

DR - 4575 Winter Storm

Applicant Briefing

December 30, 2020 2:30 pm



Presenter:
Alden Graybill
Recovery Programs Director
405.521.2481
alden.graybill@oem.ok.gov



Agenda

Objective: Provide overview of the delivery of the Public Assistance (PA) grant program for DR-4575

1. PA Process
2. PA Eligibility
3. Additional Considerations
4. Long Term Grants Management
5. Next Steps
6. Questions

Public Assistance Process for DR-4575

FEMA Public Assistance

FEMA's Public Assistance Program provides supplemental grants to state, tribal, territorial, and local governments, and certain types of private non-profits so that communities can quickly respond to and recover from major disasters or emergencies.

More detailed information can also be found in the *FEMA Public Assistance Program and Policy Guide*.



Declaration Summary

- Number: DR-4575
- Declaration Date: December 21, 2020
- Incident Period: October 26-19, 2020
- Type: Severe winter Storm
- Designated Areas: Caddo, Canadian, Cleveland, Dewey, Grady, Kingfisher, Kiowa, Logan, Noble, Oklahoma, Payne, Potawatomie, and Roger Mills
- Categories: All Categories
- Cost Share: 75% Federal, 25% Non-Federal
- Large Project Threshold: \$132,800
- Minimum PW Amount: \$3,320
- **RPA's Due January 20, 2021**

DR-4575 Important Dates

- Request for Public Assistance (**RPA**) Application due date: 30 days from designation of your County. As of now that is January 20, 2020.
- **CAT A and B** Emergency Work Deadline is 6 months from initial declaration. As of now that is June 21, 2021.
- **CAT C- G** Permanent Work Deadline will be 18 months from initial declaration. As of now that is June 21, 2022
- **Public Assistance Alternative Procedures (PAAP)** Will be 18 months from the initial declaration.
- Repair/Replacement/Cost Estimate Written Request: 12 months from the declaration of permanent work

Add-On Counties Requested

- Requested December 23, 2020
- Counties: Alfalfa, Blaine, Comanche, Custer, Ellis, Garfield, Grant, Jackson, Kay, Lincoln, Major, McClain, Pawnee, Stephens, Tillman and Washita

DR-4530 Leadership

Governor's Authorized Representative.....Mark Gower

Federal Coordinating Officer.....Traci Brasher

State Coordinating Officer.....Alden Graybill

Deputy State Coordinating Officer.....Michael Teague

Federal Infrastructure Branch Director.....Luis Reyes

State Infrastructure Branch Director /

Public Assistance Officer.....Michael Teague



Terminology: Recipients, Subrecipients, and Applicants

FEMA uses the terms Recipient and Applicant in Quick Guides and other tools. In Grants Portal, Recipients are identified as Grantees and Applicants are identified as Subrecipients.

FEMA Quick Guides and Other Tools

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

Applicants - Are state, local, tribal, or territorial governments or private non-profit entities that submit requests for assistance under a Recipient's Federal award.

FEMA Grants Portal

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

Subrecipients - Are state, local, tribal, or territorial governments or private non-profit entities that submit requests for assistance under a Recipient's Federal award.

Steps Discussed Next

- Submit RPA through ok.emgrants.com
- Complete the Applicant Impact Survey in the FEMA portal
- Watch the Recovery Scoping Video
- Submit project applications
 - Streamlined or w/FEMA PDMG



Oklahoma Department of Emergency Management

ok.emgrants.com tracks Emergency Management grants in Oklahoma. The system manages process from application through closeout.

Request for Public Assistance

Several grants are open for application.

APPLY NOW

Returning User Login:

Email:

Password:

Remember Me

Sign In

Register

[Forgot Password?](#)

About

This site is for the online application and

- RPAs must be submitted through ok.emgrants.com

- Click on the "apply now" button

- Must have a valid DUNS number and the number must be active on SAMS.gov

News Releases

Jul 22, 2019 - [Requesting Access & General Navigation \(Video\)](#)

How to Request Access and General Site Navigation

Jul 22, 2019 - [EMGrants Overview & Architecture \(Video\)](#)

OEM EMGrants Overview & Architecture

Jul 16, 2019 - [How to Submit an RPA \(Video\)](#)

Request for Public Assistance

Contact

Address:

Oklahoma Department of Emergency Management

2401 N Lincoln Boulevard

Oklahoma City, OK 73105

Phone:

405-521-2481

Email:

okemgrantsupport@oem.ok.gov



RPA Currently Due January 20, 2021 for the initial 13 Counties

Application Submission Options

- Emergency Work (Category A & B)
 - Direct and Streamlined Applications
- Permanent Work (Category C-G)
 - Traditional Process Followed

Direct Application

For Emergency Work projects, applicants may have the ability to submit reimbursement requests 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.



