

International Association of Emergency Managers

Disaster Cost Recovery and Finance Caucus

Covid-19 Pandemic Webinar Series

FEMA Public Assistance Program  
Information and Handouts

**International Association of Emergency Managers  
Disaster Cost Recovery and Finance Caucus  
Covid-19 Pandemic Webinar Series  
FEMA Public Assistance Program Information and Handouts  
Index as of May 2020**

COVID-19 Pandemic Operational Guidance for the 2020 Hurricane Season. . . . . 3  
Coronavirus (COVID-19) Pandemic: Medical Care Costs Eligible for Public Assistance  
FEMA Policy FP 104-010-. . . . . 9  
Coronavirus (COVID-19) Pandemic: Alternate Care Site (ACS) “Warm Sites”. . . . . 19  
President Donald J. Trump Directs FEMA Support Under Emergency Declaration for  
COVID-19. . . . . 22  
Coronavirus (COVID-19) Pandemic: Eligible Emergency Protective Measures. . . . . 23  
Public Assistance: Non-Congregate Sheltering Delegation of Authority. . . . . 25  
Coronavirus (COVID-19) Pandemic: Private Nonprofit Organizations. . . . . 26  
FACT SHEET Coronavirus (COVID-19) Pandemic: Public Assistance Simplified  
Application. . . . . 28  
TALKING POINTS PA Application Simplification for Nationwide Emergency Declaration  
for COVID-19. . . . . 30  
FACT SHEET Public Assistance Appeals & Arbitration under the Disaster Recovery  
Reform Act. . . . . 33  
Excerpt Pages from the Public Assistance Program and Policy Guide (PAPPG). . . . 35  
COVID-19 Requests for Public Assistance Deadline. . . . . 45  
Coronavirus (COVID-19) Pandemic: Purchase and Distribution of Food Eligible for  
Public Assistance. . . . . 46  
FACT SHEET Disaster Financial Management Guide and COVID-19 Response. . . . 52  
Disaster Financial Management Guide. . . . . 54  
FACT SHEET Coronavirus (COVID-19) Pandemic: Addressing PPE Needs in Non-  
Healthcare Setting. . . . . 55  
COVID-19 Process Overview Public Assistance Applicant Quick Guide. . . . . 58  
Completing and Submitting the COVID-19 Streamlined Project Application. . . . . 60  
Submitting a Public Assistance Funding Request for COVID-19 FEMA Public  
Assistance COVID-19 Streamlined Project. . . . . 66  
MEMO Procurement Under Grants Conducted Under Emergency or Exigent  
Circumstances for COVID-19. . . . . 99  
Public Assistance Applicant Procurement Compliance Checklist. . . . . 101  
FACT SHEET Procurement Under Grants Conducted Under Exigent or Emergency  
Circumstances. . . . . 115  
JOB AID Public Assistance: Reasonable Cost Evaluation. . . . . 121



# COVID-19 Pandemic Operational Guidance for the 2020 Hurricane Season

*May 2020*



**FEMA**

## Executive Summary

On March 13, 2020, President Donald J. Trump declared the ongoing novel coronavirus (COVID-19) pandemic to be of sufficient severity and magnitude to warrant a nationwide emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Stafford Act. In response to COVID-19, the entire Nation, including every level of government—federal, state, tribal, territorial, and local—has been engaged in efforts to slow and stop the spread of COVID-19 through a multitude of initiatives including stay-at-home orders, travel restrictions, use of Personal Protective Equipment (PPE), and adherence to Centers for Disease Control and Prevention (CDC) guidelines.

As a result of the COVID-19 pandemic, the Nation is facing unprecedented challenges as we respond to additional disasters, anticipate emergent incidents, and prepare for the 2020 hurricane season. Although the operating environment has changed, the Federal Emergency Management Agency's (FEMA) mission of *helping people before, during, and after disasters* remains the same. Federal, state, local, tribal, and territorial (SLTT) officials, along with the private sector and non-governmental organizations (NGO), must partner together to fulfill their respective missions and help disaster survivors. As the Nation continues to respond to and recover from COVID-19 while posturing for the coming hurricane season, emergency managers must continue to operate under a framework of a **locally executed, state managed, and federally supported** approach to incident stabilization.

