



**North Carolina Emergency Management**



# February Severe Storms 2020

May 8, 2020

FEMA-4543-NC

**PUBLIC ASSISTANCE APPLICANT BRIEFING**

# Welcome



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NC Office of Recovery and Resiliency



# AGENDA

- ✓ Event Details
- ✓ Public Assistance Program Overview
- ✓ 3 Steps To FEMA Reimbursement
  1. REGISTER in FEMA Grants Portal & MB3
  2. SUBMIT Registration Documents
  3. DOCUMENT Expenses
- ✓ Debris Operations
- ✓ Public Assistance Alternative Procedures
- ✓ Procurement Using Federal Guidelines
- ✓ Resources and Contacts



AGENDA



Resource

✓ Look For Helpful Resources Linked on Slides

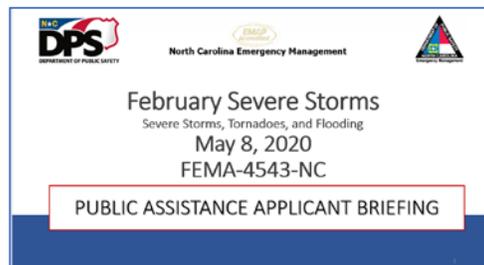
Click on resource links in presentation slides pdf

# Applicant Briefing Housekeeping Tips



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 all 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 February Severe Weather Event

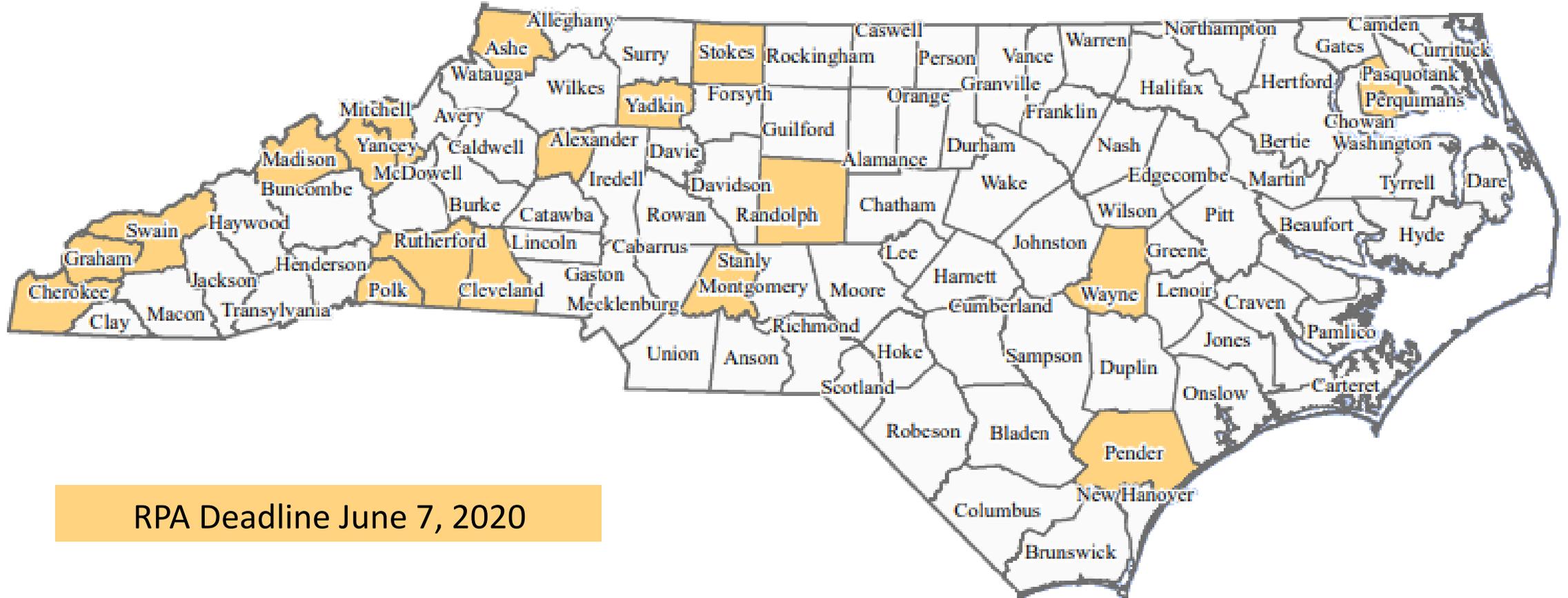
# Event Details

- Major Disaster Declaration: FEMA-4543-NC
- Declaration Date: May 8, 2020
- Incident Period: February 6 through February 19, 2020
- RPA Deadline: **Sunday** June 7, 2020
- Categories of Work: All Categories A-G & Z
- 18 Counties Declared



✓ [FEMA Event Website](#)

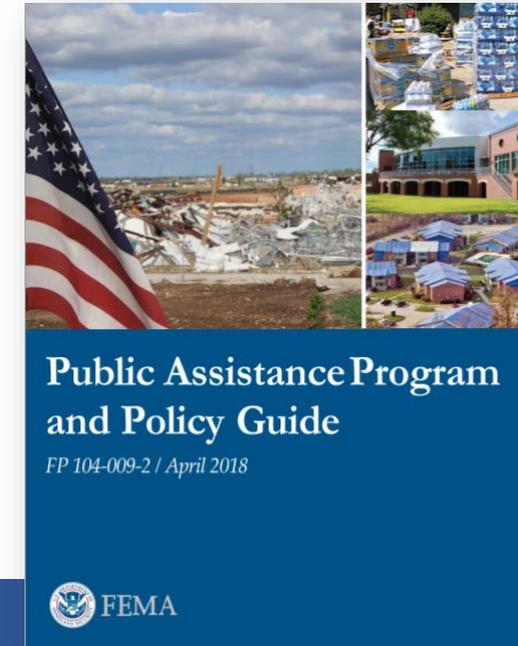
# Declared Counties



Alexander, Ashe, Cherokee, Cleveland, Graham, Madison, Mitchell, Pender, Perquimans, Polk, Randolph, Rutherford, Stanly, Stokes, Swain, Wayne, Yadkin, and Yancey Counties

# FEMA Public Assistance Program

## Public Assistance Program Overview



# Public Assistance (PA) Program

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

<b>Stafford Act</b>	<b>44 CFR</b>	<b>2 CFR</b>	<b>PA Program &amp; Policy Guide (PAPPG)</b>
Law	Program Regulations	Procurement Requirements	Policy



