

North Carolina Emergency Management Applicant Briefing

▶ COVID-19

April 14, 2020

2pm – 3pm

Presented in cooperation with the NC Department of Public Safety

AGENDA

- ✓ Event Details
- ✓ Public Assistance Program Overview
- ✓ 3 Steps To FEMA Reimbursement
 1. REGISTER in FEMA Grants Portal
 2. SUBMIT Registration Documents
 3. DOCUMENT Expenses
 - Concerns for Hospitals and Healthcare Providers
- ✓ Procurement for COVID-19 Event
- ✓ Resources and Contacts



Look For Helpful Resources Linked on Slides

Click on resource links in presentation slides pdf

Applicant Briefing Housekeeping Tips

Hello
my name is

Type the name of your unit
of government / nonprofit
in the chat box

Briefing presentation slides
available at [NCEM Public
Assistance website](#) – *click on
URL in chat box*



Ask Questions!

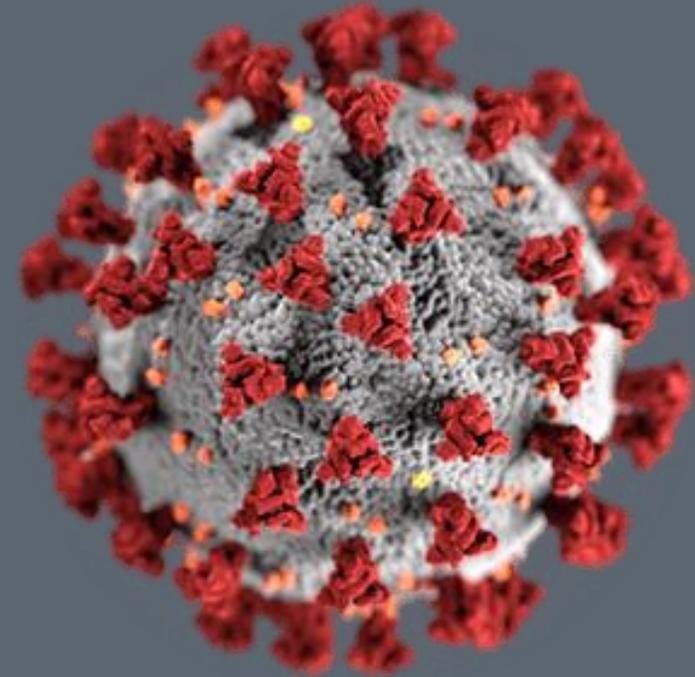
- Type questions in the chat box and include your organization name so we know who you are: “Mary (Carolina County)”
- We’ll answer as many questions as we can during the briefing
- We cannot address specific expense eligibility questions during this briefing
- This briefing is to get your reimbursement process started so FEMA and NCEM PA can assist you directly

PLEASE MUTE
YOUR PHONES!