To help SLTT emergency managers and public health officials respond to incidents during the 2020 hurricane season amid the COVID-19 pandemic, FEMA is releasing the *COVID-19 Pandemic Operational Guidance for the 2020 Hurricane Season*. This document will:

- Describe anticipated challenges to disaster operations posed by COVID-19 and describe planning considerations for emergency managers in light of these challenges;
- Outline how FEMA plans to adapt response and recovery operations to the realities and risks of COVID-19 to:
  - Ensure prioritization for life safety, life sustainment, and workforce protection, and
  - Maintain the delivery of FEMA's programs and help to solve complex problems by using whole-of-community disaster assistance to the highest level possible;
- Allow SLTT emergency managers to prepare and plan accordingly based on FEMA's operational posture and create a shared understanding of expectations between FEMA and SLTTs prior to hurricane season; and
- Provide guidance, checklists, and resources to enable emergency managers to best adapt response and recovery plans.

This document is comprised of two main sections: response planning and recovery planning. Throughout each section, emergency managers will find detailed information on FEMA's operating posture and guidance for SLTT governments. In the appendixes, emergency managers will find checklists and resources on FEMA operations and additional COVID-19 related guidance. While SLTT emergency managers are the primary audience for this document, this guidance can also be used by Emergency Support Function (ESF) and Recovery Support Function (RSF) partners as these departments and agencies plan and posture for the 2020 hurricane season.

## Purpose

In preparing for the 2020 hurricane season, this document provides actionable guidance to SLTT officials to prepare for response and recovery operations and encourages personal preparedness measures amidst the ongoing COVID-19 pandemic. While this document focuses on hurricane season preparedness, most planning considerations can also be applied to any disaster operation in the COVID-19 environment, including no-notice incidents, spring flooding and wildfire seasons, and typhoon response.

Information presented in this document regarding FEMA's operating posture should serve as a baseline for SLTT partners. For specific disaster response and recovery operations, FEMA will continue to work directly with federal and SLTT partners and may adjust this guidance based on the requirements of the incident, the operating environment and phased reopening as directed by SLTT officials, and any updates to existing guidance at the time of the incident.

While much of the SLTT considerations and planning guidance is specific to the public sector, NGOs and the private sector can utilize these factors for planning and preparedness. This document can be used to gain a better understanding of governmental posture, planning, and readiness efforts and how NGOs and the private sector play critical roles in response and recovery operations.

Questions, comments, and feedback from non-FEMA emergency management readers should be directed to the appropriate FEMA Regional Office. Questions, comments, and feedback from FEMA personnel and stakeholders regarding this document should be directed to the Office of Response and Recovery at FEMA Headquarters.

# Table of Contents

Executive Summary .....	i
Purpose.....	ii
Table of Contents.....	iii
Introduction .....	1
Adapting to the COVID-19 Operating Environment.....	1
Response Planning for 2020 Hurricane Season .....	1
FEMA’s Current Posture.....	2
Operational Coordination .....	2
FEMA Personnel and Augmentation .....	3
Contract and Commodity Readiness .....	5
Remote Disaster Operations .....	5
Disaster Facilities.....	6
SLTT Response Planning.....	7
Operational Coordination and Communications.....	8
Commodities and Points of Distribution.....	9
Staffing and Workforce Protection Planning.....	10
Evacuation Planning .....	10
Recovery Planning for 2020 Hurricane Season.....	11
FEMA’s Current Recovery Posture .....	12
Mass Care/Emergency Assistance .....	12
Virtual Preliminary Damage Assessments.....	14
Disaster Survivor Assistance and Disaster Recovery Centers .....	14
Individual and Households Programs and Direct Housing.....	15
Community Services Programs .....	15
Public Assistance .....	16
Hazard Mitigation.....	17
Environmental Planning and Historic Preservation .....	17
Interagency Recovery Coordination .....	18
SLTT Recovery Planning .....	18
Mass Care/Emergency Assistance Planning.....	19
Individual Assistance, Public Assistance, and Hazard Mitigation Application Processes .....	20
SLTT Recovery Process.....	21
Conclusion.....	22

Appendix A: Additional Resources.....	A-1
Preparedness Resources .....	A-1
Response Resources .....	A-3
Recovery Resources .....	A-5
Appendix B: Preparedness Considerations Checklist.....	B-1
Review and Modify.....	B-1
Consider and Identify.....	B-1
Message and Engage .....	B-2
Appendix C: Response Considerations Checklist.....	C-1
Safety and Security .....	C-2
Food, Water, Shelter .....	C-2
Health and Medical.....	C-4
Energy (Power and Fuel).....	C-5
Communications .....	C-5
Transportation .....	C-6
Hazardous Materials.....	C-7
Appendix D: Recovery Considerations Checklist.....	D-1
Leadership and Authority .....	D-1
Staffing .....	D-1
Communications and Engagement.....	D-2
Recovery Planning.....	D-2
Financial Management.....	D-3
Appendix E: Public Messaging Guidance on Hurricanes .....	E-1
Be Prepared for a Hurricane .....	E-1
Highlight.....	E-1
Definition .....	E-1
Quick Facts .....	E-1
Protect Yourself Key Messages.....	E-1
How to Stay Safe When a Hurricane Threatens.....	E-2
Prepare Now .....	E-2
Survive During.....	E-3
Be Safe After .....	E-4
Take an Active Role in Your Safety .....	E-4
Helpful Links.....	E-5
Videos .....	E-5

