Public Assistance Overview

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What is the Public Assistance Program?

o FEMA PA is a reimbursement program

    o Based on actual/ incurred costs documented by an Applicant for eligible, event-related work

o The FEMA PA program provides assistance to local, state and tribal governments, and certain types of private nonprofit (PNP) organizations

o Entities **not** eligible for the FEMA PA program, or with ineligible costs

    o For-Profits/ businesses, please go to the Small Business Administration (SBA) for assistance https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources and
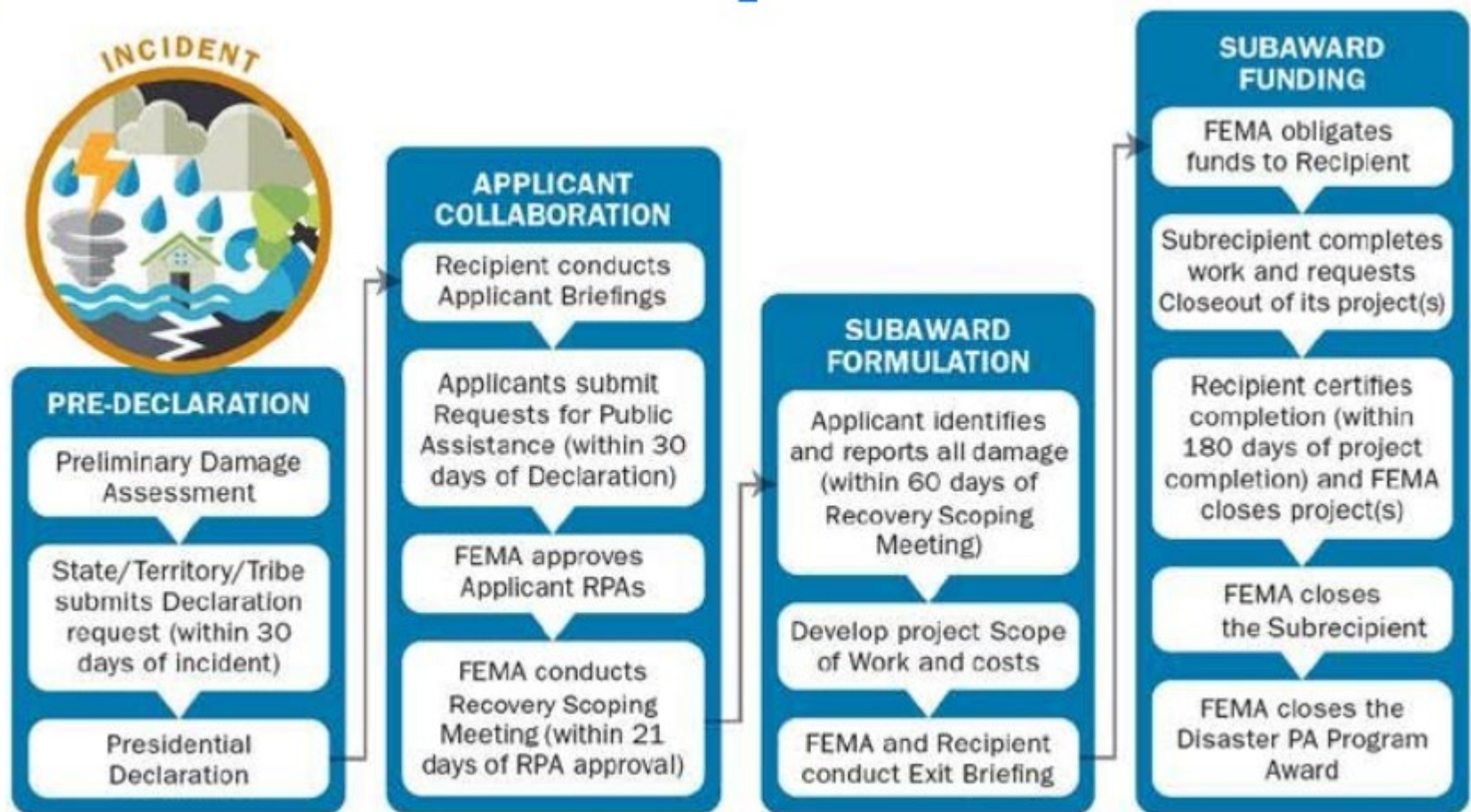
Public Assistance Process Overview

Figure 2. PA Program Implementation Process

Public Assistance Delivery Model Process

o **Customer Service focused**

o **Project Specific Complexity**

o **Customer Specific Needs**

o **Overall Recovery Priorities**

o **Consistency**

o **Specialization**

o **National Standards**

● **A Platform for Continuous Improvement**

Segmentation: Projects divided by work type and complexity

Standardization: New tools and checklists guide staff through work flow

Specialization: New positions created for specific, customer-forward duties

Consolidation: Document validation and technical review experts available across multiple disasters

What has not changed?
Laws, regulations, policy; Applicant's Role; Recipient's Role.