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

# 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 & MB3

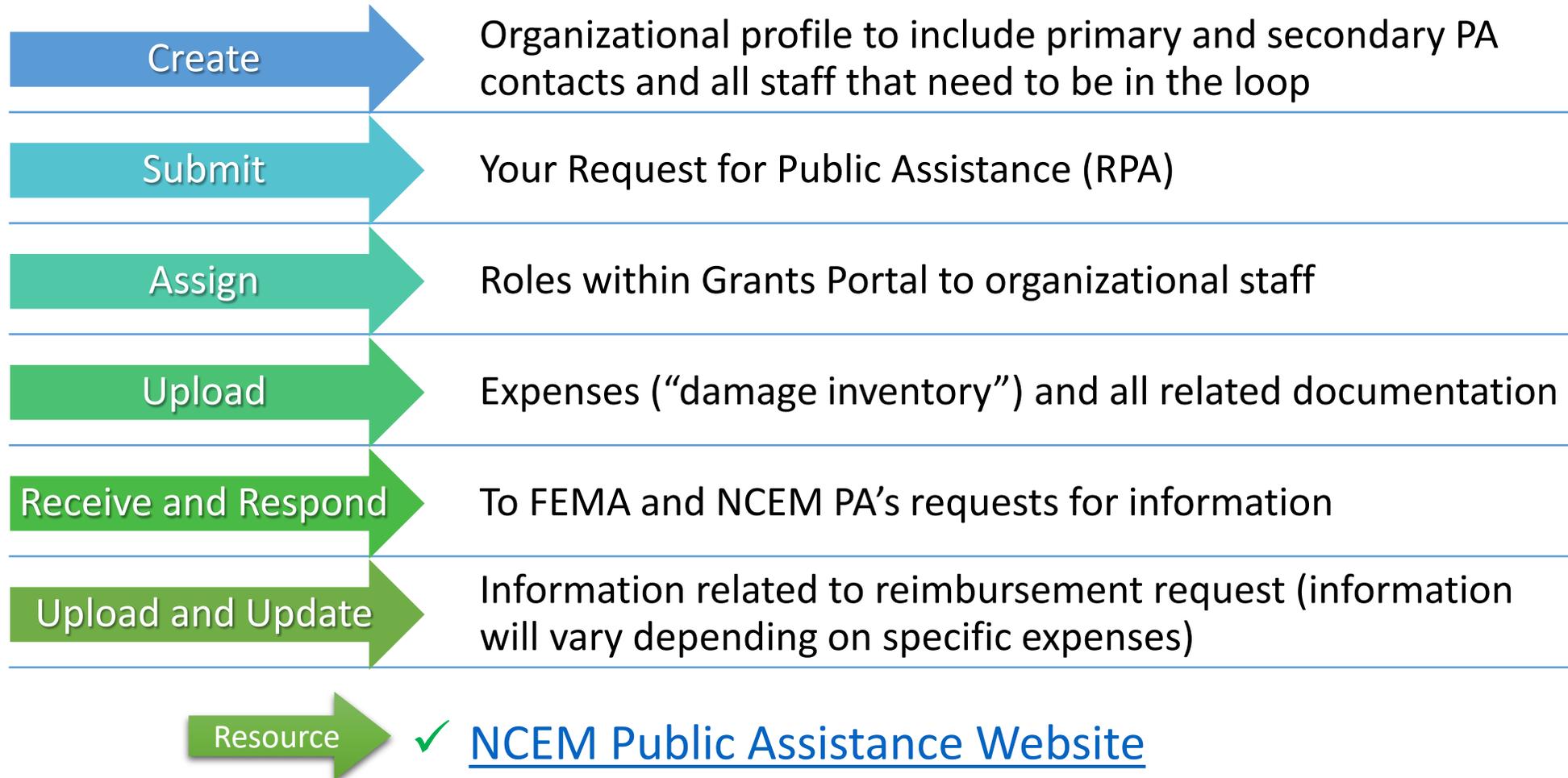
FEMA Grants Portal Overview

Grants Portal Registration

MB3 Introduction

# What is the FEMA PA Grants Portal?

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



# All Interested Applicants Should Register

## **Public Entities include:**

- Counties
- Cities
- Public Schools
- Community Colleges
- Water and Sewer Authorities
- Airport Authorities
- Public Transportation Authorities
- Public Housing Authorities
- Regional Councils of Government
- Other Political Subdivisions of the State

## **Private Non-Profits (PNP) include:**

- Community Center
- Custodial Care Facility
- Educational
- Emergency Care Facility
- Homeless Shelter
- Library
- Medical Care Facility
- Rehabilitation Facility
- Senior Citizen Center
- Shelter Workshop
- Utility
- Houses of Worship
- Emergency Services
- Private Colleges
- Low Income Housing
- Assisted Living
- Child Care
- Day Care (for individuals with disabilities or access and functional needs)
- Food Assistance Programs
- Health and Safety Services
- Animal Control Services
- Domestic Violence Services
- Residential Services for Individuals with Disabilities

*Not Sure Your Organization Qualifies? Register Anyway!*

# Who Is The Applicant?

## PNPs:

- 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 Permanent work repairs ***Non-Critical Non Profits*** have to apply to the Small Business Administration (SBA) to be eligible for Public Assistance

## 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

# 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](mailto: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

Send	To	'PAHotline' <PAHotline@ncem.org>
	Cc	
Subject		Grants Portal Registration
Organization: Tar Heel County Contact Name: Jane Doe Contact Phone Number: (555) 555-5555 Contact Email: <a href="mailto:jane.doe@tarheelcounty.xzy">jane.doe@tarheelcounty.xzy</a>		
(If a PNP, add whether "501(c)(3)" or "other nonprofit")		

*It's That Easy!*

# What Happens Next?

- You will receive an email from [support.pagrants@fema.gov](mailto:support.pagrants@fema.gov) to complete your registration
- Answer the basic questions about your organization and hit “Submit”
- Once your organization is approved you receive another email that will prompt you to log back in and set a security question and password along with any personnel you added in the last step

This process registers your organization but is not a Formal Request for Public Assistance (discussed in next section of briefing)

## Invitation Email to the Applicant - #1 Task

**Step 1:** Open this email from “support”

**From:**  
**Date:** July 10, 2018 at 8:32:39 AM EDT  
**To:** [michelleb@cityofwfs.org](mailto:michelleb@cityofwfs.org)  
**Subject:** FEMA PA Notification - You have been invited to join the FEMA Grants Portal.

Hello Michelle,

You've been invited to join FEMA's Grants Portal for the Public Assistance program as a potential subrecipient within North Carolina Emergency Management by Ward, Tinishia . FEMA's Grant Portal is used to request assistance under the Public Assistance Program, submit documentation, and communicate with FEMA during development of your public assistance subgrants.

Please click here to fill in your organization's information and create an account:  
<https://grantee.fema.gov/#organizationrequest/form/71B811B7-D39B-45B3-9D18-83B59ACF4FA7>

-FEMA PA Support Team

[FEMA-PA-Support@FEMA.DHS.Gov](mailto:FEMA-PA-Support@FEMA.DHS.Gov)  
<https://grantee.fema.gov>

**Step 2:** Click on this link to start your registration

# 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](mailto: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.



# EMGrantsPro Introduction

EMGrantsPro will be implemented by NCEM PA to manage subrecipient payments and more in tandem with FEMA Grants Portal. Further guidance about this web-based payment management system coming soon.

## **Subrecipients will be able to initiate and monitor:**

- Requests for Reimbursement
- Payments – by Check or Direct Deposit
- Time Extensions
- Scope of Work Changes
- Closeout Requests



# 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 <a href="mailto:public.assistance@ncdps.gov">public.assistance@ncdps.gov</a>
3. Designation of Applicant's Agent (DAA)	Email to <a href="mailto:public.assistance@ncdps.gov">public.assistance@ncdps.gov</a>

**All 3 Registration Documents Are Required!**

# Where To Get Registration Documents

## RPA

**Organization Profile**  
Alamance, Village of (001-00640-00)

**General Information**

ORGANIZATION NAME	Alamance, V	FEMA PA CODE	001-00640-00
STATE/TRIBE/TERRITORY	North Carolin	EIN NUMBER	33-3333333
TYPE	City or Town	BUNS NUMBER	007751912
IS ACTIVE?	Yes	DEACTIVATE	

Personnel > MANAGE

Locations > MANAGE

Counties with Facility > MANAGE

Insurance Profile > UPLOAD INSURANCE DOCUMENTS ? HELP

Applicant Event Profiles >

Documents > UPLOAD DOWNLOAD MANAGE

**REQUEST PUBLIC ASSISTANCE**



## SAA and DAA

[NCEM Public Assistance Website](#)

**Public Assistance**

In federally-declared disasters, Federal Emergency Management Agency (FEMA) can provide funding and technical help to state and local governments and certain private, non-profit groups. This funding will help to fix or replace damaged public properties such as roads, bridges, buildings and parks that have been damaged or destroyed.

**Forms**

- [State Applicant Agreement - 4543-DR-NC](#)
- [Designation of Applicant's Agent & Applicant Assurances](#)

**Disaster Recovery**

- [Individual Assistance](#)
- [Public Assistance](#)
- [Hazard Mitigation](#)

New registration documents required for this event even if you are already registered in the Grants Portal for past disasters or COVID-19

# 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*)  
To get a DUNS number: <https://www.dnb.com/duns-number.html>

## How Do I Submit It?

Submit through the Grants Portal

Deadline: 30-day deadline due on Sunday June 7, 2020

**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

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## 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.*

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## How Do I Submit It?

Submit by email to [public.assistance@ncdps.gov](mailto:public.assistance@ncdps.gov)

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# 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

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Where Do I Get It?

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

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How Do I Submit  
It?

Submit by email to [public.assistance@ncdps.gov](mailto:public.assistance@ncdps.gov)

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# What Happens Next?

- After your RPA is approved, you will be assigned a FEMA representative and NCEM PA grants manager
- Your PA grants manager and FEMA representative will be in touch to guide you through the reimbursement process
- Document your expenses so you will be ready to start applying for reimbursement
- You don't have to submit expenses to complete the registration process – go ahead and register now!

