity must be related to eligible projects.
- Documentation to substantiate the necessity of any claimed office supplies, equipment, or space.
- For meetings or site inspections, the activity description needs to include the number and purpose of the meetings or site inspections.
- Travel costs need to include the purpose of travel and a copy of the travel policy.
- Training needs to include the location, date(s), and title of the course. The training must be related to PA and occur within the period of performance of the Category Z PW.
- Recipients and Subrecipients need to certify that the management activities and associated costs claimed are eligible, consistent with policy, and not related to ineligible projects.

**SO, WHAT
COMES NEXT?**

Grants Portal

- Web-based tool through which all FEMA project documentation and determinations will flow.
- Track all projects, documentation, and information through portal- live site, 24/7
- Upload documentation even before a disaster declaration such as:
 - Pay Policy
 - Insurance Policy
 - Procurement Policy
 - Equipment Inventory List
- Each applicant can have one or more registered users
 - Registered users may have different roles and rights

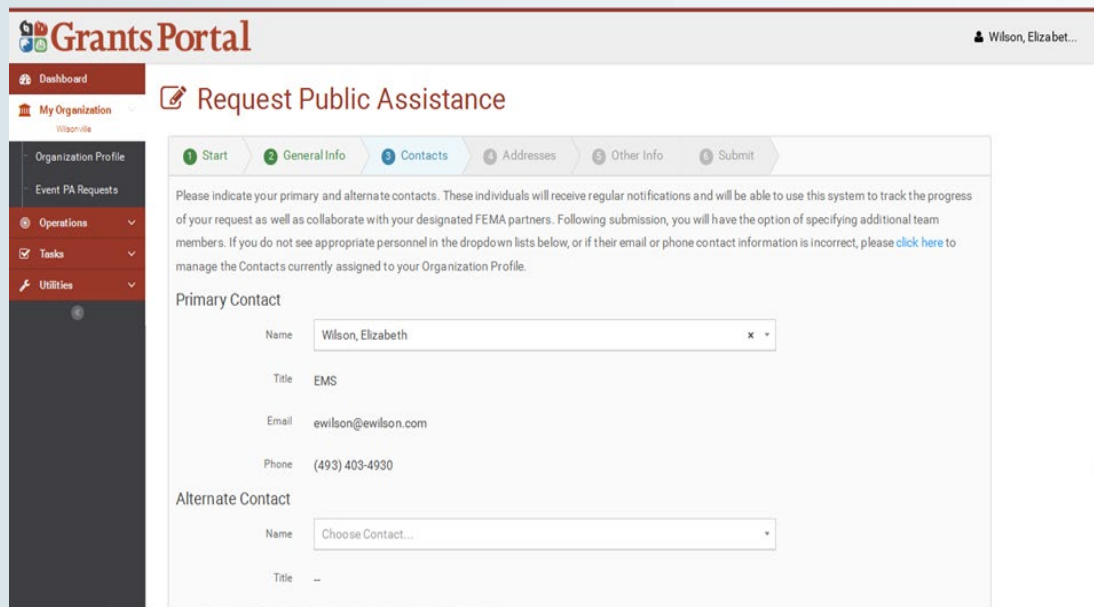
A screenshot of the Grants Portal login interface. At the top left, there is a logo and the text "Grants Portal". The main heading is "Sign in to Your Account". Below this, there are two input fields. The first is labeled "USERNAME" and has a "Forgot your username" link to its right. The second is labeled "PASSWORD" and has a "Forgot your password" link to its right. At the bottom of the form is a blue button with the text "SIGN IN".

Initial Applicant Account Creation

- ALL applicant organizations are required to have an account- this is not optional
- If you already have an account, you do not need to create a new one for this disaster
- If you are not sure whether you already have an account, please check with a member of NEMA's PA team
- Grants Portal now has a feature that allows potential applicant agencies to create their own account. Please work with NEMA before doing that to ensure that it is done properly
- All emails come from support.pagrants@fema.gov; please check your junk/spam folder if you do not receive an invite in your inbox

Request For Public Assistance (RPA)

- RPA is the formal acknowledgement of applicant's intent to request reimbursement from the FEMA Public Assistance Program.
- RPAs must be completed and submitted electronically in Grants Portal by June 28, 2024.



The screenshot shows the 'Request Public Assistance' form in the Grants Portal. The page title is 'Request Public Assistance' and the user is logged in as 'Wilson, Elizabet...'. The form is divided into several sections: 'Start', 'General Info', 'Contacts', 'Addresses', 'Other Info', and 'Submit'. The 'Contacts' section is currently active, showing a 'Primary Contact' and an 'Alternate Contact'.