Online Direct Application Form

What Information is required?

- Applicants will need the following:
 - Description of Activities
 - Summary of costs
 - Supporting Documentation
 - Certification of Compliance

Application Sections

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

Project Application Sections

Funding Request Type	Work Status	Cost Basis	Schedules Required					
			A	B	C	D	EZ	F*
Small	Any	Any					X	X
Large Expedited	Any	Applicant-Provided Information	X					X
Large Regular	Complete	Actual Costs		X		X		X
	In-progress	Actual Costs & Applicant-Provided Information			X	X		X
	Not started	Applicant-Provided Information			X	X		X

Large Project Threshold: \$132,800

Minimum PW Amount: \$3,320

How to Complete the Online Project Application

- Responsibility of the Applicant
- FEMA will **not** accept paper submissions
- Processed as separate funding requests

Damage Inventory

- Critical driver in the New Delivery Model
- Applicant identification of damage sites
- Establishes Applicant recovery priorities
- Identifies potential 406 Hazard Mitigation
- Establishes potential Environmental and Historic Preservation assistance needs

Damage Inventory

- **Without a complete Damage Inventory:**
 - Applicant claimed damages are not documented
 - Site Inspection Work Orders cannot be processed
 - Request for the Essential Elements of Information cannot proceed
- **Complete development of the Damage Inventory prior to the Recovery Scoping Meeting streamlines Public Assistance delivery.**
 - Locks out 60 days after the Recovery Scoping Meeting (RSM)

Virtual Site Inspections

- FEMA Public Assistance is moving towards a more virtual environment due to the pandemic.
- PA is moving away from traditional in-person site inspections for PA eligible facilities and towards virtual site inspections
- A virtual site inspection is performed without the physical presence of a FEMA Site Inspector
- Virtual site inspections are conducted using one of two options:
 - Tabletop Inspections
 - Remote Inspections

Virtual Site Inspections

- A “Tabletop Inspection” is FEMA’s validation of applicant-provided documentation
- The Site Inspector will not physically see the site, but will validate the damages using the documentation, including pictures, provided by the applicant.
- The applicant may use the Damage Validation Checklist (found in the FEMA Portal) to confirm they provided all documentation to FEMA based on the category of work

Virtual Site Inspections

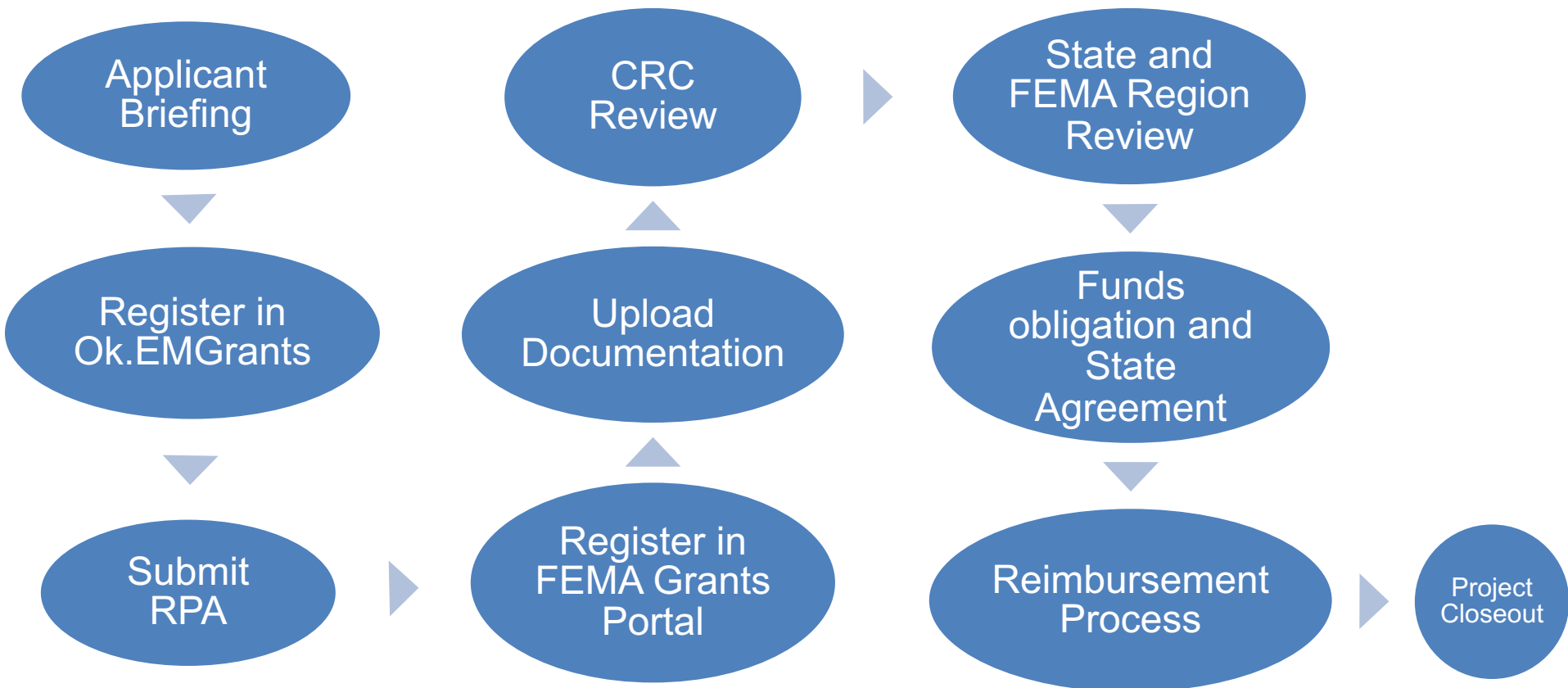
- A “Remote Inspection” is a site inspection performed with the applicant over external meeting technology, such as Zoom, FaceTime, etc.
- For remote inspections, the site inspector will be guiding the applicant through the site inspection using remote meeting technology.
- The site inspector will be filling out the Site Inspection Report, confirming materials and dimensions and instructing the applicant what pictures are required, while the applicant is showing the inspector the damages.

