



Coronavirus (COVID-19) Pandemic: Public Assistance (PA) Guidance for Public Education Institutions

Presented by Bureau of Recovery

Rebuilding Together



Nationwide Major Declaration

Public Assistance (PA)

Emergency Work Category B
(Emergency Protective Measures)

Individual Assistance (IA)

Crisis Counseling Program



Incident Period

Defined as the time span during which the disaster-causing incident occurs

- The declaration designates the incident period
- The incident period is the span of time during which the federally declared incident occurs
 - **DR-4486**
 - **COVID-19 Pandemic**
 - **Incident Begin Date: January 20, 2020 - Ongoing**



Federal Cost-Share Program

Cost-Share (Non-Private Non-Profits: PNPs)

75% Federal / 12.5% State / 12.5% Local

Cost Share for PNPs

75% Federal / 25% PNP

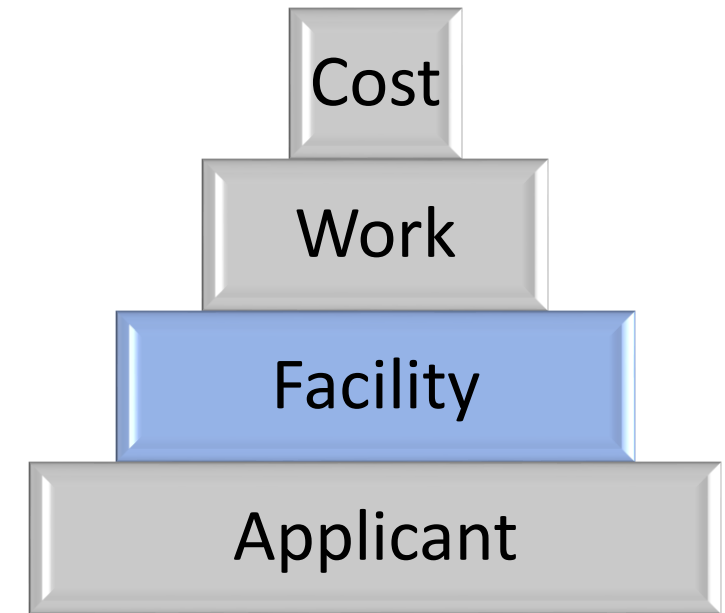


General Facility Eligibility

Facility

An eligible PNP facility is one that provides an eligible service, (e.g., **education**, utilities, emergency, medical, custodial care, and other essential social services.)

- Public Facility.
- Private Nonprofit Facility.
- Inactive or Partially Inactive Facility.

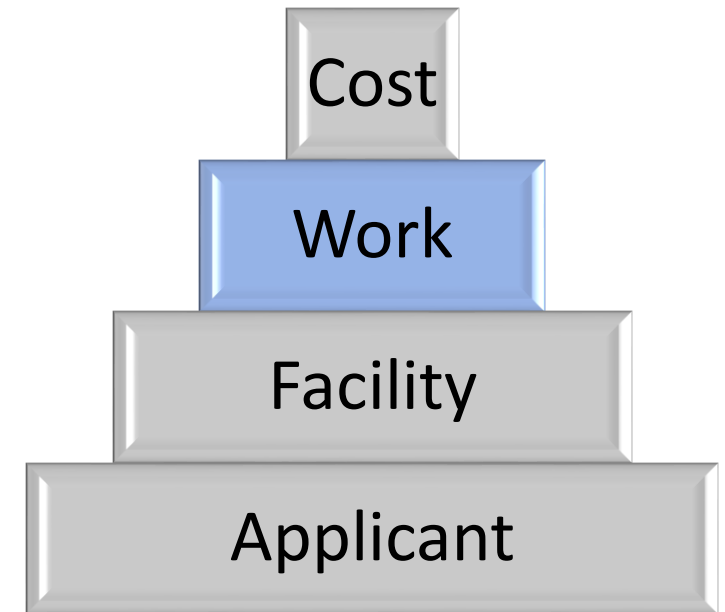


General Public Assistance Eligibility

Work

At a minimum, work must meet each of the following three general criteria to be eligible.