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Eligible Applicants

o State, Territorial, Tribal, and Local governments

  o State agencies/entities, colleges and universities, etc.

  o Counties, cities, towns, villages, townships

  o Districts and regional authorities

o Certain Private Non-Profit (PNP) entities

  o Open to the general public

  o Own/operate an eligible facility

  o Critical/ Essential Services- Education, Medical, Utilities, Emergency Services

  o Non-Critical- Community centers, libraries, houses of worship

Eligible Applicants- How to Apply

- Applicants can apply for the PA Program by submitting:
  - [Google Form (if not already completed)](#) for Grants Portal Account
  - Request for Public Assistance (RPA) must be submitted for applicable event and approved before reimbursement process can begin
  - DUNS # Required before any steps can be completed
    - Available thru 1-866-705-5711 or http://fedgov.dnb.com/webform

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Eligible Applicants- How to Apply

PNPs additional supporting documentation must be available:

o current ruling letter from the IRS granting tax exemption under Sections 501 (c), (d), or (e); **or** State-issued documentation substantiating non-revenue producing, nonprofit entity organized or doing business under State law.
o PNP Questionnaire (a section of their RPA)
o Proof of ownership/legal responsibility for an eligible facility
o Articles of Incorporation, Charter, Bylaws
o Accreditation (schools only)
o Insurance Coverage Documentation

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PA Grants Portal

- [FEMA Grants Portal](#)
  - Gateway for Public Assistance reimbursement
  - Individual user log-ins for each Applicant POC
  - Creates transparency across all levels of the process

- Applicants will use it to:
  - Submit project forms and supporting documentation
  - Monitor & Manage projects and reimbursement

  Note: Must use Mozilla Firefox, Google Chrome, or Microsoft Edge, as Internet Explorer will not work

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Eligible Costs

- Incurred by an eligible Applicant
  - Must meet project minimum cost of $3,300

- Directly tied to the performance of Eligible Work

- *Necessary* and *reasonable* to accomplish the Eligible Work

- Properly documented
  - Consistent with Applicant's established policies (Insurance, personnel, etc.)
  - As detailed in a Mutual Aid Agreement or Memorandum of Understanding (MOU)

- Compliant with all Federal, State, Local Regulations
  - Procurement
  - Environmental & Historic Preservation
  - Permitting

- Reduced by all applicable credits (Insurance, Fair Market Value, etc.)
  - Cannot be duplicated by multiple funding sources

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

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Categories of Work

Category A- Debris Removal

- Includes, but is not limited to:

    - Vegetative debris

    - Construction and demolition debris

    - Sand, mud, silt, gravel, rocks, boulders

    - Vehicle and vessel wreckage

Categories of Work

Category B- Emergency Protective Measures

- Pre-positioning resources
- Expenses related to operating a facility or providing a service (i.e., generators)
- Flood Fighting
- Emergency Operations Centers
- Emergency Access
- Supplies and Commodities
- Meals
- Medical Care

- Evacuation and Sheltering
- Safety Inspections
- Temporary Relocation of Essential Services
- Emergency Berms on Beaches
- Temporary Emergency Repair or Stabilization
- Temporary Slope Stabilization
- Mold Remediation
- Damage Caused During Performance of Emergency Work (Category A and B)

Categories of Work

Permanent Work
- Category C: Roads and Bridges
- Category D: Water Control Facilities
- Category E: Buildings and Equipment
- Category F: Utilities
- Category G: Parks, Recreational, and Other

Procurement

o   FEMA approval is not required prior to procurement solicitation

o   Complying with procurement standards and contract requirements are a conditions for receiving PA funding

    o   Failure to adhere to these standards could jeopardize funding

o   Local, county, and tribal governments, and PNPs are considered *non-state entities*

    o   Must adhere to local, state, and federal procurement standards (whichever is most restrictive)

o   State governments and agencies are considered *state entities*

    o   Must adhere to state and federal procurement standards (whichever is most restrictive)

o   Additional information on Federal procurement and contracting requirements: PAAPG Chapter 2, Section V (G); 2 CFR § 200; Web Search: "FEMA PDAT"

Documentation Requirements

o Applicants are responsible for detailing their activities and providing supporting documentation, to include:

   o Established policies: Insurance, personnel, procurement

   o Insurance Statement of Loss or received reimbursement (if applicable)

   o Any COVID-19 proclamations or orders

   o Invoices, estimates, or bids

   o Force Account labor, equipment, and material quantities and rates/costs

      o 2019 FEMA equipment rates: https://www.fema.gov/media-library/assets/documents/136901