Moving Forward

What can YOU do now:

- Identify to FEMA what your capabilities and capacity for a virtual inspection are:
 - Are you able to perform your own inspections?
 - Do you have the staff with the required skill set to perform your own inspections?
 - Zoom or Facetime capabilities?
 - Any sites in areas without cell service?
 - Can you provide the required documentation?
- Discuss with your assigned PDMG how many sites you expect will require a site inspection (work to be completed)

Streamlined Process Overview

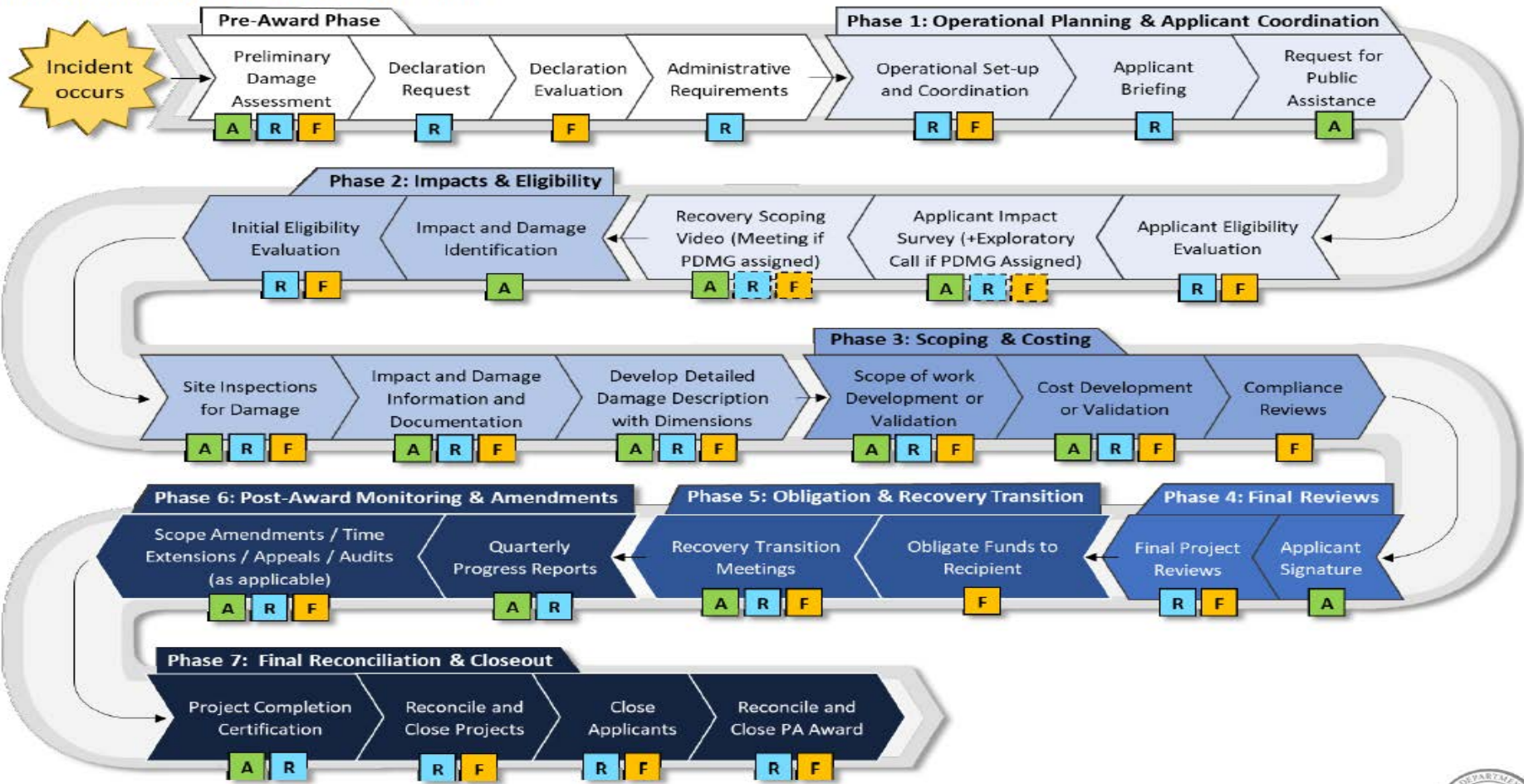
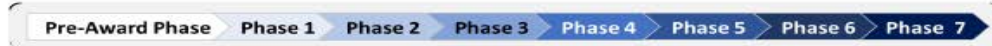