Grants Portal Wilson, Elizabet...

Dashboard My Organization Wilsonville

Organization Profile Event PA Requests Operations Tasks Utilities

Request Public Assistance

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

Please indicate your primary and alternate contacts. These individuals will receive regular notifications and will be able to use this system to track the progress of your request as well as collaborate with your designated FEMA partners. Following submission, you will have the option of specifying additional team members. If you do not see appropriate personnel in the dropdown lists below, or if their email or phone contact information is incorrect, please [click here](#) to manage the Contacts currently assigned to your Organization Profile.

Primary Contact

Name: Wilson, Elizabeth x

Title: EMS

Email: ewilson@ewilson.com

Phone: (493) 403-4930

Alternate Contact

Name: Choose Contact...

Title: --

Public Assistance Program Delivery

The Public Assistance Delivery Model has four phases, each with its own objective. Breaking the model up into phases allows for greater transparency and tracking of Applicants' grants.

- **Phase I: Operational Planning Objective:** Identify Applicants' disaster impacts and recovery priorities.
- **Phase II: Damage Intake & Eligibility Analysis Objective:** Capture Applicants' disaster-related damages and determine eligibility within 60 days of the Recovery Scoping Meeting.
- **Phase III: Scoping & Costing Objective:** Develop the Damage Description and Dimensions, scope of work, and actual costs for Completed/Fully Documented projects, or develop the scope of work and cost estimates for Standard and Specialized projects. The Consolidated Resource Center also validates Applicant-provided scope of work and cost estimates.
- **Phase IV: Obligation Objective:** Obligate projects, complete the Recovery Transition Meeting with the Applicant, and transition Field Operations to the Region.

Program Delivery Manager (PDMG)

- PDMG is primary FEMA POC for applicants
- Works closely with state recovery staff
- Each PDMG assigned 5-7 applicants (dependent on size and scope of disaster)
- Assigned after RPA is approved by FEMA
- Works at Joint Field Office (JFO) (Most likely in a virtual environment)
- Key PDMG responsibilities:
 - Conduct meetings
 - Assist with documentation upload into Grants Portal
 - Grants Portal troubleshooting
 - Coordinate between FEMA staff, state staff, and applicant
 - Request site inspections
 - Identify and troubleshoot any/all questions or concerns

Exploratory Call (EC)

- PDMG conducts Exploratory Call within 7 days of applicant assignment, and it is designed to:
 - Introduce the PDMG to the applicant
 - Discuss damages at a high level
 - Discuss documentation that will be needed for the Recovery Scoping Meeting
 - Schedule date/time for Recovery Scoping Meeting
 - When you are scheduling the RSM, please work to ensure the meeting includes the people who most understand the needs of the damaged facilities

Recovery Scoping Meeting (RSM)

- PDMG conducts RSM within 21 days of applicant assignment
- The RSM is designed to:
 - Be the first formal, 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 or concerns
 - Introduce the 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 schedule
- The RSM Starts the 60-day clock for Damage Identification

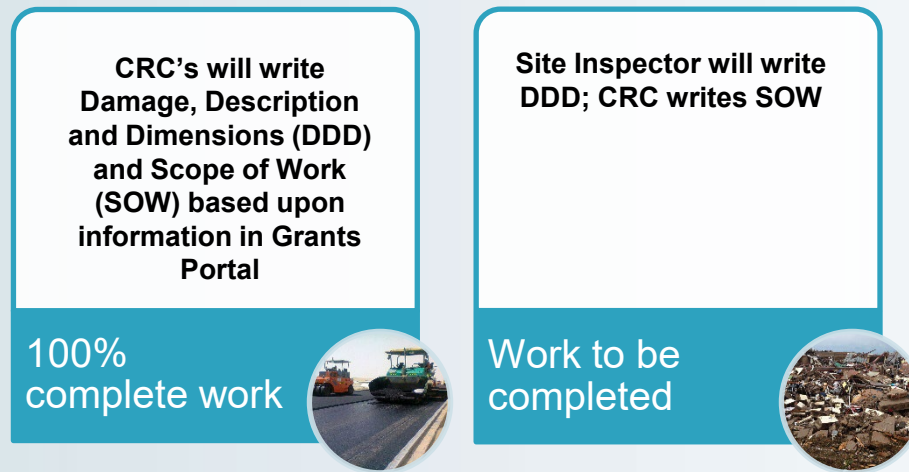
Site Inspections (SI)