Event Details

Basic Information on COVID-19 Event



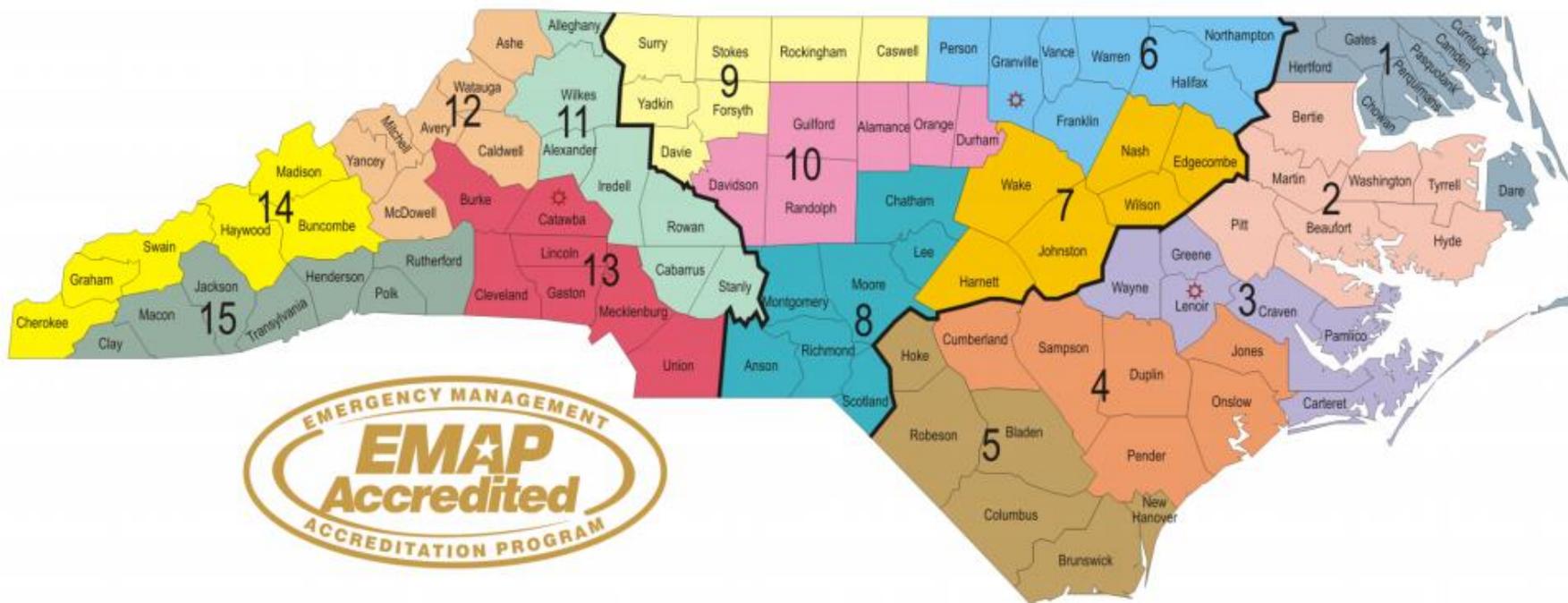
Event Details

- ▶ Major Disaster Declaration: FEMA-4487-NC
- ▶ Declaration Date: 3/25/2020
- ▶ Incident Period: January 20, 2020 (*effective date for expense eligibility*) – Ongoing
- ▶ RPA Deadline: Ongoing
- ▶ Declared Categories of Work Currently Only:
 - Category B (*Emergency Protective Measures*)
 - Category Z (*Management Costs*)
- ▶ Originating from Emergency Declaration 3471EM on 3/13/2020



[FEMA NC COVID-19 Website](#)

National Declaration Applies Statewide

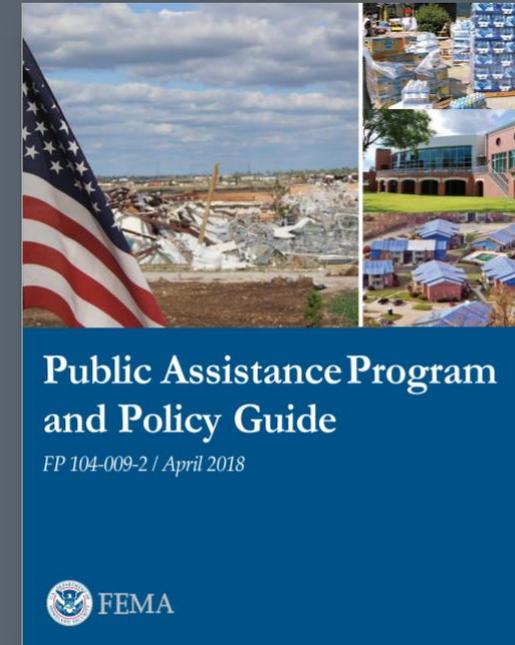


Declaration applies to ALL public entities and eligible private non-profits throughout the State

No local State of Emergency declaration is required for FEMA reimbursement eligibility in this event

FEMA Public Assistance Program

- ▶ Public Assistance Program Overview
- ▶ Public Assistance Application Process



Public Assistance (PA) Program Objective

Provides grants to eligible State and local governments, and certain private non-profits (“Applicants”) to assist with the cost of responding to and recovering from disasters

Governing Laws, Regulations, and Policies

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



[FEMA Public Assistance Program and Policy Guide](#)

Simplified PA Application Process

“Applicants are empowered to drive their own recovery”

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



[FEMA Simplified Application Process Fact Sheet](#)

Starting the Process: 3 Easy Steps

Steps You Must Take To Start the FEMA Reimbursement Process:



LET'S GET STARTED . . .