What Happens After Submission?

1. FEMA and the State review the project.
2. Applicant notified of award
3. Applicant Signature
4. Obligations
5. Payment

Public Assistance Workflow

FEMA Public Assistance National Workflow PROGRAM DELIVERY PROCESS STEPS



PA Eligibility



Work Eligibility

- DR-4575 has been approved for all Categories of Public Assistance
- **Emergency Work**
 - A: Debris Removal
 - B: Emergency Protective Measures
- **Permanent Work**
 - C: Roads & Bridge Systems
 - D: Water Control Facilities
 - E: Buildings and Equipment
 - F: Utilities
 - G: Parks, Recreational and Other

Work Eligibility

- Key Points on Work Eligibility:
 - Due to an immediate threat resulting from the declared incident
 - Legal Responsibility

Cost Eligibility Key Points

- Directly Tied to the Event
- Consistent with Policies and Procedures
 - Local Procurement
 - State Procurement
 - Federal Procurement
 - Contracting
- Reasonable

Cost Eligibility Documentation

- 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 reimbursement process that will take months.
- Providing piecemeal and inadequate documentation will result in a reimbursement process that could take longer than needed.

Labor Cost Documentation

- Signed timesheets
- Activity logs that provide details that describe specific tasks and accomplishments
- Payroll information
- Payroll records/Check records
- Payroll Policies
- Overtime Policies
- Fringe Benefit Rates and Policies

Equipment Documentation

- Equipment logs which show the 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
 - 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)
- Much more information can be found here:
<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 the following is true:
 - No other contract was suitable;
 - The contract has a ceiling price that the contractor exceeds at its own risk; and
 - The non-state entity can demonstrate it provided a high degree of oversight to obtain reasonable assurance that the contractor used efficient methods and effective cost controls.

Materials

- Items taken from your inventory or purchased to perform disaster related work
- Remember to follow all applicable procurement regulations!

Tracking Force Account

- Force Account Labor to include the name, title, hours worked, rate w/ fringe benefits
- If you do your own construction work:
 - Equipment Summary must include FEMA cost code, description, hours or miles, and rate
 - Materials (office and otherwise) quantity and unit price

Contracting

- 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 \$250,000.00 must include all federal provisions listed in 2 CFR Part 200, Appendix II

Donated Resources

- Labor, Equipment, and Materials can be used to offset the non-federal share of your award
- The following applies:
 - The donated resource 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; and
 - The Applicant or volunteer organization tracks the resources and work performed, including description, specific locations, and hours.
- **Document like you were paying for the item or service!**
 - **Who, what, when, where and how long**

PA Small Projects

- Projects under a certain threshold post reduction (currently \$132,800) are considered **small** projects by FEMA and are automatically paid to you when the project worksheet (PW) is obligated. No further action is needed in the reimbursement process
- You must keep your supporting documentation locally for validation and future audit
 - We recommend you use ok.emgrants to upload and archive your documentation

PA Large Projects

- With **large** projects (those that are above the threshold pre reduction), a formal **Request for Closeout** needs to be submitted through OK.EMGrants.
 - No large project payments will come until the closeout or reimbursement request is submitted [**by you**] to ODEMHS and reviewed in full [**by ODEMHS**] in EMGrants.
 - You may request advances and reimbursements as the project progresses
 - Once a large, always a large

Funding Options

- **An Applicant has the option to use a Permanent Work Public Assistance grant for activities that are outside of the originally approved scope of work. Options include:**
 - **Improved Projects**
 - **Alternate Projects**
 - **Mitigation Projects**
 - **Public Assistance Alternative Procedures (PAAP, 428, SRIA)**
 - **These options must be approved before project work begins**