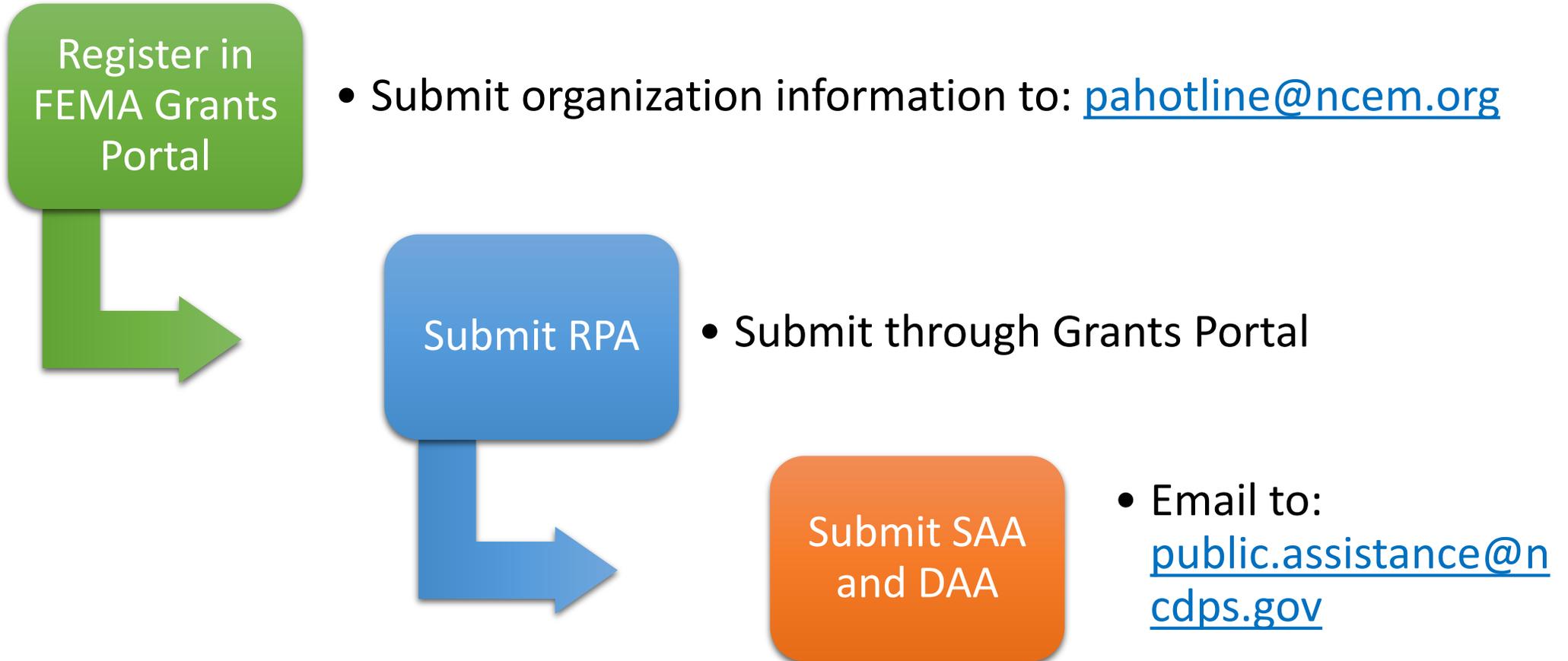


# Audit Requirements

	Federal Single Audit Requirement <i>(2 CFR § 200.500(a))</i>	State Single Audit Requirement
Expenditures in a fiscal year	\$750,000 or more in federal awards	\$500,000 or more in state awards
Applies to	All non-Federal entities (state, local government, PNP)	Local governments and public authorities
Timing of single audit	When annual financial audit is conducted	When annual financial audit is conducted

- Discuss these requirements with your local auditor to determine the type of audit your organization must have
- When your audit is complete, forward copy to State NCEM Public Assistance at: [public.assistance@ncdps.gov](mailto:public.assistance@ncdps.gov)
- If you forget to submit your audit, NCEM PA will remind you!

# Registration Process Recap



# Step 3: DOCUMENT Your Expenses

Emergency Work  
Permanent Work  
Management Costs



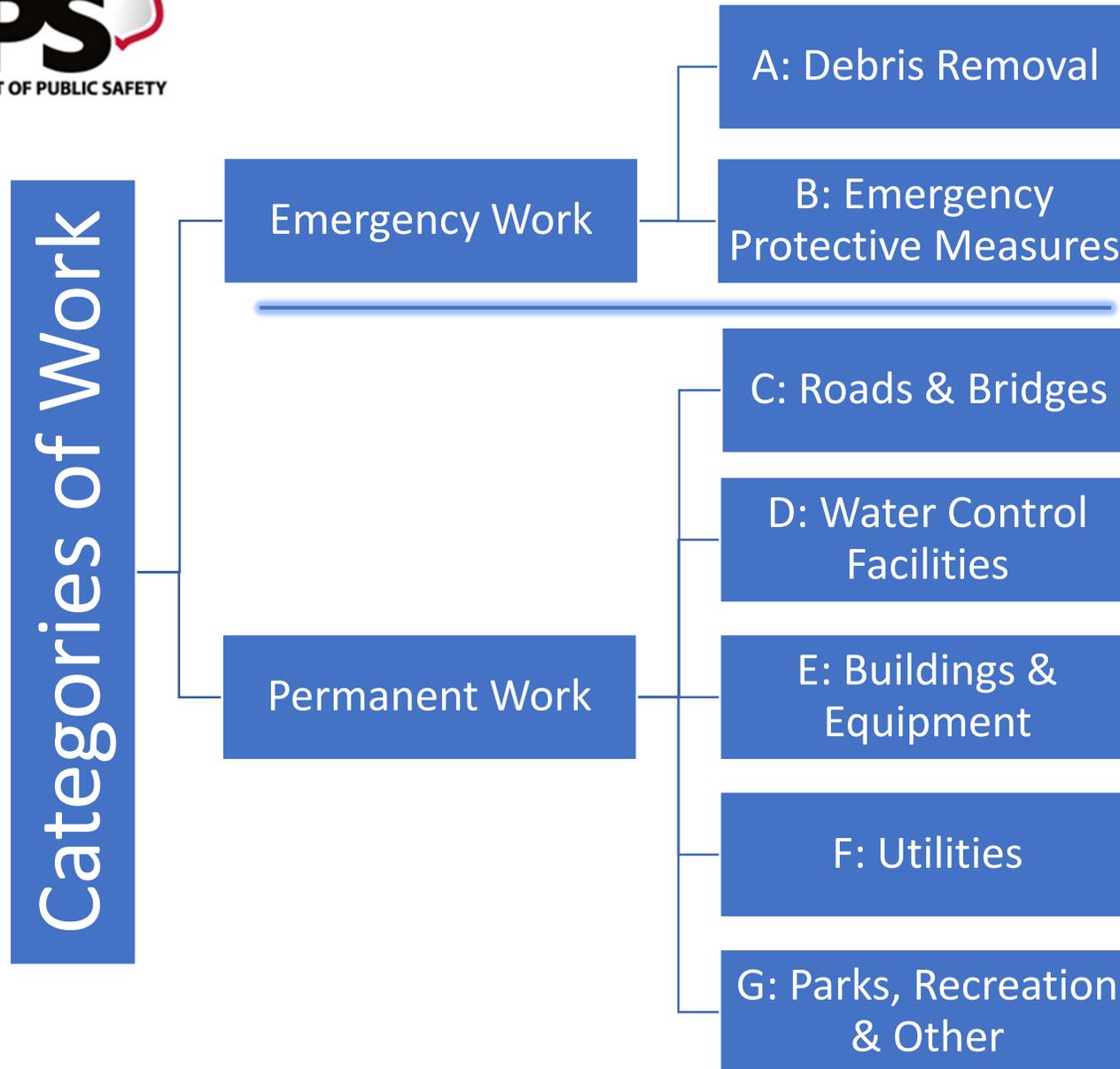
# Applicant Eligibility $\neq$ Expense Eligibility

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 (Category B only) addresses an immediate threat*



***For now - document, document, document everything!***



### Emergency Work (Categories A & B)

- 6 months from Declaration Date to complete
- Category A: Regular & Overtime Eligible (Debris Pilot)
- Category B: Only Overtime Eligible

### Permanent Work (Categories C-G)

- 18 months from Declaration Date to complete
- Overtime and Regular Time are eligible

# 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

# 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

# Phases of Debris Operations

## Phase I (*Response*)

Clearing debris that hinders immediate life-saving actions and poses an immediate threat to public health and safety  
("Cut & Shove")

\*Any roads or road system



## Phase II (*Recovery*)

Removal & disposal of debris that hinders the orderly recovery of the community and poses less immediate threats to health and safety