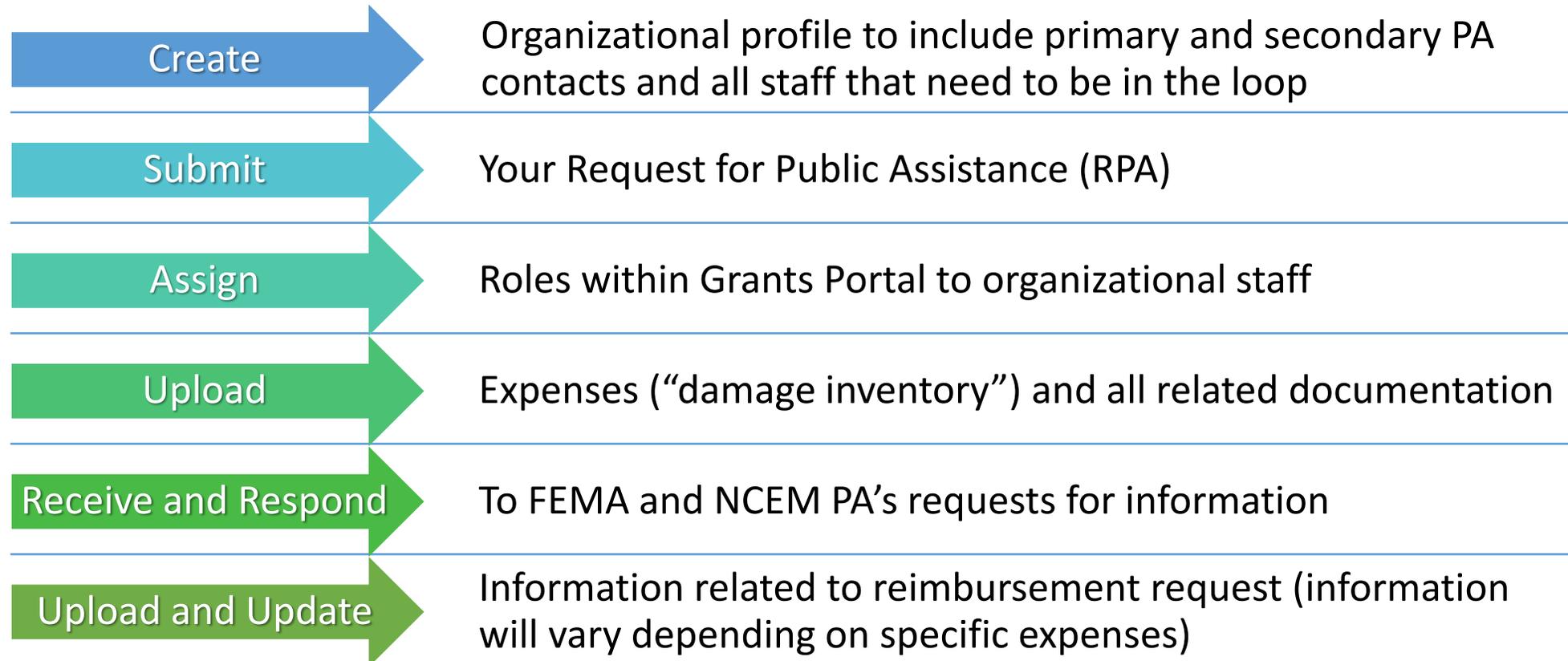
Step 1: REGISTER FEMA Grants Portal

- ▶ FEMA Grants Portal Overview
Grants Portal Registration



What is the FEMA PA Grants Portal?

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



✓ [NCEM Public Assistance Website](#)

Not Registered Yet? Here's How To Do It

- ▶ Do not try to register yourself – email the NCEM PA Hotline and we will register you!
- ▶ Email information below to: pahotline@ncem.org
 - ✓ Organization Name
 - ✓ Contact's Name
 - ✓ Contact's Phone Number
 - ✓ Contact's Email Address
 - ✓ Non-Profits Only: Indicate whether incorporated as a 501(c)(3) or other incorporation category

Already Registered? Check Your Profile

- ▶ Confirm log in
 - *Any NCEM staff can reset your password if needed*
 - *If you already have a state PA grants manager, contact your grants manager*
 - *If you do not have a state PA grants manager, email public.assistance@ncdps.gov*

- ▶ Check personnel information
 - *All needed personnel are added*
 - *Contact information is up to date (email, etc.)*

- ▶ Ensure all policies are up to date
 - *Most recent Insurance Information*
 - *Most recent Personnel Policy*

- ▶ PNPs Only
 - *Ensure your PNP documentation is complete and accurate*
 - *Tax Exempt Certification*
 - *Articles of Incorporation, Charter, By-Laws, etc.*

Who Is The Applicant?