- Be required as a result of the declared incident;
- Be located within the designated area, with the exception of sheltering and evacuation activities; and
- Be the legal responsibility of an eligible Applicant.



Work Eligibility Exceptions



Eligibility

- In some cases, a government entity may be legally responsible to provide services and enter into an agreement with a PNP to provide services (e.g., sheltering or food distribution).
- In these cases, Public Assistance funding is provided to the **legally** responsible government entity, which then pays the PNP for the cost of providing those services under the agreement.



PNP Applicant Eligibility

Eligibility



- To be eligible for Public Assistance, a PNP applicant must show that it has:
 - A ruling letter from the Internal Revenue Service granting tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code of 1954; or
 - Documentation from the state substantiating that the non-revenue producing organization or entity is a nonprofit entity organized or doing business under state law.

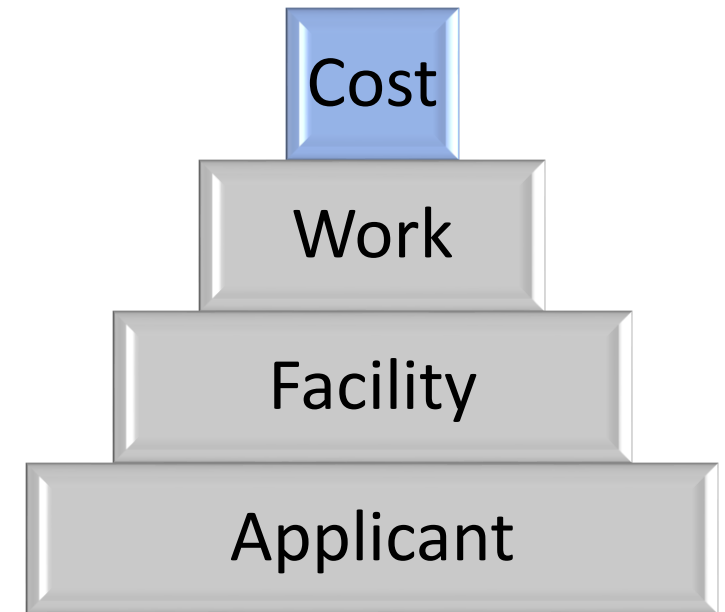


General Public Assistance Eligibility

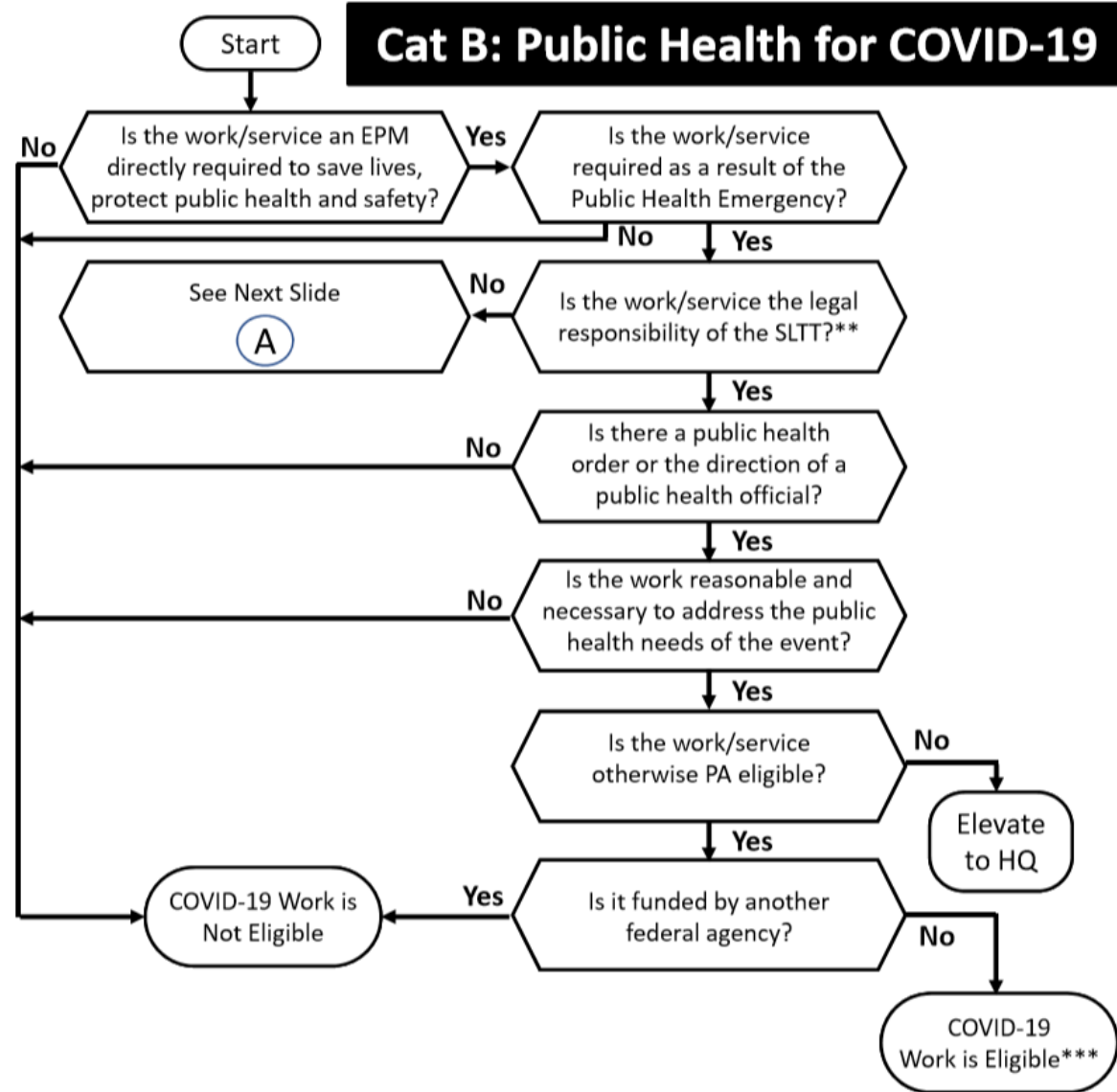
Cost

Not all costs incurred as a result of the incident are eligible. To be eligible, costs must be:

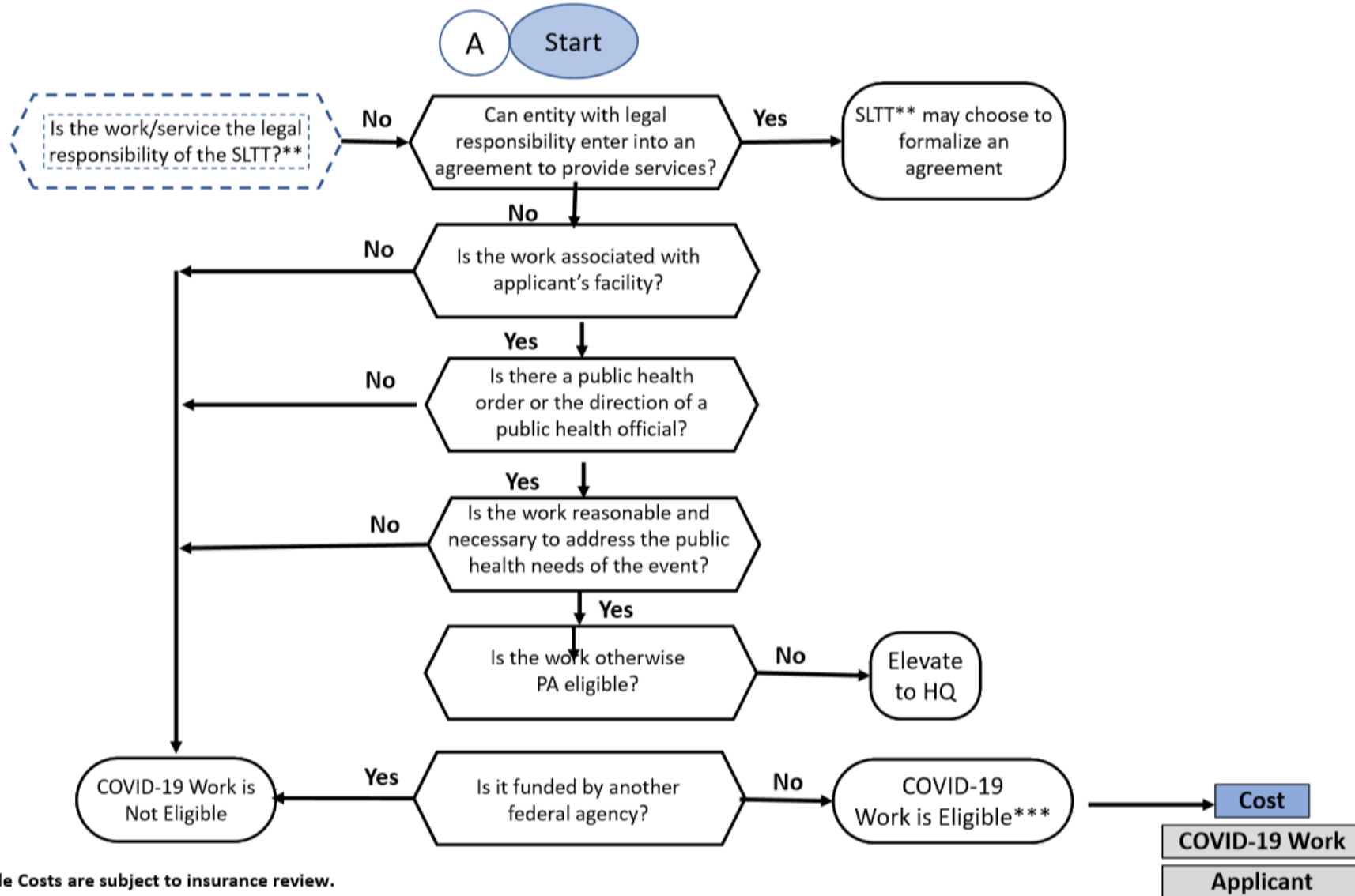
- Directly tied to eligible work.
- Properly Documented.
- Not a Duplication of Benefits (DOB).
- Not prohibited under Federal, State, Tribal, or local government laws or regulations.
- Consistent with the Applicant's policies and procedures.
- Necessary and reasonable to accomplish the work.



Cost Eligibility Decision Matrix



Cost Eligibility Decision Matrix – Next Slide



Category B – Emergency Protective Measures

Activities taken before, during, and after a disaster to **eliminate or lessen immediate threats to lives, public health, or safety.**

- Management, control and reduction of immediate threats to public health and safety
- Emergency medical care
- Medical sheltering
- Household pet sheltering and containment actions related to household pets in accordance with CDC guidelines
- Purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment 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
- Reimbursement for state, tribe, territory and/or local government force account overtime costs



Emergency Protective Measures (Category B)



Public Health Expenses

Examples include, *but are not limited to*:

- Communication and enforcement of COVID-19 Public Health orders
- Disinfection of public areas and other facilities
- Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety
- Expenses for public safety measures undertaken in response to COVID-19



Emergency Protective Measures (Category B)

Ineligible Examples

- Damages cover by insurance
- Payroll or benefit expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency
- Duplication of Benefits (DOBs)
 - Benefits from CDC, HHS, Florida Department of Health (FDOH), USDA / FDACS
- Continued school meal service during school closings
- Loss of revenue & tax revenue
- Expenses that have been or will be reimburses under AND federal program (e.g., CARES Act of contributions by States to State unemployment funds)
- Workforce bonuses other than hazard pay or overtime
- Severance pay
- Reimbursement to donors for donated items or services



DENIED



Emergency Protective Measures (Category B)



Payroll Expenses

Examples include, *but are not limited to*:

- Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID19 public health emergency



Emergency Protective Measures (Category B)



Teleworking Expenses

Costs associated with employee teleworking expenses:

- Must be associated with specific emergency protective measures taken to “Eliminate or lessen immediate threats to lives, public health, or safety” (FEMA PAPPG V3.1, page 57).
- Unless this requirement is met, based on current guidelines FEMA would likely designate teleworking costs as an ineligible “increased operating cost”.
- "Increased costs of operating a facility or providing a service are generally not eligible..." (FEMA PAPPG V3.1, page 42).