\*Legal responsibility for road/  
right-of-way



## Road Systems: State/Federal

- Federal: US & NC routes (e.g., US64, NC12)
- State: SR routes (e.g., SR1234)
- Generally the responsibility of NCDOT
- Local government may be eligible if MOA w/ NCDOT is activated
- Important to coordinate with NCDOT if local government intends to remove debris (Phase II)

## Road Systems: Local/Municipal

- Debris removal is responsibility of local government that owns or maintains road system

# Debris Monitoring

- Applicant must monitor for eligible debris locations & quantities removed
  - Use Force Account, temporary hires, or contract
  - Monitor at all pick-up / disposal locations
  - Document eligible pick-up locations
  - Document quantities (CY 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 Considerations

## Debris Management Sites

- Pre-disaster actions
  - Identify Debris Management Site (DMS) locations with NCDEQ, Solid Waste
  - Get Conditional Approval for potential use
- Post-disaster permitting & activation
- Request formal activation of site before use

## Reimbursement Documentation

- Provide copy of permit (DS-Number) to FEMA to put in Project Worksheet (PW)
- DMSs are temporary & must be cleared/closed within 6 months of receipt of first disaster debris
- Debris Pilot Program allows applicants to be reimbursed for straight time labor



[NC DEQ Solid Waste](#)

# Completed Small Project Certification

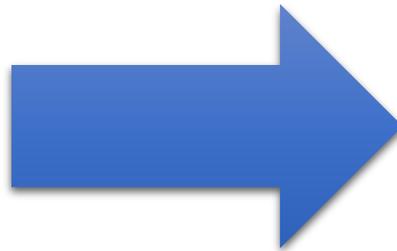
- Intention is to reduce the documentation burden on the Applicant
- Only Eligible for small Cat B-G completed work projects
- Applicants can submit cost summaries and a certification that it has met eligibility criteria in accordance with FEMA rules
- FEMA develops projects based on the certification and cost summaries provided
- Not applicable to Cat A projects, large projects or any projects with incomplete work



# Fixed Cost Alternative Procedures - 428

## Permanent Work (Large Projects Only - \$131,100+)

- Allows grants based on fixed estimates; applicant accepts responsibility for actual cost over-runs above estimate; applicant can use excess funds for FEMA-approved purpose.
- Consolidation of multiple permanent work PW's across categories.
- 406 Hazard Mitigation funding can be included in fixed amount (if still applicable to the final project).



# Types of Costs

- 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 2 hours per response. The burden estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting 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
NAME	REG.					BENEFIT RATE/HR
JOB TITLE	O.T.					TOTAL HOURLY RATE
NAME	REG.					TOTAL COSTS
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*

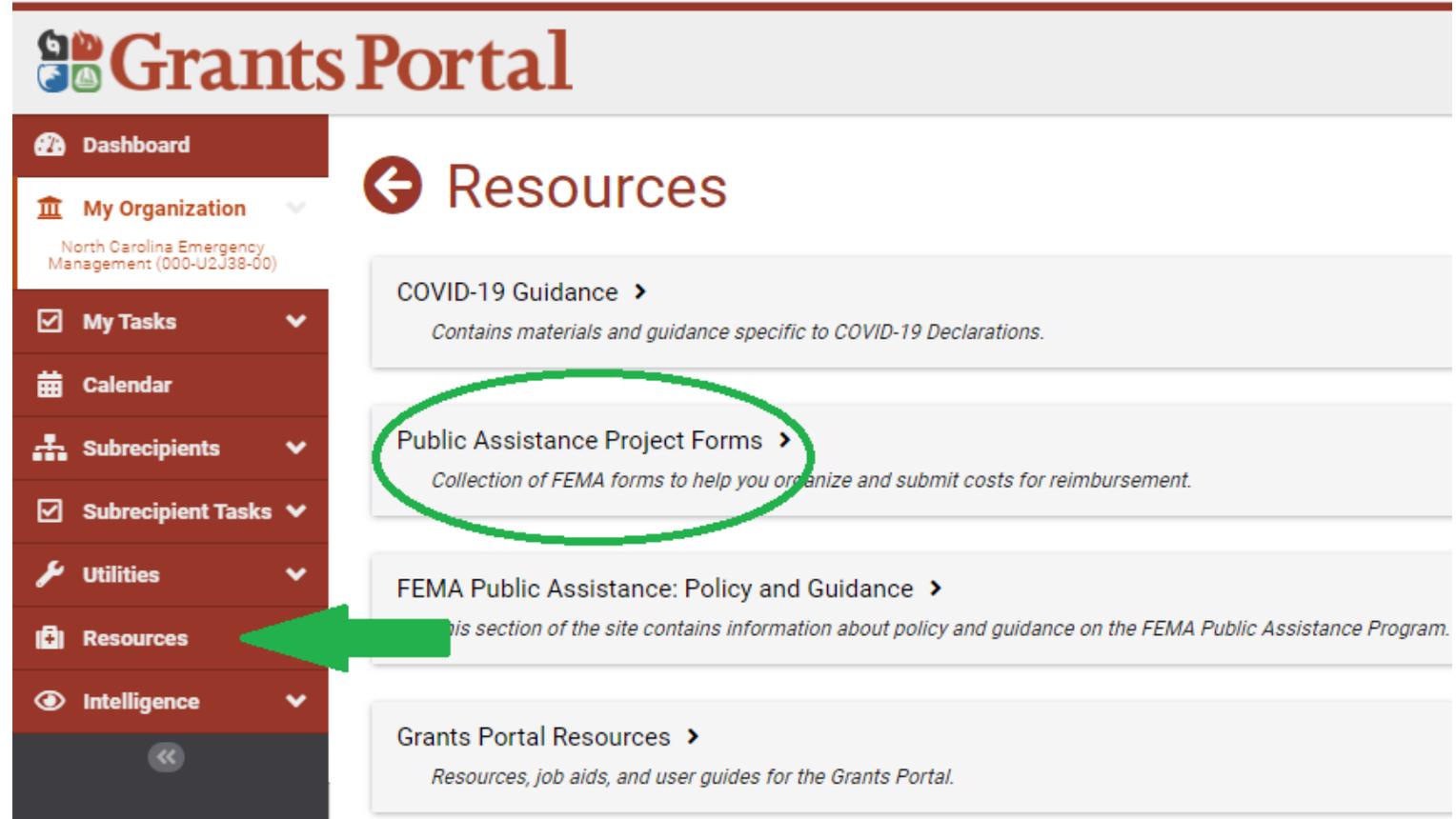
# Document Expenses NOW

## Example Summary Records

Grants Portal:  
Resources Tab  
provides examples

Or find them at:

✓ [FEMA Library](#)



The screenshot shows the Grants Portal interface. On the left is a sidebar menu with the following items: Dashboard, My Organization (North Carolina Emergency Management (000-U2J38-00)), My Tasks, Calendar, Subrecipients, Subrecipient Tasks, Utilities, Resources (highlighted with a green arrow), and Intelligence. The main content area is titled 'Resources' and lists several categories: COVID-19 Guidance, Public Assistance Project Forms (circled in green), FEMA Public Assistance: Policy and Guidance, and Grants Portal Resources.

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

# Force Account Labor

- Reimbursement for personnel expenses
  - Category B: overtime only
  - 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

# Force Account Labor – Personnel Policies

For overtime/hazard duty pay to be eligible for FEMA reimbursement, personnel policies:

1. Must be adopted in writing prior to the date of the event (for this event, May 8, 2020)
2. Cannot make award of overtime discretionary on the part of the unit
  - Ex: *“The Board may, in its discretion, award overtime pay”* will not be reimbursable
3. Cannot make overtime rate higher in a federally declared disaster than in a non-federally declared disaster
4. Cannot make award of overtime contingent on receipt of federal funds
  - Ex: *“In the event of a federally declared disaster, overtime will be paid”* or *“Overtime will be awarded subject to FEMA reimbursement”* will not be reimbursable

# 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
  - Newly Purchased (for emergency protective measures)
  - Taken from applicant's inventory

*Keep all invoices, receipts, inventory control registers, maintenance records, etc.*



# Rented Equipment

- Reimbursement for rental equipment
- Examples: Forklifts, Pumps, Generators, etc.