- ▶ PNP:
- ▶ ALL PNPs must be tax exempt under Sections 501(c), (d), or (e) of the Internal Revenue Code of 1954, or through the North Carolina Secretary of State
- ▶ For this event, PNPs do not have to apply to the Small Business Administration (SBA) to be eligible for Public Assistance for Emergency Work
- ▶ Local Governments:
- ▶ Individual departments will not create their own Organization Profile
 - *Example:* Office of Sheriff is included under County
 - *Example:* City Public Works Department is included under City
 - *Example:* Individual public school is included under LEA
- ▶ Individual departments will submit for reimbursement through their unit of government

Step 2: SUBMIT Registration Documents

Three Registration Documents Required:

1. Request for Public Assistance (RPA)
2. State-Applicant Disaster Assistance Agreement (SAA)
3. Designation of Applicant's Agent (DAA)



Required Registration Documents

Registration Document	How to Submit
1. Request for Public Assistance (RPA)	Complete in Grants Portal
2. State-Applicant Disaster Assistance Agreement (SAA)	Email to public.assistance@ncdps.gov
3. Designation of Applicant's Agent (DAA)	Email to public.assistance@ncdps.gov

All 3 Registration Documents Are Required!

Request for Public Assistance (RPA)

What Is The RPA?

Applicant's stated interest to participate in the FEMA PA program
Must be submitted to start PA process

Where Do I Get It?

Only available through the Grants Portal
Include DUNS, EIN & FEMA FIPS number (*if available*)

How Do I Submit It?

Submit through the Grants Portal
Deadline: 30-day deadline waived; filing period ongoing

Don't wait! FEMA PA process cannot start until RPA is approved

Once RPA is approved, NCEM PA or FEMA will be in touch to guide you through the reimbursement process and answer specific expense eligibility questions

Additional PNP RPA Documentation

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

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

▶ Submit in Grants Portal during the RPA process

Does NOT Apply to Public Entities!

State-Applicant Disaster Assistance Agreement (SAA)

What Is The SAA?

Contract between State and Applicant that authorizes reimbursement payments

Where Do I Get It?

SAA is available at the [NCEM Public Assistance Website](#)
Must complete all seven (7) pages
Include Federal Tax I.D.

How Do I Submit It?

Submit by email to public.assistance@ncdps.gov

Designation of Applicant's Agent (DAA)

What Is The DAA?

Designates organization's agents who will be the primary and secondary contacts for the Applicant

Where Do I Get It?

DAA is available at [NCEM Public Assistance Website](#)

How Do I Submit It?

Submit by email to public.assistance@ncdps.gov

Audit Requirements

- Federal law requires a non-Federal entity that expends \$750,000 or more in Federal awards during the entity's fiscal year have a single audit conducted for that year (*2 CFR § 200.500(a)*)
- State law requires a local government or public authority that expends \$500,000 or more of State financial awards during a fiscal year have a State Single Audit (*G.S. 159-34*)
- For local governments, this means:
 - If you expend \$750,000 or more in Federal awards and/or expend \$500,000 or more in State awards
 - During a fiscal year
 - Your auditor must conduct a single audit, which includes the audit of Federal and/or State awards, if applicable, and your annual financial audit
- ▶ Discuss these requirements with your local auditor to determine the type of audit your local government will require
- When your audit is complete, forward copy to State NCEM Public Assistance at: public.assistance@ncdps.gov

Registration Process Recap

Register for
Grants
Portal

- Submit organization information to:
pahotline@ncem.org

Submit RPA

- Submit through Grants Portal

Submit SAA
and DAA

- Email to:
public.assistance@ncdps.gov

Step 3: DOCUMENT Your Expenses

- ▶ Category B: Emergency Protective Measures
- ▶ Category Z: Management Costs



Applicant Eligibility \neq Expense Eligibility

To be eligible for reimbursement, expenses must be:

- ▶ Incurred by an eligible applicant
- ▶ As a direct result of the event
- ▶ Within the area covered under the declaration
- ▶ Legal responsibility of the applicant
- ▶ Reasonable and necessary
- ▶ *Emergency Work which addresses an immediate threat*



For now - document, document, document everything!