Insurance

- Required Documentation
 - Insurance policy including all data, declarations, endorsements, exclusions, schedules, etc.
 - Settlement documents including copies of claim, statement of loss, checks received, etc.
 - Damages must be separated by peril (flood, wind, etc.)
 - If facility had previously received FEMA funding, you must show proof of obtaining and maintaining insurance since previous disaster

Management Costs

- Changed as a result of the 2018 Disaster Recovery Reform Act (DRRA)
- Now defines Management Costs as:
 - Indirect Costs
 - Direct Administrative Costs (DAC)
 - Other administrative expenses associated with a specific project
- Applicants will receive one Category Z PW

Management Costs

- Cat “Z” PW has a 5% of all projects cap. This percentage is based on final actual eligible costs including cost share after insurance and any other reductions
- Applicants will receive reimbursement up to 5% for actual reasonable costs.
- Management Costs are funded at 100% federal cost share

PA Management Costs Summary

Management costs (under Category Z) may be claimed for administering and managing PA awards as follows:

- For Subrecipients, **up to** 5% of the Subrecipient's total award amount (based on actual documented costs)

Eligible activities may include, but are not limited to Meetings regarding the PA program or PA claim, preparing correspondence, reviewing PWs, collecting copying, filing, or submitting documents to support a claim, and training

Additional information is available in FEMA's interim policy, *FEMA Recovery Policy FP 104-11-2, Public Assistance Management Costs* and *FEMA's Public Assistance Management Costs Standard Operating Procedures*



Applicant Eligibility



APPLICANT

Applicants or Subrecipients can be:

- State Agencies
- Tribal Governments and Organizations
- Counties
- Municipalities, cities, and towns
- Local public authorities
- School districts
- Agencies or instrumentalities of local governments
- Special districts established under State law
- Certain Private Non-Profit organizations (PNPs)

Ineligible Applicants

- Business
- Private Non-Profits that do not provide medical, educational, emergency, or utilities
- Individuals

Category A: Debris Removal

- The clearance, removal, and/or disposal of disaster-related items
- Refuse such as trees and vegetation, sand, gravel, building components, wreckage, vehicles, and household/personal property
- Must be monitored (Contract Work)
 - Invoices
 - Photos
 - Equipment Logs
 - Contracts
 - Tipping fees
 - FAL timesheets
 - Load tickets

Category A - Debris Removal

■ Phase I (response)

- Clearance of debris that hinders immediate life-saving actions and poses an immediate threat to public health and safety.
- *On any road or road system

Category A - Debris Removal

- **Phase II (recovery)**
 - Removal & disposal of debris that hinders the orderly recovery of the community and poses less immediate threats to health and safety.
 - *Applicant must have legal responsibility for road/right-of-way
 - *Waved landfill tipping fees are not eligible for FEMA reimbursement.

Category A

Debris Removal

Examples of INELIGIBLE debris removal activities include:

- Removal of debris from an applicant's:
- unimproved property or undeveloped land.
- Pre-disaster sediment from engineered channels.
- A natural channel unless the debris poses an immediate threat of flooding to improved property.
- From Federal lands or facilities that are the authority of another Federal agency.

Project Monitoring

- Applicant must monitor for eligible debris locations & quantities removed.
- May use Force Account, temporary hires, or contract labor..
- Extremely important for reimbursement.
- Monitor at all pick-up / disposal locations.
- Document eligible pick-up locations.
- Document quantities (Cubic Yards or Tons).
- Load ticket system to quantify each load & track from point of pickup to Debris Management Site (DMS) or landfill, quantities reduced at DMS, and loads hauled from DMS to final disposal.
- Monitor in tower at DMS to quantify loads coming in & verify trucks are empty upon departure from DMS.
- Be sure to monitor your monitors (if using contract monitors).

Debris Removal & Monitoring

- Contracted Removal Work must have a monitor. Can not be the same company performing both tasks
- Where it was picked up, how much was picked up, and where it ended up must be defined and documented.
- Procurement of your contractors must also be documented.
- Proper permitting with DEQ must be in place and documented

Debris Pilot

- FEMA does have an Alternative Procedures Pilot Program still in effect for Debris Removal. It allows for the eligibility of Straight Time Labor for Debris Removal if the Applicant opts in.

Category B: Emergency Protective Measures

Emergency Protective Measures
Eliminate or lessen immediate threats
to lives, public health, or safety.
Examples of eligible measures are on
the next slide

Category B: Emergency Protective Measures

Examples:

- Search and Rescue
- Fire, Police, Medical Services
- Generators
- Activation of EOC
- Sheltering (Congregate and Non-Congregate)
- Road Barricading

Category B

Force Account Labor Costs

- Emergency Overtime Work is eligible for:
 - Permanent employees
 - Re-assigned employees
 - Seasonal employees
- Regular time and overtime are eligible for temporary employees performing emergency work.