*Keep your rental agreement and retain receipts to validate rented equipment costs*



# Contract Work

- Reimbursement for hiring outside contractors to perform eligible emergency protective measures work
- Temporary employees on your payroll are not contractors – they are force account labor
- Check for debarred contractors (EPLS)
-  ✓ [www.sam.gov](http://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, including insurance payments (no “double dipping”)
- Keep track of ALL expenses, and
- Keep track of which expenses have been paid for with other funds
- Document insurance payments for property damages
- Be prepared to demonstrate no duplication of benefits if requested by FEMA



# Procurement Requirements



Federal Procurement Requirements for FEMA Reimbursement

# Federal Procurement Requirements

- Federal Uniform Guidance procurement requirements apply to FEMA Public Assistance grant funds (2 CFR Part 200; §§200.317-326)
- Requirements apply to all local governments and nonprofits that use federal funds to pay for contract costs
- Failure to comply with procurement requirements most common reason for reimbursement denial of eligible expenses
- Special procurement rules for COVID-19 DO NOT apply in this disaster

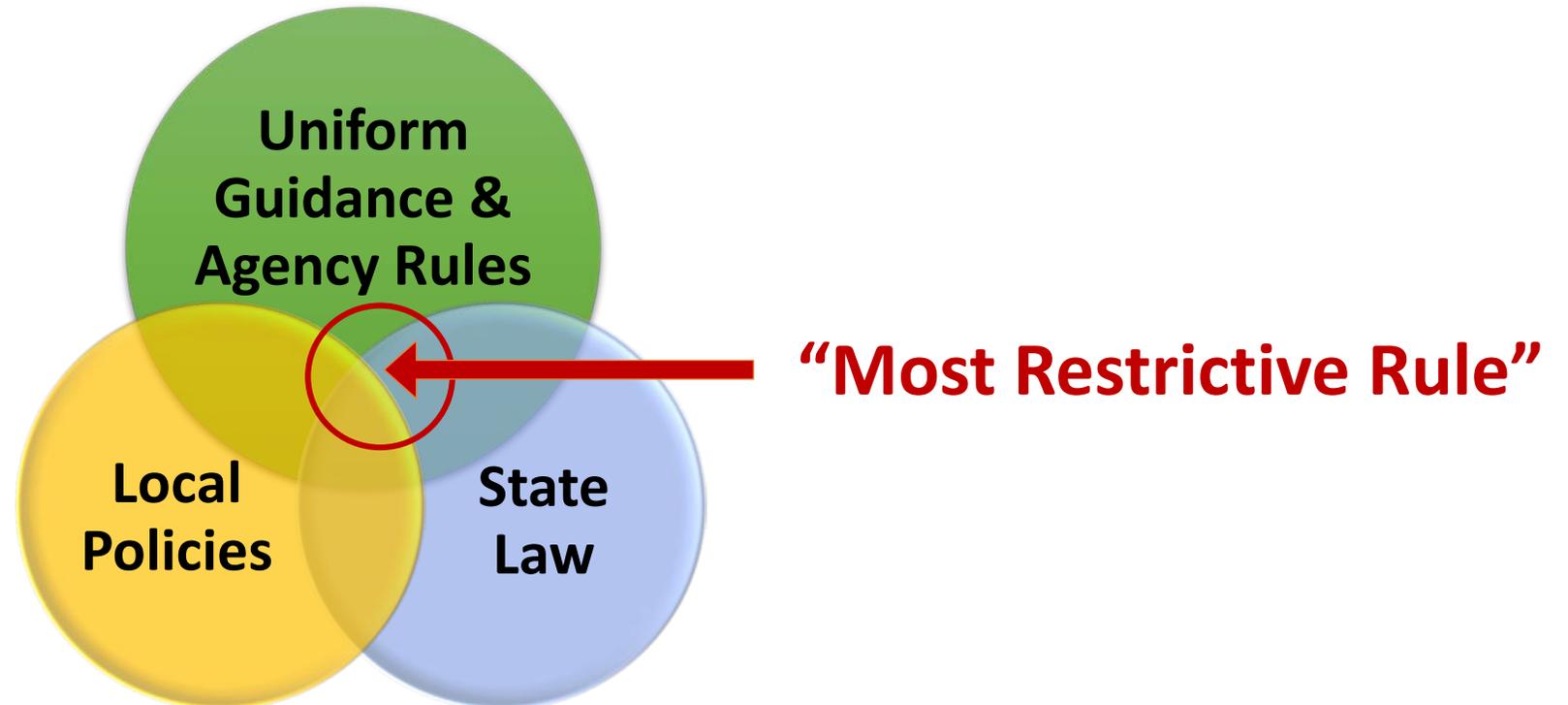


## Funding

- Obligated Funds
- Deobligate Funds
- No Change to Funding

# Which Set of Rules Do You Follow?

“The non-Federal entity must use its own documented procurement procedures which reflect applicable state, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.” 2 CFR § 200.318(a)



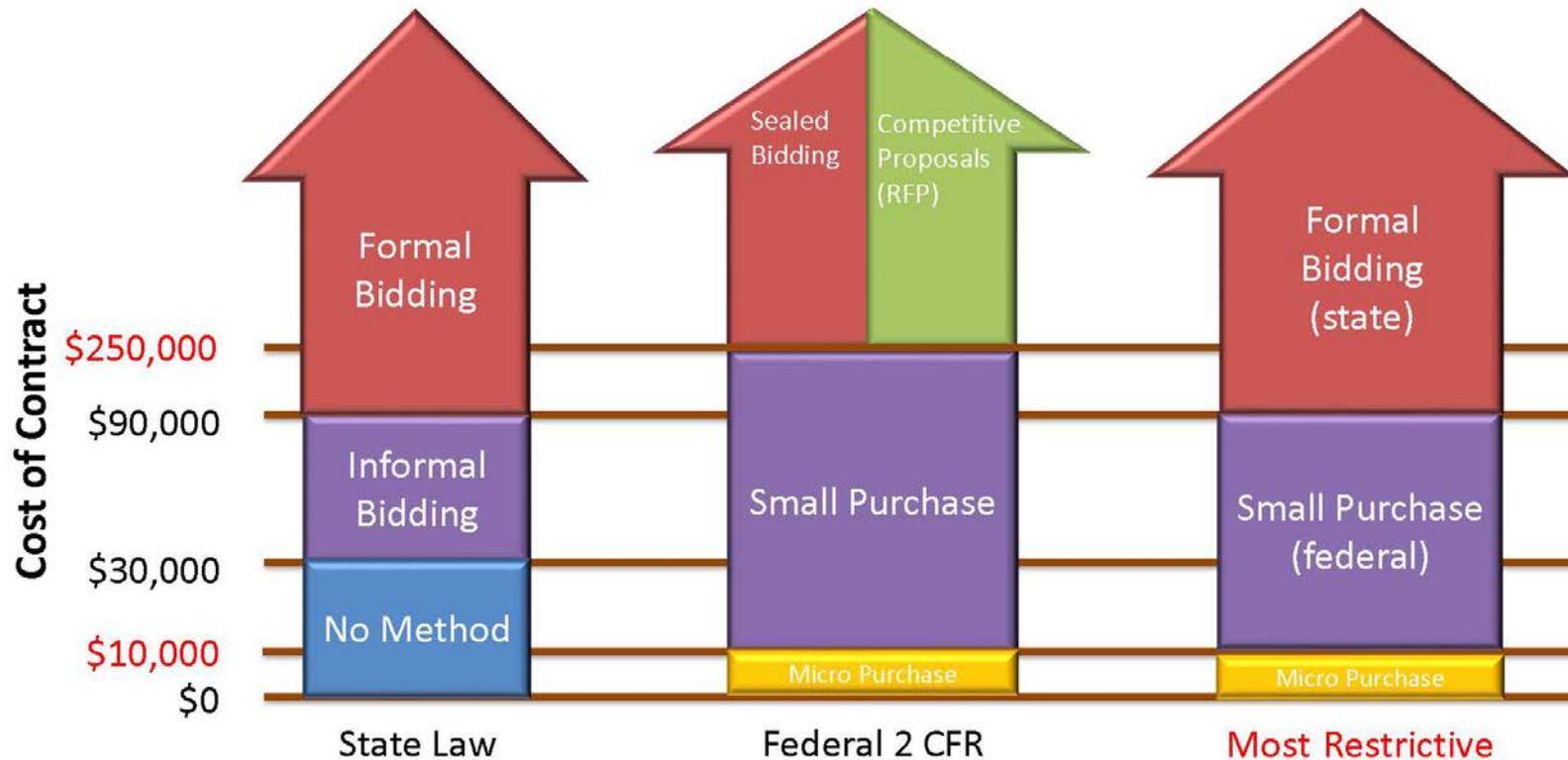
# Basic Federal Procurement Requirements