Document Expenses NOW

- ▶ Recovery activities are evolving
- ▶ Guidance will be updated on the [NCEM Public Assistance Website](#) as it is received
- ▶ After your RPA is approved, NCEM PA or FEMA will be in touch to guide you through the reimbursement process
- ▶ Basic information to track now for reimbursement requests later.
 - Date expenses was incurred
 - Description of expense/work performed
 - How expenses/work performed are related COVID-19
 - For equipment, hours used and location
 - Labor rates and Fringe Benefit Rate

For now - document, document, document everything!

Document Expenses NOW Example Summary Records

Grants Portal:
Resources Tab
provides examples

Or find them at:
[✓ FEMA Library](#)



Grants Portal

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

Resources

- Public Assistance Project Forms** (Collection of FEMA forms to help you organize and submit costs for reimbursement.)
- FEMA Public Assistance: Policy and Guidance (This section of the site contains information about policy and guidance on the FEMA Public Assistance Program.)
- Grants Portal Resources (Resources, job aids, and user guides for the Grants Portal.)
- ~~SBA Disaster Loan Assistance~~ (SBA resources for Private Non-Profit (PNPs) Sub-Recipients. Non-critical PNP facilities requesting reimbursement.)

SBA is not applicable for Emergency Work

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

Eligible Expenses – Emergency Protective Measures (Category B)

- ▶ Management, control and reduction of immediate threats to public health and safety:
 - Emergency Operation Center costs
 - Training specific to the declared event
 - Disinfection of eligible public facilities
 - Technical assistance to state, tribal, territorial or local governments on emergency management and control of immediate threats to public health and safety
- ▶ Emergency Medical Care/Medical Sheltering
- ▶ Household pet sheltering
- ▶ Purchase and distribution of food, water, ice, medicine, and other consumable supplies, such as PPE and hazardous material suits
- ▶ Movement of supplies and persons
- ▶ Security and law enforcement
- ▶ Communications of general health and safety information to the public
- ▶ Search and rescue to locate and recover members of the population requiring assistance
- ▶ Force account overtime costs (only overtime)

If You're Not Sure the Expense Qualifies, Document Anyway!

Resources



[PAPPG \(Pages 57-83\)](#)



[FEMA Emergency Protective Measures Fact Sheet](#)

Eligible Medical Care

- ▶ Alternative Care Facilities including administrative assistance
- ▶ Security for temporary medical care facilities
- ▶ Triage and medically necessary tests and diagnosis
- ▶ Treatment, stabilization, and monitoring
- ▶ First-aid assessment and provision of first aid
- ▶ A one-time 30-day supply of prescriptions for acute conditions or to replace maintenance prescriptions
- ▶ Temporary facilities, such as tents or portable buildings for treatment of survivors
- ▶ Leased or purchased equipment for use in temporary medical care facilities
- ▶ Vaccinations for survivors and emergency workers to prevent outbreaks of infectious and communicable diseases
- ▶ Use of ambulances for distributing immunizations and setting up mobile medical units
- ▶ Durable medical equipment
- ▶ Consumable medical supplies

Durable versus Consumable

- ▶ **Durable medical equipment** is reusable medical equipment necessary for the treatment of an illness or injury or to prevent a patient's further deterioration. The equipment includes, but is not limited to:
 - Oxygen equipment
 - Wheelchairs
 - Walkers
 - Hospital beds
 - Crutches
- ▶ **Consumable medical supplies** are medical supplies that are ingested, injected, or applied or are for one-time use only, including, but not limited to:
 - Medical supplies
 - Medications
 - Diapers
 - Adult incontinence briefs
 - Bandages

Considerations For Healthcare Providers

- ▶ FEMA does not provide PA funding for these costs covered by insurance.
- ▶ FEMA does not cover Administrative costs associated with the treatment.
- ▶ Grants are also available through HHS which will create additional concerns of duplication of benefits.