Category F

Utilities

- **Electrical** - Restore to pre-disaster design, function, capacity in the most economical manner.
- **Underground Utilities** - Damage should be obvious. Limited Inspection by remote camera may be eligible but must be approved in advance.
- **Cleaning** - Only eligible when necessary to restore proper functioning of the system in specific reaches.
- **Revenues** - Loss of revenue is **NOT ELIGIBLE**
- **Loss of Inventory** - Is **ELIGIBLE** when it can be documented

Category G

Parks, Recreational and Other

- **Tree replacement - NOT ELIGIBLE**
- **Grass - Normally NOT ELIGIBLE**
- Public Park facilities and structures may be eligible.
- Beach erosion is eligible on engineered and maintained beaches.

Work Activity Eligibility



WORK

At a minimum, claimed Emergency Protective Measure work (also called “activities”) must meet each of the following criteria to be eligible:

- Required as a result of the declared incident;
- Located within the designated area; and
- The legal responsibility of an eligible Applicant.

Work Activity Eligibility – Floodplain Considerations



WORK

Site considerations for facilities that deliver critical services must include an evaluation of flood risk to limit threats to the delivery of services



Work Eligibility: PNP Applicants

Some PNPs may be eligible for FEMA assistance if they are legally responsible for performing emergency protective services

PNPs that own or operate an eligible facility and perform eligible work, such as providing emergency, medical or custodial care services for which they are legally responsible, may be eligible for reimbursement of costs as a Public Assistance applicant

Cost Eligibility

To be eligible for reimbursement, costs must be:

- Incurred from **eligible** work and adequately **documented**
- **Reduced** by insurance proceeds, salvage value, or other credits;
- **Authorized and permitted** under Federal, State, Tribal, or local government laws or regulations;
- Consistent with the Applicant's **internal policies**, regulations, and procedures; and
- **Necessary** and **reasonable** to accomplish the work properly and efficiently.

Cost Eligibility- Reasonable Costs



COST

The Applicant is responsible for providing documentation to demonstrate that claimed costs are reasonable. FEMA determines reasonable cost by evaluating whether the cost is recognized as necessary for type of work. For more information, refer to the *Public Assistance Reasonable Cost Evaluation Job Aid*.

Duplication of Benefits

- FEMA is **prohibited from duplicating benefits** from other sources and will reduce eligible costs accordingly
- FEMA will not fund any activities or services covered by another Federal agency such as the Federal Highway Administration

Insurance



FEMA requires Applicants to pursue claims to recover insurance proceeds.

- Some insurance policies and parametric policies may provide coverage under civil authority actions.
- Generally, the emergency procurement of supplies nor the establishment of temporary medical facilities is insured loss
- **If claiming clean-up or disinfecting of an insured location, then an applicant must submit a copy of their commercial property insurance policy.**
- There are no Obtain and Maintain (O&M) insurance requirements associated with emergency work.

How Cost Share Works

- \$100,000 damages
 - \$75,000 FEMA will fund (75%)
 - \$25,000 you will be responsible for (25%)

- \$100,000 damages
 - \$60,000 Insurance Proceeds
 - \$30,000 FEMA will fund (75% remaining balance)
 - \$10,000 you will be responsible for (25% remaining balance)

Non-Federal Cost Share

The assistance FEMA provides through its PA Program is subject to a cost share. The Federal share is not less than 75% of the eligible costs.

EXCEPTION: Cat. Z direct and indirect management costs are reimbursed at 100% of documented costs



Donated Resources

Applicants can use Donated Resources to offset the non-Federal share of eligible work costs. The Applicant must track all donated resources in order to offset their non-federal cost share

Donated Resources include:

- Volunteer Labor
- Donated Equipment
- Donated Supplies and Materials
- Logistical Support

Sole-Source Procurement Under E&E



Situations that demand
immediate aid or action

Emergency

Need to alleviate a threat to life,
public health or safety, or
improved property



Exigency

Need to avoid, prevent or alleviate
serious harm or injury, financial or
otherwise



If using sole sourcing due to emergency or exigency, you must:

- Justify with **documentation**
- Use only during the **period of actual** exigent or emergency circumstances
- Transition to a competitive method **as soon as period ends**

Use of Pre-Awarded/Pre-Existing Contracts during Exigency & Emergency



- If the pre-awarded/pre-existing contract is not in compliance with the federal procurement requirements, it may still be possible to use the contract for the duration of the E&E

- FEMA recommends that **non-state entities**:
- Review the requirements applicable during E&E and **take actions to modify pre-awarded or pre-existing** contracts where applicable
- **Justify the use of a sole-sourced contract** with suggested documentation

Acceptable Contracts

Lump Sum	Work within prescribed boundaries; clearly defined scope and total price
Unit Price	Work done on an item-by-item basis with cost determined on a unit basis
Cost plus Fixed fee	Lump sum or unit price contract with a fixed contractor fee added into the price
Time & Materials	Now says – “limited to a reasonable time based on circumstances during which a definitive clear scope of work could not be identified” You MUST be able to justify!