- PDMG will schedule site inspections for all work not complete at time of Recovery Scoping Meeting
- 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



Consolidated Resource Center (CRC)

- CRC's employee full-time project writing staff
- Projects formulated from Damage Inventory Sheet → Damages logically grouped



- FEMA reviews will be conducted at the CRC
- Applicant signs off (approves) project(s) after development and validation at the CRC

Project Formulation APPROVALS:

- At several points along the process, the applicant will be asked to sign documents for approval, typically through the Grants Portal platform
 - After the Site Inspection, if needed,
 - After the DDD (Damage Description and Dimensions) report is completed, and
 - After the project is written and a Scope of Work and Cost are developed, the Applicant will have an opportunity to review and sign the document
- Whenever there is an opportunity to sign and approve something, there is also the opportunity to send it back for review and correction if you disagree. If something does not look right at any step, ask whatever questions you have, and be sure you understand the answers, before you sign it and move it forward.
- If you feel like you are being pressured to sign something just to move it forward, reach out to your NEMA Point of Contact before you sign it.

Closeout Phase

- Closeout Phase

Objective: Complete the work, move the project to FEMA closeout, make final payments to applicant

- Applicant completes the eligible work according to the FEMA-approved and obligated Project Worksheet (PW)
 - If the obligated Scope Of Work (SOW) needs to be changed, the applicant must work with NEMA staff to receive FEMA approval prior to commencing work.
- Once the work is complete, the applicant will notify NEMA and provide to NEMA documentation summarizing and supporting all costs incurred to complete the project and demonstrating compliance with all conditions of the grant
- NEMA will validate the required documentation, reaching out to the applicant to supply missing information
- Once NEMA has validated the provided documentation, NEMA will seek concurrence from the applicant, then forward the closeout package to FEMA for final closeout

Applicant Responsibility

You are responsible for your own grant and for ensuring you follow the conditions of that grant, including:

- Compliance with Federal, State, and Local procurement policies
- Compliance with Federal, State, and Local EHP policies
- Performing work within the approved Scope of Work
- Completing the approved Scope of Work
- Performing the work within the approved timeline
- Requesting time extensions before your current deadline has passed
- Submitting properly completed quarterly reports
- Completely understanding the projects written for you before approving them for obligation
- Timely and complete submission of documentation at all stages of the grant process
- Prompt and complete response to Requests for Information (RFIs) from FEMA and NEMA
- Proactive and responsive communication throughout the life of the grant
- If you have any questions at any point, or require assistance, please contact a member of the NEMA PA team. We are here to help ensure the project is written as completely and accurately as possible

What We Need Now...

- Grant Portal Account Creation
 - Please talk with one of the NEMA Staff here today to determine if you need one
- Submit Request for Public Assistance (RPA) through Grants Portal
 - NEMA Staff can help with this
- Submit required State forms directly to NEMA (found on our website/red folder-<https://nema.nebraska.gov/recovery/public-assistance>)
 - NEMA Risk Assessment
 - Applicant Information Form
 - Authorized Representative Form
 - Memorandum for the Record
 - Disaster Grant Agreement

NEMA will not process payments without receiving all state forms from your entity.

HAZARD MITIGATION GRANT PROGRAM (HMGP)

Hazard Mitigation Grant Program Funding

- Overview:
 - Authorized by Section 404 of the Stafford Act
 - Available after every federally declared Disaster
 - Available Statewide, not just impacted areas
 - 75% Federal Share / 25% Local Share
- How to Apply:
 - Complete the Notice of Interest (NOI) Form
 - This is found on NEMA's Website
 - This Form contains the following information
 - Entity Information, Mitigation Plan/Specific Action, Estimate Cost
 - Once completed, email to:
nema.hazardmitigation@nebraska.gov
 - NEMA Team will review all Notices of Interest when funding becomes available, and you will be notified if you are selected for an application

TO BE COMPLETED BY NEMA HHS STAFF	
Eligible activity under FEMA/HMGP	Choose an item
If eligible, please provide a brief explanation	Click on the form to enter text
Local Hazard Mitigation Plan Verification	Choose an item
NEMA Year of Contact requested to project	Choose an item
Date NOI received	Click on the form to enter a date

State of Nebraska Notice of Interest (NOI) Form
FEMA Hazard Mitigation Assistance

This Notice of Interest (NOI) form gathers information required to apply for FEMA's Hazard Mitigation Assistance Programs, including the Hazard Mitigation Grant Program (HMGP) and the Building Resilient Infrastructure and Communities (BRIC) administered by the Nebraska Emergency Management Agency (NEMA). Hazard Mitigation Assistance makes federal funds available to states, US territories, Indian tribal governments, local governments, special districts, and eligible non-profits to implement mitigation activities. Hazard Mitigation Assistance grants may fund 75 percent of eligible project costs and require at least 25 percent local match. For more information and guidance material on the Hazard Mitigation Assistance programs, visit <https://www.fema.gov/grants/mitigation>.