1. Ensure full & open competition
2. Document procurement process
  - Written procurement policies required
3. Award contract to lowest responsive responsible bidder
  - Must justify why low bidder not awarded contract (deemed not responsive or not responsible)
4. Exceptions very limited
5. Cost-plus contracts prohibited; Time & Materials contracts limited
  - Bonds required for construction contracts costing \$250,000 or more
6. Include federal contract provisions
7. Solicit MWBE/HUB participation
8. Avoid conflicts of interest and accepting gifts from contractors
  - Written conflicts of interest policies required
9. Geographic preferences prohibited
10. Costs must be reasonable
  - Independent cost-price analysis required for contracts costing \$250,000 or more

**Murphy's Law:**  
*The item you didn't  
document will be the one  
you're asked for!*

# “Most Restrictive Rule”

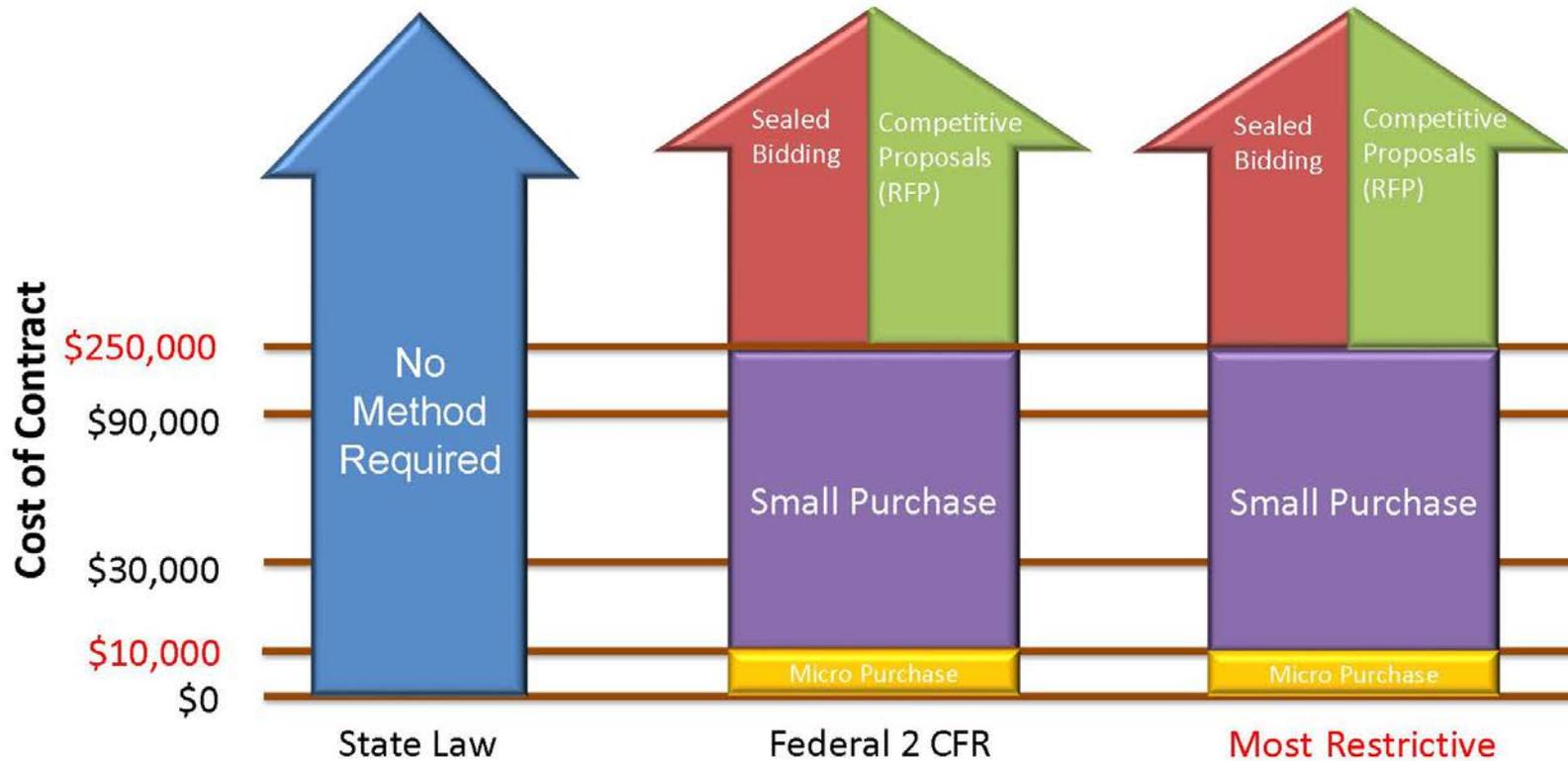
## Purchase Contracts



*Even when generally following federal rules, some specific state requirements may still apply and vice versa.*

# “Most Restrictive Rule”

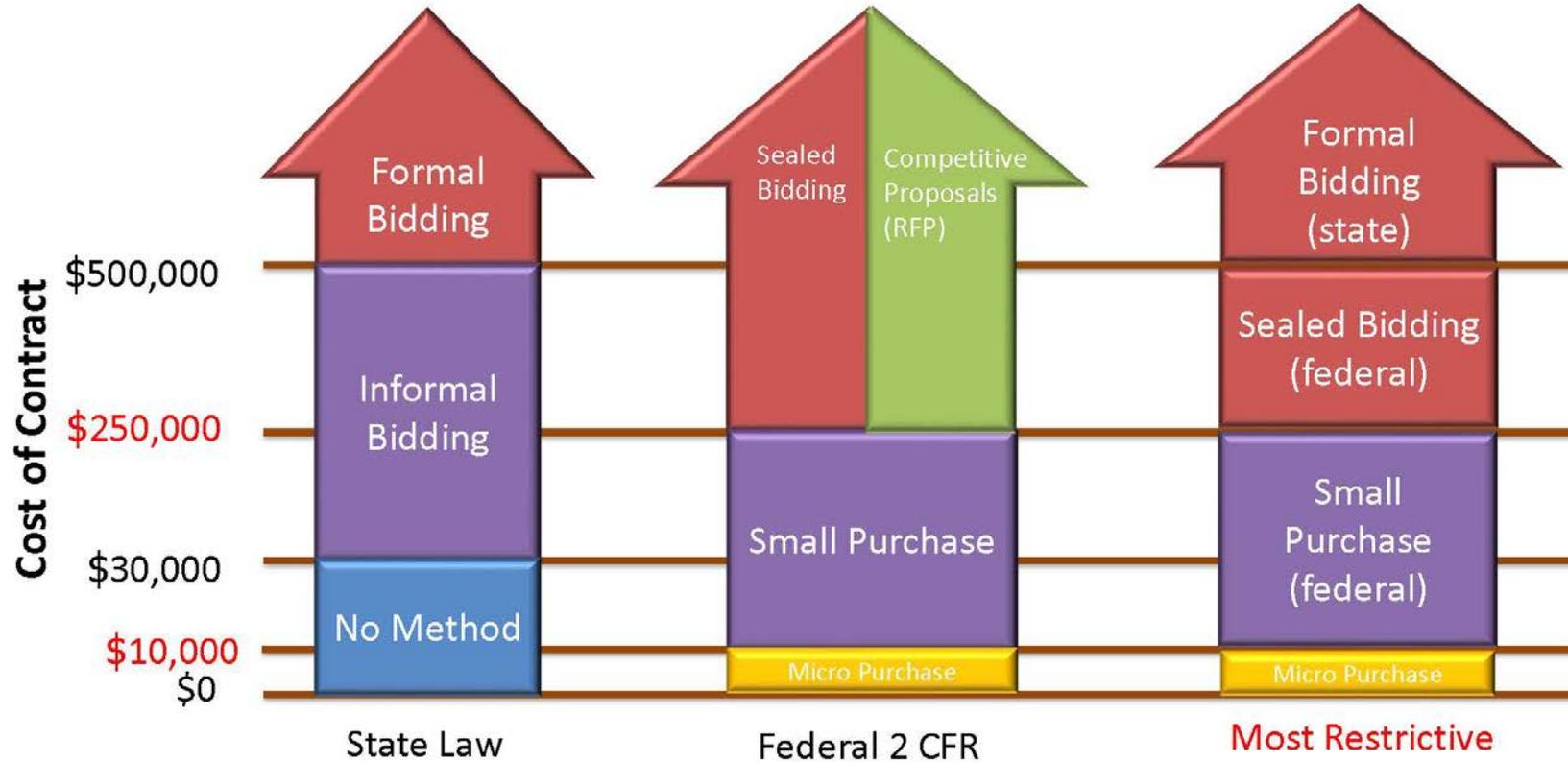
## Service Contracts



*Even when generally following federal rules, some specific state requirements may still apply and vice versa.*