Eligible Expenses - Management Costs (Category Z)

Administrative costs incurred in the management of Public Assistance grants

- Applicant may receive up to 5% of project net cost, based on actual costs
- Documentation will be required

Management Costs are any indirect costs and administrative expenses that are reasonably incurred in administering a grant or subgrant award. Eligible activities may include:

- ▶ Solicitation, review, and processing of sub-applications and subgrant awards
- ▶ Managing grants (e.g., quarterly reporting, closeout)
- ▶ Purchase of equipment, per diem and travel expenses, and professional development that is directly related to managing your FEMA reimbursement
- ▶ Staff salary costs directly related to performing the activities listed above

FEMA Project Codes

- Types of Costs (Cost Code)

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

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
FORCE ACCOUNT LABOR SUMMARY

PAGE OF O.M.B. Control Number: 1660-0017 Expires: December 31, 2019

PAPERWORK BURDEN DISCLOSURE NOTICE
Public reporting burden for this data collection is estimated to average 5 hours per response. The burden estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this form. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472-3100, Paperwork Reduction Project (1660-0017). **NOTE: Do not send your completed questionnaire to this address.**

APPLICANT	PA ID #	PROJECT #	DISASTER								
LOCATION/SITE		CATEGORY	PERIOD COVERING								
DESCRIPTION OF WORK PERFORMED											
NAME	DATES AND HOURS WORKED EACH WEEK			COSTS							
JOB TITLE	DATE						TOTAL HOURS	HOURLY RATE	BENEFIT RATE/HR	TOTAL HOURLY RATE	TOTAL COSTS
NAME	REG.										
JOB TITLE	O.T.										
NAME	REG.										
JOB TITLE	O.T.										
NAME	REG.										
JOB TITLE	O.T.										
NAME	REG.										
JOB TITLE	O.T.										
TOTAL COSTS FOR FORCE ACCOUNT LABOR REGULAR TIME											\$
TOTAL COST FOR FORCE ACCOUNT LABOR OVERTIME											\$
I CERTIFY THAT THE INFORMATION ABOVE WAS OBTAINED FROM PAYROLL RECORDS, INVOICES, OR OTHER DOCUMENTS THAT ARE AVAILABLE FOR AUDIT.											
CERTIFIED	TITLE										DATE

FEMA Form 009-0-123 PREVIOUS EDITION OBSOLETE

- Don't confuse cost codes in the Grants Portal with eligible expenses

If you don't know what cost code applies to a specific expense, continue to document your expenses – FEMA or NCEM PA staff will assist you after you have completed registration

Large vs. Small Projects

What is a “Project”? – Documentation of eligible expenses, description of work or expenses, and cost estimate

Project Thresholds:

- Minimum Project Worksheet Amount: **\$3,300**
- Small projects: Less than **\$131,100**
 - Small project funding is fixed & paid as obligated, whether written on estimated or actual cost
 - Exception: verification of actual insurance proceeds if applicable
- Large projects: Greater than **\$131,100**
 - Reimbursable on actual cost
 - Request for Reimbursement
 - Monthly Progress Report
 - Final Inspection required

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Force Account Labor

- ▶ Reimbursement for personnel expenses
 - Category B: overtime only (more guidance coming)
 - Fringe benefits are eligible
 - Overtime is paid based on personnel policy
 - Reassigned employees paid at their regular rate of pay
 - Overtime and regular time is eligible for temporary employees hired for the disaster

- ▶ Provide a copy of current personnel policy and a sample of time sheets

Labor for Healthcare Entities

- ▶ Ways to make reimbursement easier:
 - Provide a full copy of your entities personnel policy that covers all potential rates
 - Track time spent on Covid-19 patients or matters
 - Standard Force Account labor sheets do NOT work for hospitals, but we and FEMA are here to help you navigate the documentation needs so we can produce a report that can be use for reimbursements.

Force Account Equipment

- ▶ Reimbursement for use of applicant-owned equipment
- ▶ Examples: Law enforcement and first responder vehicles, mobile command trailers, generators
- ▶ Equipment rates:
 - State/Local rates
 - FEMA Schedule of Equipment Rates



✓ [FEMA Equipment Rates](#)

Materials

- ▶ Reimbursement for materials and supplies
- ▶ Examples: Plastic Barrier Tarps, PPE, Cleaning Supplies
- ▶ Newly Purchased (for emergency protective measures)
- ▶ Taken from applicant's inventory

Keep all invoices, receipts, inventory control registers, maintenance records, etc. for the duration of the time you work the event – Starting January 20, 2020 to end of event