To be considered to complete a full grant application, this NOI form must be completed and returned to NEMA. Applicants must have or participate in a FEMA-approved Local Hazard Mitigation Plan (LHMP). The proposed mitigation project must be consistent with the LHMP and an eligible activity under FEMA's Hazard Mitigation Assistance Guidance (2015) for a project award. Please contact the NEMA Hazard Mitigation team to discuss program eligibility and requirements: nema.hazardmitigation@nebraska.gov.

Return this form to nema.hazardmitigation@nebraska.gov.

Program Eligibility

- Applicants must be:
 - Government entities
 - Schools
 - Medical & residential care facilities, emergency utilities
 - State & local agencies, regions or districts, cities, townships, villages
 - Certain Private-non-profit organizations
 - Federally Recognized Tribes (Tribes can also go directly to the Federal Government)
- Applicants must have:
 - Adopted an approved Local Hazard Mitigation Plan
- Applicants must be able to:
 - Cover the 25% local cost share
 - Prove the project is cost effective (Benefit Cost Ratio is a 1.0 or higher)



Hazard Mitigation Assistance Guidance

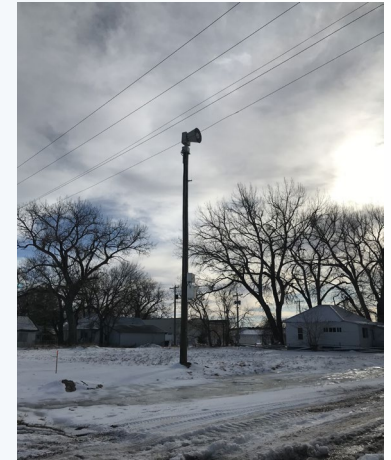
Hazard Mitigation Grant Program, Pre-Disaster Mitigation Program, and Flood Mitigation Assistance Program
February 27, 2015



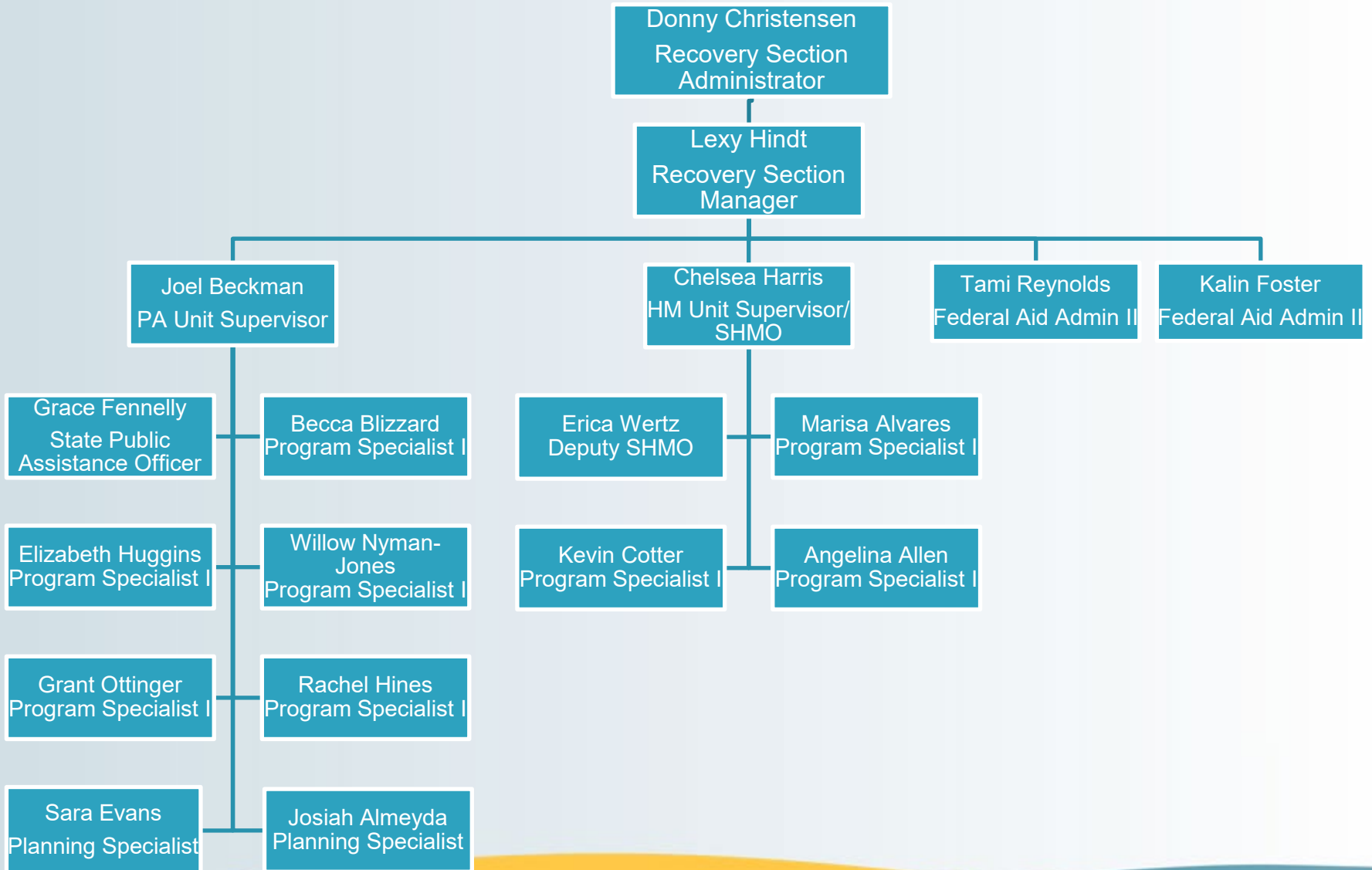
Federal Emergency Management Agency
Department of Homeland Security
500 C Street, D.W.
Washington, DC 20472