Category B – Emergency Protective Measures

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	✓	✓
Season employee working outside normal season of employment	✓	✓



Category B – Emergency Protective Measures

Reassigned Employees - The Applicant may assign an employee to perform work that is not part of the employee's normal job.



Backfill Employees - Overtime costs for the backfill employee are eligible as long as the employee that he/she is replacing is performing eligible Emergency Work.



Donated Resources

Donated Resources

Applicant may use the value of donated resources to offset the non-Federal share of its eligible projects.

- Donated Resource is from third party;
- Applicant uses the resources in the performance of eligible work; and
- The Applicant or volunteer organization tracks the resources and work performed, including description, specific locations, and hours.





Frequently
Asked
Questions...

Emergency Protective Measures (Category B)

Facilities Disinfection / Sanitization



- For eligible public and PNP facilities, costs associated with disinfecting the facility to eliminate or lessen an immediate threat to lives, public health, and safety **are eligible**. The work should be consistent with current public health guidance as it relates to disinfection recommendations.
- Refer to the CDC guidance for disinfection, available online at:
 - [Cleaning and Disinfection for Community Facilities](#)



Emergency Protective Measures (Category B)

Facilities Disinfection / Sanitization



- In cases where disinfection may appear to be an increased operating cost (e.g., cleaning and disinfection are a part of normal operating costs), funding may be eligible if:
 - The facility provides services that are specifically related to eligible emergency actions to eliminate or lessen immediate threats to lives, public health, or safety.
 - The costs are for a limited time based on the exigency of the circumstances; and
 - The Applicant tracks and documents the additional costs.
- Policies on labor costs, purchase of supplies and equipment, and contracted services apply as with any other incident (e.g., costs must be reasonable and procurement requirements must be followed).



Emergency Protective Measures (Category B)

Miscellaneous Expenses



- *How will costs associated with COVID-19 mitigation measures, such as plexiglass shields, social distancing floor decals, or similar items purchased by Applicants be treated?*
- Per guidance provided, it is possible the decal scenario would be eligible as part of communications of general health and safety information to the public.
- Plexiglass and dividers does appear to be potentially eligible as an emergency protective measure; however, disposition requirements may apply.



Emergency Protective Measures (Category B)

Personal Protective Equipment (PPE)



- *How will costs associated with PPE for PNP non-healthcare workers **not** working in a hospital be treated?*
- Only eligible **PNP medical care facilities** treating COVID-19 patients would be eligible for PPE directly. For COVID-19 declarations, eligible PNP medical care facilities providing treatment to COVID-19 patients would be eligible to request reimbursement for medical care services including the purchase of PPE.
- **Any other PNP facility would not be eligible under PA for PPE.**



RPA Process

FloridaPA.org

[Home](#) [Open Grants](#) [PA Info](#) [COVID-19 PA Info](#) [Forms](#) [Contact Us](#) [Applicant Guidelines and Guides](#) [FLPA Insurance](#) [Local Match Waivers](#)



Florida Public Assistance

FloridaPA.org manages the Public Assistance (PA) grant in Florida. The system manages the PA process from application through closeout.

Returning User Login:

Email:

Password:

Remember Me

[Sign In](#)

[Register](#)

[Forgot Login?](#)

RPA's now accepted for DR-4486 COVID-19 (Jan 20 and continuing)

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*****Follow the steps outlined in the RPA Guidance.PDF.*****

THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT



COVID-19 Pandemic: Public Assistance Simplified Application

While Applicants still need to submit RPAs in FloridaPA, FEMA is simplifying the Public Assistance project development/application process. This simplified process enables FEMA to eliminate many application steps that are designated, including:

- Eliminating exploratory calls
- Recovery Scoping Meetings (RSM)
- *Most* site inspections
- Reducing documentation requirements



Funding Agreement Process

Purpose

- Is a contract that establishes the relationship for the grant program between the Recipient (FDEM) and the Subrecipient (Applicant).
- Outlines the terms and conditions of accepting Federal funding through the Public Assistance Program.