# “Most Restrictive Rule”

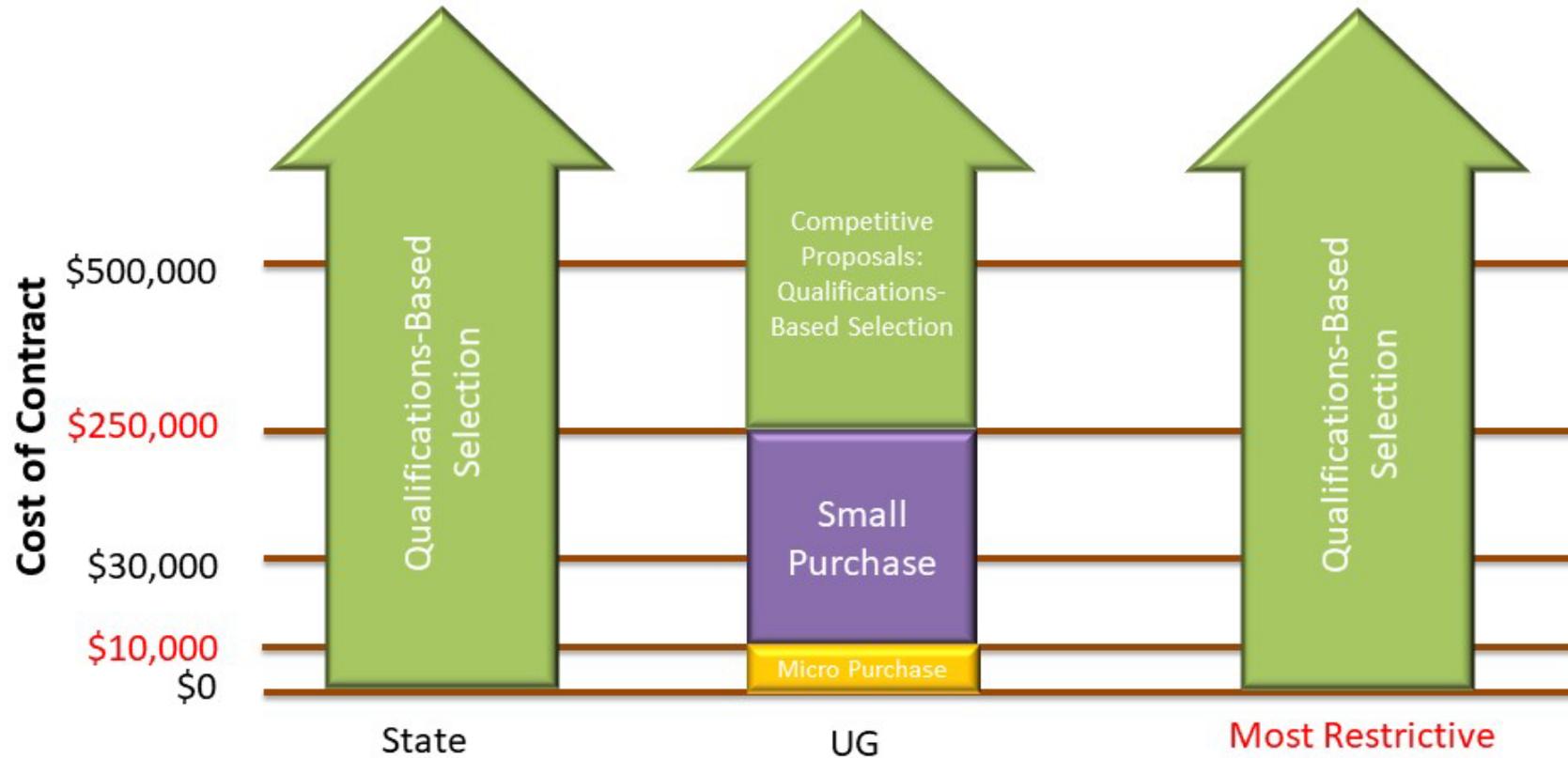
## Construction and Repair Contracts



*Even when generally following federal rules, some specific state requirements may still apply and vice versa.*

# “Most Restrictive Rule”

## A/E/S Contracts



*Even when generally following federal rules, some specific state requirements may still apply and vice versa.*

# MWBE Participation

- Applies to **All** Contracts regardless of type above micro-purchase threshold (\$10,000)
- Requires 6 specific solicitation steps (Federal Uniform Guidance steps similar to state HUB good faith efforts for construction contracts)
- Local government must document their compliance with MWBE solicitation requirements
- State HUB requirements also apply to construction contracts involving a building

To assist with this requirement, post your RFP's on:



✓ <https://ncadmin.nc.gov/businesses/historically-underutilized-businesses-hub/submit-contractor-bid-opportunity-hub>

# 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



# FEMA Top 10 Procurement Mistakes

1. Violating bidding requirements
2. Sole source beyond emergency or exigent circumstances
3. Piggybacking
4. Time and materials contract w/o justification and not-to-exceed cap
5. Cost-plus contract – never allowed
6. No federal contract clauses
7. Geographic preference
8. No MWBE solicitation
9. No cost/price analysis
10. Inadequate or lack of documentation



Source: [https://www.fema.gov/media-library-data/1506978167717-61cdf0784cbba7f976f8a66700f04f3e/Top\\_10\\_FEMA\\_Grant\\_Procurement\\_Mistakes\\_20170928.pdf](https://www.fema.gov/media-library-data/1506978167717-61cdf0784cbba7f976f8a66700f04f3e/Top_10_FEMA_Grant_Procurement_Mistakes_20170928.pdf)

# Helpful Resources

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



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

 <p><b>FEMA</b></p> <hr/> <p> Navigation</p> <p> Search</p> <p> Languages</p> <hr/> <p>About the Agency</p> <p>&gt; Leadership</p>	<h2>PDAT Resources when Procuring with Federal Grant Funds</h2> <p>Some communities may not always have the resources on hand to properly prepare for, respond to, or recover from a disaster.</p> <p>When using <a href="#">FEMA Public Assistance</a> funds to procure goods and services before, during and after a disaster, you must follow the <a href="#">federal procurement under grant regulations</a>.</p> <p><i>Failure to follow the applicable rules may place your FEMA grant funding at risk.</i></p>
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# We're Here to Help!

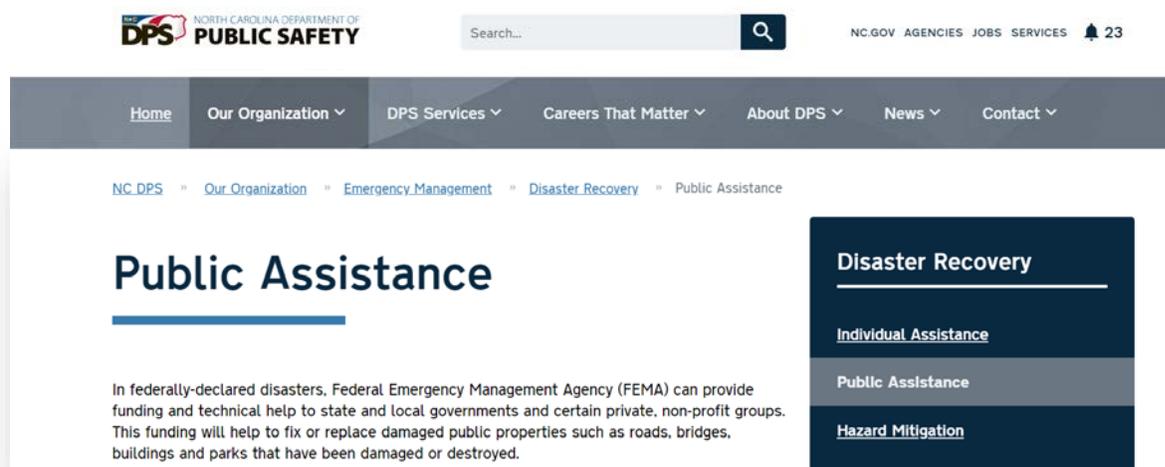


NCEM Public Assistance Contacts

# Important Dates to Remember

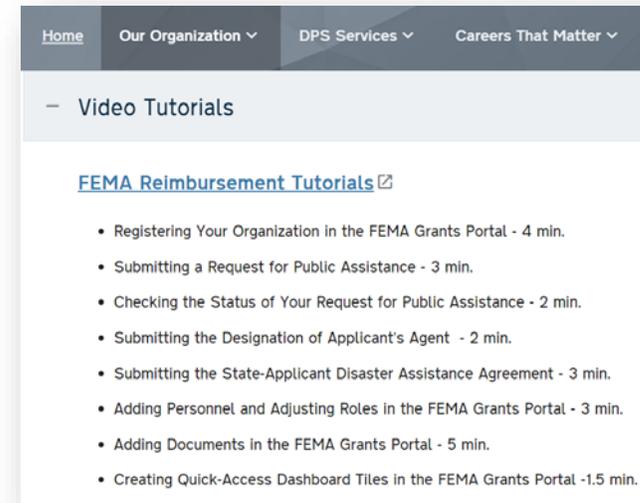
Required Action	Deadline
Request for Public Assistance (RPA)	<b>June 7, 2020</b> (30 days from declaration date)
Emergency Work Completed	<b>November 8, 2020</b> (6 months from declaration date)
Permanent Work Completed	<b>November 8, 2021</b> (18 months from declaration date)
428 Fixed Cost Offer	<b>November 8, 2021</b> (Must be identified within 18 months from declaration date)