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Emergent & Exigent Circumstances

o In certain circumstances, federal regulations allow for noncompetitive procurement
  o Including when a state or non-state entity determines that immediate actions required to address the public exigency or emergency cannot be delayed by a competitive solicitation.

o FEMA approval is not required for use of noncompetitive procurements under the emergency or exigency exception, however:
  o The state or non-state entity must document its justification for using noncompetitive procurements
  o Must still comply with other procurement requirements
  o Must ensure that costs are reasonable & necessary

o Emergency- threat to life, public health or safety, or improved property requiring immediate action to alleviate the threat.
  o Circumstances are generally short-lived

o Exigency- need to avoid, prevent, or alleviate serious harm or injury for which urgent action is required and may not be supported by the use of competitive procurement proposals
  o Circumstances can exist for a period of weeks or months

Funding & Duplication of Benefits

o   FEMA PA is a reimbursement program based on actual, documented costs

o   FEMA cannot duplicate funding from any other source

  o Including Insurance, other grant programs, or Other Federal Agencies

  o Must reduce projects by anticipate or received Insurance proceeds

  o For COVID-19: Other Federal Agencies include (but are not limited to)

    o HHS (Health & Human Services) which is funded at 100% federal cost share

    o CDC (Center for Disease Control) which is funded at 100% federal cost share

What's Next?

- o FEMA Reviews Project and Develops Scope of Work based on your documentation (Timelines vary)
    - o Additional information may be requested, FEMA will reach directly out to Project POC as required
    - o Expedited funding needs will be handled on a case by case basis and request should be made in both the Grants Portal and by contacting the state at publicassistance.mema@maryland.gov
- o The State will review and approve project
    - o Again, additional information may be requested, MEMA PA will reach directly out to Project POC as required

What's Next?

o The Applicant will review and approve project

  o If changes are necessary, Project POC should notify MEMA PA before approving, so that changes may be reviewed and considered

  o It is important NOT to sign a project that is found to not be accurate

  o Additional documentation may be required

Reimbursement

All reimbursement payments to program applicants will be paid through MEMA, as the pass through agency

- o Regular Reimbursement
  - o Small Project (cost between $3,300 and $131,100)
    - o Can be paid when project is written and approved by FEMA
    - o work does not have to by complete
  - o Large Projects (over $131,100)
    - o Closed out on actual costs and final payment is made after a final inspection of documentation

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COVID-19 Category Z, Management Costs (Additional Guidance at a later date)

Applicants may be eligible for costs for Managing the overall Public Assistance process for their organization.

- These costs are reimbursed at 100%
- Costs are limited to 5% of the organizations total COVID-19 reimbursed costs
- This is paid after all other projects are complete and documentation will **not** be collected on the "Streamlined Project Application"
- Costs include:
  - Visiting, surveying, and assessing the damage site
  - Salaries of staff managing overall PA process (**NOT** staff performing eligible Category B work)
  - Reviewing the Projects
  - Preparing Projects documentation
  - Preparing correspondence
  - Collecting, copying, filing, or submitting documents to support the claim
  - Requesting disbursement of PA funds
  - Equipment needed to manage PA process

Record Retention

Documentation is to be maintained for 3 years after the date of the Recipient's final Financial Status Report (FSR) – Grant Closeout.

Audits

o Federal and non-Federal audits
o Compliance with generally accepted accounting principles
o Single or Program-specific Audit: Recipient or Subrecipient expends $750,000 or more in Federal funds during its fiscal year

Appeals

An Applicant may appeal any FEMA determination related to an application for, or the provision of, assistance under the PA Program.

Time limit : 60 days from notice of the action being appealed

Requests for Appeals are to be sent to MEMA by contacting: publicassistance.mema@maryland.gov

COVID-19 Resources & References

MEMA

MEMA Public Assistance COVID-19

FDA

Testing questions **(1-888-INFO-FDA, 1-888-463-6332)**

SAMHSA-mental health services related to coronavirus **(1-800-985-5990)**

CDC

https://www.cdc.gov/coronavirus/2019-ncov/index.html

Contact Form: https://www.cdc.gov/cdc-info/index.html

Call: 1-800-CDC-INFO (1-800-232-4636)

TTY: 1-888-232-6348

FEMA

COVID-19 Response: https://www.fema.gov/coronavirus/

How to Help: https://www.fema.gov/coronavirus/how-to-help

FEMA Public Assistance Program and Policy Guide

Contact Information

Sara Bender State Public Assistance Officer	John Harding Public Assistance Grants Administrator
Mike Pappafotis Public Assistance Specialist	Nora Lagola Public Assistance Associate
Dave Nine Public Assistance Administrative Aide	
In an effort to improve customer services and expedite all requests for assistance, please use: publicassistance.mema@maryland.gov for all correspondence and we will respond within two business days	