Methods of Procurement

- Check for debarred contractors (EPLS)
 - www.sam.gov – Excluded Parties List System
- Document your procurement process (compliant with local, state, and federal requirements, whichever is most restrictive)

Methods of Procurement

Time/Materials and Cost Plus

T & M is only to be used under very specific conditions:

- 1) Allowed for “cut & toss” emergency clearance; (don’t use T&M to remove, reduce, haul or dispose of non-emergency debris)
- 2) When no other possible alternative exists
- 3) Contingency Contracts are not allowed

Cost Plus (AKA “Cost Plus Percentage of Cost”) is never allowed under any circumstances under Federal law.

- Cost analysis is required (**2 CFR 200.323(a)**)





406-Hazard Mitigation (Cat C-G)

Section 406 Hazard Mitigation

Mitigation under the Public Assistance programs...

- Any cost effective measure which will reduce the potential for damage to a facility from a disaster event.
- Must be approved prior to construction.
- Only applies to the damaged element of the facility.
- *Must be cost effective.*
- Applies **ONLY** to permanent work categories A-G.

Section 406 Hazard Mitigation

Possible Suggestions for Hazard Mitigation

- Properly secure roof mounted equipment.
- Install impact resistant glass or shutters.
- Increase culvert size (H&H Study Required).
- Elevate roadways / sub road bed reinforcement.
- Design bridges for greater flood magnitudes.
- Elevate electrical/other building components.

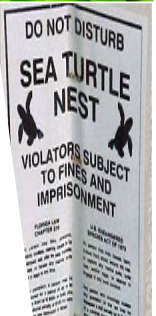
Additional Considerations

Environmental & Historic Preservation (EHP)

All FEMA projects must comply with applicable Federal, state, and local environmental and historic preservation (EHP) laws

Best Practices

- Avoid placement of critical actions, such as temporary hospitals, in high-risk flood hazard areas
- Avoid placement in wetlands, brownfields, and other use restricted sites.
- Place tents, temporary structures, and modular units on existing parking lots, other hard surfaces, or improved surfaces and connect to existing utilities
- Avoid new ground disturbance when possible. Should ground disturbance reveal archaeological resources, notify FEMA and State Historic Preservation Officer immediately



For detailed information please review *COVID-19 Fact Sheet Environmental and Historic Preservation (EHP) and Emergency Protective Measures for COVID-19*

Environmental Considerations

Numerous environmental laws and regulations need to be complied with in order to receive ANY Federal funds:

- National Environmental Policy Act (NEPA)
- Endangered Species Act
- Coastal Zone Management Act
- EO 11988 Floodplain Management
- EO 11990 Wetlands Protection
- Clean Water Act (Section 404)
- Clean Air Act

Environmental Considerations

When addressing any of these considerations...

- The applicant will be responsible for providing as much information as they can to FEMA and OEM in a timely manner in order to satisfy environmental laws and regulations.
- The applicant is responsible for **compliance with and obtaining all County, State, and Federal regulations permits, approvals or licenses, including the completion of the Section 106 process or Federal funding may be jeopardized.**

Historic Considerations

When receiving federal funds for any structure, historic considerations are taken into account.

Section 106 looks at:

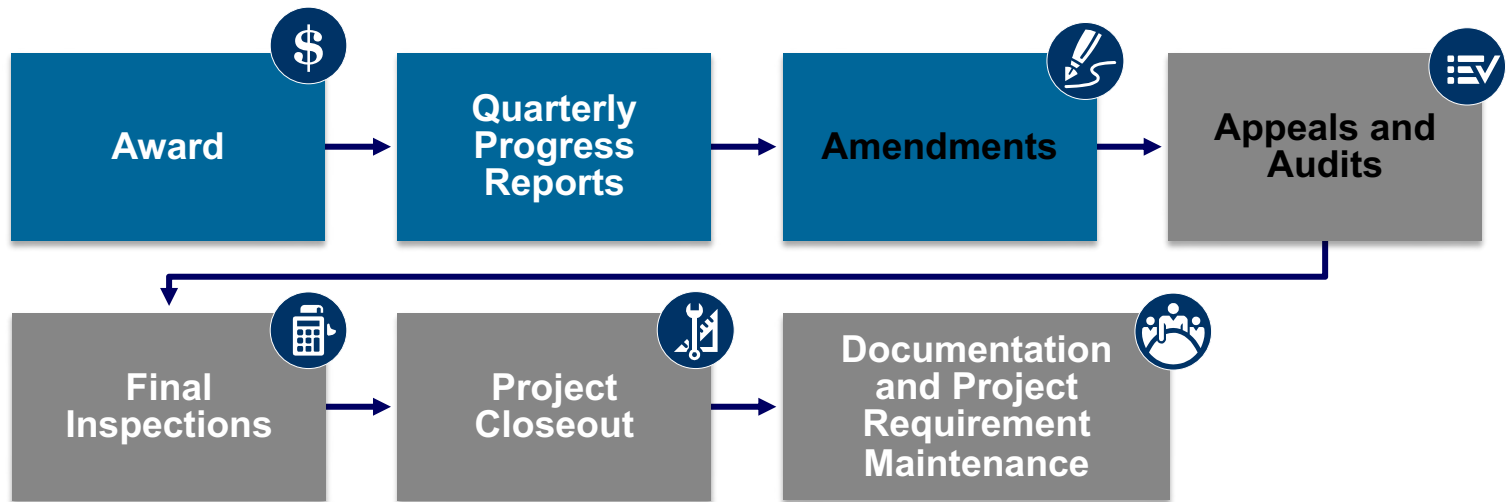
- Is the structure older than 45 years? If yes, then...
- Is the damaged facility on or eligible for listing on the National Register of Historic Places? If yes, then...
- Will the proposed repairs or reconstruction change pre-disaster conditions? If yes, then....
- NHPA will need to be satisfied.

Post-Award Grants Management

After a Subgrant is Awarded

After an initial subgrant has been awarded and obligated, FEMA will work with the Applicant to:

- Ensure federal laws are followed with all documentation and process requirements, and
- Update project information as needed before the grants are closed.



Quarterly Reports, Closeout, Appeals, and Audits

Quarterly Progress Reports

A tool for FEMA and the Recipient to track the progress of open Large Projects on a quarterly basis due 10 days after then end of the federal quarter

Project Reconciliation and Closeout

The purpose of closeout is for the Applicant to certify that all work has been completed and is due no later than 60 days after work is completed

Appeals

Applicants may appeal any FEMA determination related to an application for, or the provision of, assistance under the PA Program within 60 days of notification of the action.

Audits

Recipients and Subrecipients are subject to Federal and non-Federal audits.



Documentation and Record Keeping

Stafford Act Section 705 - Imposes a three (3) year limit on FEMA's authority to recover payments made to State, Tribal, or local government Recipients and Subrecipients unless there is evidence of fraud

- The Applicant must maintain all original documentation supporting project costs claimed.
- The Recipient and the Applicant must keep all financial and program documentation for 7 years (State requirement) after the date of the Recipient's final Financial Status Report (FSR).
- Records are subject to audit by State auditors, FEMA, the U.S. Department of Homeland Security Office of Inspector General, and the U.S. Government Accountability Office.

Audit Issues

Audits

Single Audit Act:

- This act requires grant recipients expending **\$750,000** or more in Federal funds in a fiscal year to perform a single audit: 2 CFR 200.501(a-b)
- This may be provided to OEM by properly uploading to the Federal Audit Clearing House or by emailing OEM at Single.Audit@oem.ok.gov.

Audits

- Grant recipients must follow the State requirement for record retention as the most restrictive guidance and maintain financial and program records for at least seven (7) years from closure of the grant.
- *(2 CFR 200.333(a-e))*

Next Steps

Next Steps

After attending a virtual Applicant Briefing (*conducted by the Recipient*):

- Register on SAM.GOV (*if not already registered*)
- Request access from [OK.EMGrants.com](https://www.ok.gov/EMGrants) and submit a Request for Public Assistance (RPA), once the RPA is reviewed by the State and FEMA you will receive and invitation to FEMA Grants Portal access where you will continue the process

Next Steps

Other Helpful Resources

- FEMA PA Grants Portal - Grants Manager YouTube Channel:
[youtube.com/channel/UCIJp91Ds2laVIR1t8uXcEKg](https://www.youtube.com/channel/UCIJp91Ds2laVIR1t8uXcEKg)
- Technical and training support at FEMA's PA Grants Portal Hotline: ***(866) 337-8448***
- ***Eligibility Questions Please Email:***
Public.Assistance@oem.ok.gov

DR-4575 Important Dates

- Request for Public Assistance (**RPA**) Application due date: 30 days from designation of your County. **As of now that is January 20, 2021.**
- **CAT A and B** Emergency Work Deadline is 6 months from initial declaration. As of now that is June 21, 2021.
- **CAT C- G** Permanent Work Deadline will be 18 months from initial declaration. As of now that is June 21, 2022
- **Public Assistance Alternative Procedures (PAAP)** Will be 18 months from the initial declaration.
- Repair/Replacement/Cost Estimate Written Request: 12 months from the declaration of permanent work

Questions?