Funding Agreement

- Applicants will enter into a Funding Agreement during the Project Development Phase.



PA Project Development – Documentation

Inventory	Maintenance Records	Rental/Lease Agreements
Pre-Disaster Contracts and Mutual Aid	Records of Costs	Overtime Policy
Performed Work Records	Contract/Work Procurement	Rented Equipment



Expedited Project Overview

We understand some Applicants may have a need for immediate funding to conduct response activities that address a threat due to COVID-19.



FEMA may provide expedited funding for Emergency Protective Measure projects that exceed the large project threshold. Project scopes of work and cost estimates are:

Scoped in clear operational periods (30, 60, or 90 days)	Scoped with clear authorized activity lists	Initially funded at 50% of the estimated cost*	Funded at the incident's federal cost-share for the defined operational period
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Expedited Project – Required Applicant Information

Information about the activities the Applicant performed or plans to perform:

- Operational period (30, 60, or 90-days, or to mirror the declaration's cost-share periods); and
- List and high-level description of activities.

Information about how the Applicant performed or plans to be performed the activities:

- Description of threat to life or property that necessitate activities;† and
- Location(s) where activities were performed.
- Confirmation that the work is the legal responsibility of the Applicant.

Other Activities

- Confirmation that the Applicant has not and will not request funding for these activities from the U.S. Department of Health and Human Services (HHS), to include the Centers for Disease Control and Prevention (CDC), or other federal agencies.



Expedited Project – Required Applicant Information

The total estimated cost, with the following information:

- For labor costs:
 - Number of personnel; average hours per day; average days per week; and
 - Average pay rate. If not available, FEMA will estimate at \$20 per hour
- For equipment:
 - If Applicant's own equipment: amount of equipment used, by type; average hours per day; and days per week; and hourly rate. If not available, FEMA will estimate based on FEMA equipment rates;
 - If rented equipment, rental agreement with pricing; or
 - Purchase price, if purchased.
- For materials:
 - Amount of materials, by type; and
 - Purchase or stock replenishment cost.
- For contract work:
 - Copy of request for proposals, bid documents or signed contracts, if available.
 - If contracts are not available, provide unit price estimates with the basis for the unit prices (e.g., historical pricing, vendor quotes).
- For other:
 - High-level information which can substantiate costs

Insurance

- Insurance documentation for activities, if applicable.



Expedited Funding Considerations

Source of Cost Estimate

- FEMA will estimate the cost based on information provided by the Applicant. If cost information is not available, FEMA will estimate the project cost based on limited information about the work activities the Applicant will perform.



Procurement – Emergency or Exigency

Emergency

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

Exigency

- A need to avoid, prevent or alleviate serious harm or injury, financial or otherwise, to the applicant, and use of competitive procurement proposals would prevent the urgent action required.

Use is only permissible during the actual exigent or emergency circumstances

- The duration will vary for each incident
 - Does not always coincide with a Governor’s Executive Order
 - Any work done must specifically relate to the exigent or emergency circumstance
 - The State has different requirements than local governments or PNPs

A waiver of state or local procurement requirements does not mean a waiver of federal procurement requirements.



Emergency or Exigency: Required Standards

The following procurement standards apply *even in an exigency or emergency*:

- Including the required contract clauses (Appendix II to Part 200 of the CFR)
- Must award to a responsible contractor
- Must complete a cost or price analysis
- No cost plus percentage of cost contract
- T&M contract requirements

Once the exigency or emergency has passed, you *must* seek to competitively procure any remaining work