## NCEM Public Assistance Website



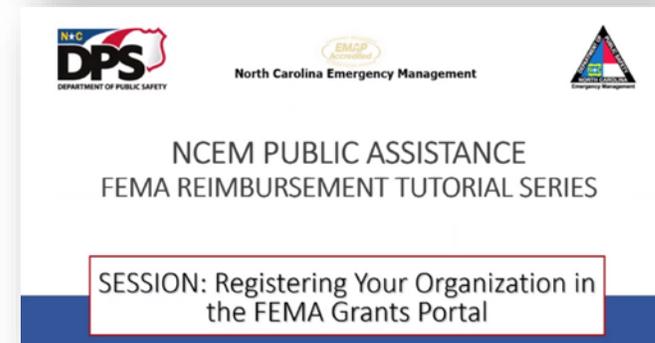
The screenshot shows the NCEM Public Assistance website. At the top, there is a navigation bar with links for Home, Our Organization, DPS Services, Careers That Matter, About DPS, News, and Contact. Below the navigation bar, there is a breadcrumb trail: NC DPS » Our Organization » Emergency Management » Disaster Recovery » Public Assistance. The main heading is "Public Assistance". Below the heading, there is a paragraph: "In federally-declared disasters, Federal Emergency Management Agency (FEMA) can provide funding and technical help to state and local governments and certain private, non-profit groups. This funding will help to fix or replace damaged public properties such as roads, bridges, buildings and parks that have been damaged or destroyed." To the right of the main content, there is a sidebar with a "Disaster Recovery" header and three sub-links: "Individual Assistance", "Public Assistance", and "Hazard Mitigation".

## NCEM PA Tutorial Series



The screenshot shows the NCEM PA Tutorial Series page. At the top, there is a navigation bar with links for Home, Our Organization, DPS Services, and Careers That Matter. Below the navigation bar, there is a section titled "Video Tutorials". Under this section, there is a link for "FEMA Reimbursement Tutorials". Below the link, there is a list of video tutorials:

- Registering Your Organization in the FEMA Grants Portal - 4 min.
- Submitting a Request for Public Assistance - 3 min.
- Checking the Status of Your Request for Public Assistance - 2 min.
- Submitting the Designation of Applicant's Agent - 2 min.
- Submitting the State-Applicant Disaster Assistance Agreement - 3 min.
- Adding Personnel and Adjusting Roles in the FEMA Grants Portal - 3 min.
- Adding Documents in the FEMA Grants Portal - 5 min.
- Creating Quick-Access Dashboard Tiles in the FEMA Grants Portal -1.5 min.



The slide features the N.C. DPS logo, the EMMP logo, and the North Carolina Emergency Management logo. The text on the slide reads: "NCEM PUBLIC ASSISTANCE FEMA REIMBURSEMENT TUTORIAL SERIES". Below this, a red-bordered box contains the text: "SESSION: Registering Your Organization in the FEMA Grants Portal".



# Contact NCEM Public Assistance

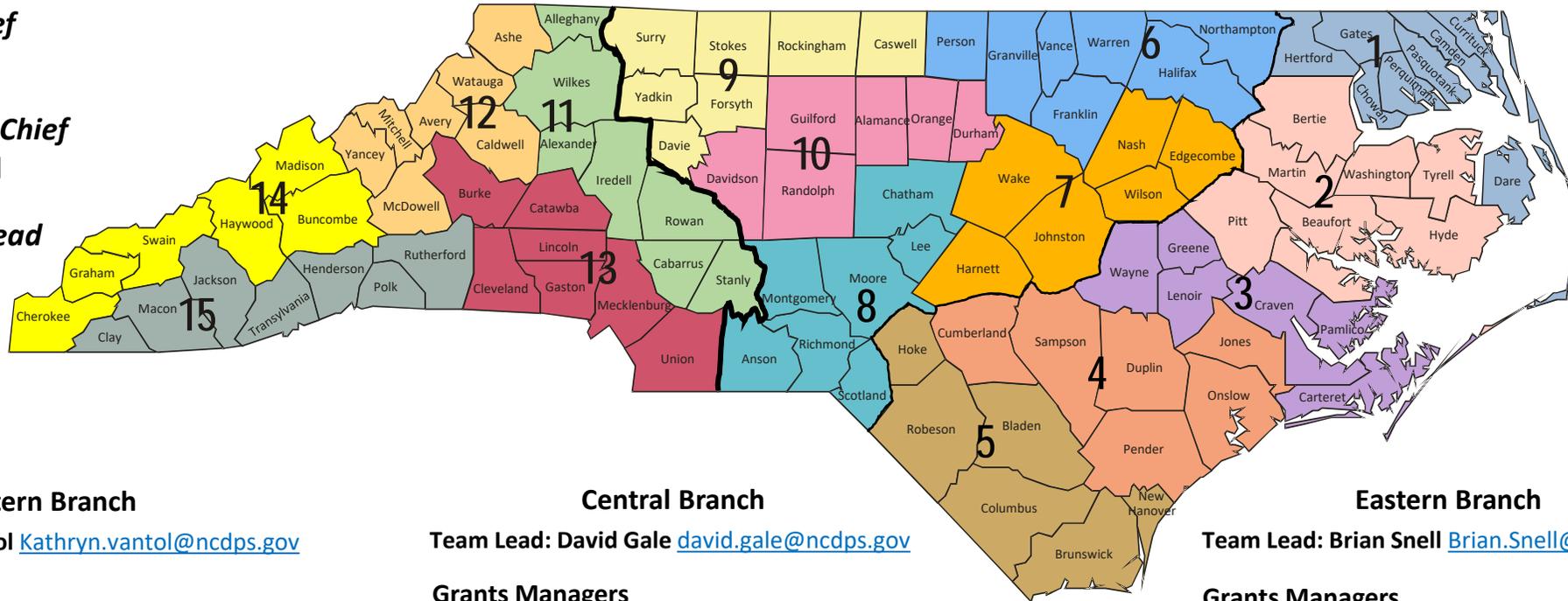
## Field Operations Map and Contacts *as of May 15, 2020*

# NC Division of Emergency Management Recovery Public Assistance Team

**NCEM Recovery Chief**  
Todd Wright

**NCEM Deputy Recovery Chief**  
Dot Henderson Bell

**State PA Operations Lead**  
Mary Glasscock



### Western Branch

Team Lead: Kate Van Tol [Kathryn.vantol@ncdps.gov](mailto:Kathryn.vantol@ncdps.gov)

#### Grants Managers

- Area 11: David Vaughan [david.vaughan@ncdps.gov](mailto:david.vaughan@ncdps.gov)
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### Central Branch

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- Area 3: Jeff Welker [jeffrey.welker@ncdps.gov](mailto:jeffrey.welker@ncdps.gov)
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# NC Division of Emergency Management Public Assistance Contact Info



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Tara Fikes 984-222-5188 <a href="mailto:tara.fikes@ncdps.gov">tara.fikes@ncdps.gov</a>	Melvin Williams 984-233-3237 <a href="mailto:melvin.williams@ncdps.gov">melvin.williams@ncdps.gov</a>	Clarissa Moore 984-220-2226 <a href="mailto:clarissa.moore@ncdps.gov">clarissa.moore@ncdps.gov</a>	



# Grants Portal Hotline for FEMA Public Assistance



(866) 337-8448

or

[FEMA-Recovery-PA-Grants@fema.dhs.gov](mailto:FEMA-Recovery-PA-Grants@fema.dhs.gov)





## North Carolina Emergency Management



THANK YOU FOR WHAT YOU DO!