Eligible Projects

- Property Acquisition/Demolition
- Property Acquisition/Relocation
- Flood-proofing Public Facilities
- Structure Retrofits
- Minor Flood Control - Culvert Upsizing
- Bank Stabilization
- Warning Systems - Sirens
- Generators - Critical Facilities
- Utility Retrofits - Redundancy
- Safe Rooms
- Wildfire Mitigation
- Planning Projects
- Post Disaster Code Enforcement



NEMA Recovery Team



Recovery Staff Contact Information

NAME	POSITION	EMAIL	AGENCY PHONE
Donny Christensen	Recovery Section Administrator		
Lexy Hindt	Recovery Section Manager		
Joel Beckman	Public Assistance Unit Supervisor	Joel.Beckman@nebraska.gov	402-471-7223
Grace Fennelly	State Public Assistance Officer	Grace.Fennelly@nebraska.gov	402-440-1159
Elizabeth Huggins	PA Program Specialist I	Elizabeth.Huggins@nebraska.gov	402-440-3540
Rebecca Blizzard	PA Program Specialist I	Rebecca.Blizzard@nebraska.gov	402-326-0085
Willow Nyman-Jones	PA Program Specialist I	Willow.Nyman-Jones@nebraska.gov	531-510-3428
Grant Ottinger	PA Program Specialist I	Grant.Ottinger@nebraska.gov	531-510-2348
Rachel Hines	PA Program Specialist I	Rachel.Hines@nebraska.gov	531-530-7811
Josiah Almeyda	PA Planning Specialist	Josiah.Almeyda@nebraska.gov	402-937-3493
Sara Evans	PA Planning Specialist	Sara.Evans@nebraska.gov	531-310-9643
Chelsea Harris	HM Unit Supervisor, SHMO	Chelsea.Harris@nebraska.gov	402-430-2252
Erica Wertz	Deputy SHMO	Erica.Wertz@nebraska.gov	402-480-1419
Marisa Alvares	HM Program Specialist I	Marisa.Alvares@nebraska.gov	402-405-6730
Kevin Cotter	HM Planning Specialist I	Kevin.Cotter@nebraska.gov	531-893-0650
Angelina Allen	HM Planning Specialist I	Angelina.Allen@nebraska.gov	531-530-7809
Tami Reynolds	Federal Aid Admin II	Tami.Reynolds@nebraska.gov	402-480-9069
Kalin Foster	Federal Aid Admin II	Kalin.Foster@nebraska.gov	531-324-8572
Hazard Mitigation Team		NEMA.HazardMitigation@nebraska.gov	
Public Assistance Team		NEMA.PublicAssistance@nebraska.gov	

THANKS!

Any questions?