Piggybacking: Emergency or Exigency

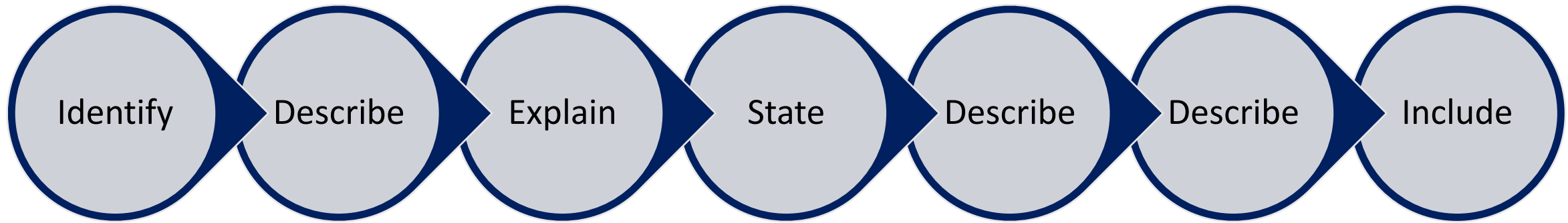
Piggybacking



- The scope of the contract matches the scope of the work to be done
- Contract must have been procured in compliance with all applicable local, state, and federal procurement rules
- Contract must contain the required federal terms
- Applicant's policy must allow piggybacking
- The contract itself must have a clause allowing piggybacking
- Must properly document the procurement and the contract
- Must justify the use of a piggybacked contract over competitive procurement



Required Documentation – Exigency or Emergency



- The circumstance requiring a noncompetitive procurement

- The product or service and expected price

- Why a noncompetitive procurement is necessary

- How long will the contract be used for the defined scope of work

- The specific steps taken to determine that competitive procurement could not have been used or was not used for the scope of work

- Any known conflicts of interest and any efforts made to identify possible conflicts of interest before the noncompetitive procurement occurred

- Any other information justifying the use of noncompetitive procurement in the specific instance



Disposition of Purchased Equipment and Supplies

Disposition Defined

(PAPPG V3.1, page 29)

- In the context of disposition, equipment is any tangible personal property (including information technology systems) having a useful life of more than 1 year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the Applicant for financial statement purposes, or \$5,000. Tangible personal property that does not fall under this definition of equipment is a supply.
- When equipment or supplies (including materials) purchased with PA funding are no longer needed for response to or recovery from the incident, the Applicant may use the items for other federally funded programs or projects, provided the Applicant informs FEMA.



Disposition of Purchased Equipment and Supplies

Disposition of Purchased Equipment

- Tribal and local governments and PNPs must calculate the current fair market value of each individual item of equipment. The Applicant must provide the current fair market for any items that have a current fair market value of \$5,000 or more. FEMA reduces eligible funding by this amount.
- If an individual item of equipment has a current fair market value less than \$5,000, FEMA does not reduce the eligible funding.

Disposition of Purchased Supplies

- All Applicants, including State and Territorial government Applicants, must calculate the current fair market value of any unused residual supplies (including materials) that FEMA funded for any of its projects and determine the aggregate total.
- The Applicant must provide the current fair market value if the aggregate total of unused residual supplies is greater than \$5,000. FEMA reduces eligible funding by this amount.¹⁰⁶ If the aggregate total of unused residual supplies is less than \$5,000, FEMA does not reduce the eligible funding.



Audits and Retention of Records

All documents are subject to an audit by the State, FEMA, and the US Department of Homeland Security Office of Inspector General

Must maintain ALL records for 5 years post grant closeout



Documentation and Retention of Records

The Applicant is responsible for establishing and maintaining accurate records of events/expenditures related to recovery work for which you request FEMA assistance.

Applicants must also provide quarterly reports to FDEM via FLPA.

Failure to properly document any claimed expenses may result in loss of funding.



Reminder – Important Steps

- Get FLPA Access.
- Submit RPA.
- Document your efforts.



Contact Information

Florida Division of Emergency Management

2555 Shumard Oak Blvd.

Tallahassee, FL 32399-2100

www.floridadisaster.org

FDEM COVID-19 Recovery Questions

fdem-recovery-questions@em.myflorida.com

<https://fdemgrantsmanagement.force.com/fdemcovid>

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Any
Questions...