Rented Equipment

- ▶ Reimbursement for rental equipment
- ▶ Examples: Forklifts, Fans, Tents, Generators, etc.
- ▶ Be certain to keep your rental agreement
- ▶ Retain receipts to validate rented equipment costs

Contract Work

- ▶ Reimbursement for hiring outside contractors to perform eligible emergency protective measures work
- ▶ Temporary employees are not contractors – they are force account labor
- ▶ Check for debarred contractors (EPLS)
- ▶  ✓ www.sam.gov – Excluded Parties List System
- ▶ Document your procurement process for all contracts
- ▶ Upload your local procurement policy in the Grants Portal

Duplication of Benefits

- ▶ FEMA will not reimburse for expenses paid for with any other funding sources
- ▶ Keep track of ALL expenses, and
- ▶ Keep track of which expenses have been paid for with other funds (such as HHS or CARES Act funding)
- ▶ Be prepared to demonstrate no duplication of benefits if requested by FEMA

Procurement Requirements



- ▶ Federal Procurement Requirements for COVID-19 Event

Federal Procurement Requirements

- ▶ Federal Uniform Guidance (2 CFR Part 200) procurement requirements apply to FEMA Public Assistance grant funds
- ▶ Failure to comply with procurement requirements most common reason for reimbursement denial
- ▶ ***Important guidance from FEMA on two procurement requirements:***
 - Exigent or Emergency Circumstances Exception (E/E)
 - Cost Reasonableness Requirements

Exigent or Emergency Circumstances (E/E)

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

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

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



✓ [Exigent and Emergency Procurement Fact Sheet](#)

FEMA Guidance on E/E for COVID-19

- ▶ Effective January 27, 2020, for the duration of the event, applicants may use new and existing noncompetitively procured contracts to protect property and public health and safety, or to lessen or avert the threats created by emergency situations for:
 1. Emergency protective measures under FEMA's Public Assistance Program
 2. FEMA non-disaster grant funds to respond to or address COVID-19
- ▶ FEMA has determined that the ongoing COVID-19 pandemic qualifies per se (meaning, automatically) as an emergency and/or exigent circumstance

FEMA PA grant applicants may use non-competitive procurement under the E/E exception for COVID-19 emergency protective measures contracts

Resource



[FEMA Exigent and Emergency Circumstances Fact Sheet](#)

E/E Exception– What Rules Still Apply?

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



Resource



Resource



[FEMA Exigent and Emergency Circumstances Fact Sheet](#)

FEMA Guidance on Cost Reasonableness For COVID-19

“A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person *under the circumstances prevailing at the time the decision was made to incur the cost*” (2 CFR 200.404(a))

- ▶ These are *not* normal circumstances, but you *still* might be audited later
- ▶ FEMA recommends:
 1. Make best efforts to take steps (such as market research, cost comparisons, etc.) to determine whether the price offered by a vendor was in fact reasonable
 2. Conduct required cost or price analysis for contracts costing \$250,000 or more
 3. Document your efforts

Resource



[FEMA Reasonable Cost Evaluation Job Aid](#)



[FEMA Pricing Guide](#)



Time/Materials and Cost-Plus Contracts

▶ Time & Materials

Only allowed under very specific conditions:

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

▶ Cost Plus

- ▶ Also called “Cost Plus Percentage of Cost” contracts
- ▶ Never allowed under any circumstances under Federal law

If You Bid . . . Follow *ALL* Federal Procurement Requirements

More information about Uniform Guidance and FEMA Procurement Requirements is available at:



[FEMA Procurement Disaster Assistance Team \(PDAT\) Website](#)

We're Here to Help!

- ▶ NCEM Public Assistance Contacts



NCEM Public Assistance Management

Dorothy Henderson-Bell, Public Assistance Officer
919-218-6642 or dorothy.henderson@ncdps.gov

Charles Edwards, Deputy PAO
919-605-8105 or charles.edwards@ncdps.gov

Neil Coles, Deputy PAO
919-825-2552 or neil.coles@ncdps.gov

WillieMae Cox, Deputy PAO
984-297-5645 or williemae.Cox@ncdps.gov

Grants Portal Hotline for FEMA Public Assistance

(866) 337-8448

or

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



Thank you for attending

For more information and important resources visit:

[NCEM Covid Public Assistance](#)

[NC DHHS Covid](#)

Question Contact:

❖ PAHotline@ncem.org or 919-825-2548

❖ NCHA