Tip Sheets.....	E-5
More Information .....	E-5
Information for Youth.....	E-5
About.....	E-5
Words to Know .....	E-6
Am I at Risk?.....	E-6
What Can I Do?.....	E-6
Getting Sick .....	E-7
Learn More .....	E-8
Helpful Links.....	E-8
Appendix F: Acronyms.....	F-1

# Coronavirus (COVID-19) Pandemic: Medical Care Costs Eligible for Public Assistance

## FEMA Policy FP 104-010-04

---

### BACKGROUND

Under the President's March 13, 2020 COVID-19 emergency declaration<sup>1</sup> and subsequent major disaster declarations for COVID-19, state, local, tribal, and territorial (SLTT) government entities and certain private non-profit (PNP) organizations are eligible to apply for assistance under the FEMA Public Assistance (PA) Program. This policy is applicable to eligible PA Applicants only and is exclusive to emergency and major disaster declarations for the COVID-19 pandemic.

### PURPOSE

This policy defines the framework, policy details, and requirements for determining the eligibility of medical care costs under the PA Program to ensure consistent and appropriate implementation across all COVID-19 emergency and major disaster declarations. Except where specifically stated otherwise in this policy, assistance is subject to PA Program requirements as defined in Version 3.1 of the Public Assistance Program and Policy Guide (PAPPG).<sup>2</sup>

### PRINCIPLES

- A. FEMA will provide assistance for medical care provided under COVID-19 declarations to improve the abilities of communities to effectively respond to the COVID-19 Public Health Emergency.
- B. FEMA will implement this policy and any assistance provided in a consistent manner through informed decision making and review of an Applicant's supporting documentation.
- C. FEMA will engage with interagency partners, including the U.S. Department of Health and Human Services' (HHS) Office of the Assistant Secretary for Preparedness and Response (ASPR) and the Centers for Disease Control and Prevention (CDC), the Health Resources

---

<sup>1</sup> [www.fema.gov/news-release/2020/03/13/covid-19-emergency-declaration](http://www.fema.gov/news-release/2020/03/13/covid-19-emergency-declaration).

<sup>2</sup> The current version of the Public Assistance Program and Policy Guide (PAPPG), Version 3.1, is available on the FEMA website at [www.fema.gov/media-library/assets/documents/111781](http://www.fema.gov/media-library/assets/documents/111781).



and Services Administration (HRSA), and the Centers for Medicare and Medicaid Services (CMS) to ensure this assistance is provided in a coordinated manner without duplicating assistance.

## **REQUIREMENTS**

### **A. APPLICABILITY**

Outcome: To establish the parameters of this policy and ensure it is implemented in a manner consistent with program authorities and appropriate to the needs of the COVID-19 Public Health Emergency.

1. This policy applies to:
  - a. All Presidential emergency and major disaster declarations under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended, issued for the COVID-19 Public Health Emergency.
  - b. Eligible PA Applicants under the COVID-19 emergency declaration or any subsequent COVID-19 major disaster declaration, including:
    - i. SLTT government entities; and
    - ii. PNP organizations that own and/or operate medical facilities, as defined in Title 44 of the Code of Federal Regulations (44 C.F.R.) §206.221(e)(5).
  - c. This policy does not apply to any other emergency or major disaster declaration.

### **B. GENERAL ELIGIBILITY CONSIDERATIONS FOR COVID-19 MEDICAL CARE**

Outcome: To define the overarching framework for all eligible medical care work related to COVID-19 declarations.

1. All work must be necessary as a direct result of the emergency or major disaster in accordance with 44 C.F.R. §206.223(a)(1).
2. Medical care and associated costs refer to assistance to support the provision of medical care, including eligible facility, equipment, supplies, staffing, and wraparound services (as defined in the **Definitions** section at the end of this document), as well as assistance for clinical care of patients not covered by another funding source as described throughout this policy.

### **C. ELIGIBLE MEDICAL CARE WORK AND COSTS BY FACILITY TYPE**

Outcome: To establish parameters for eligible medical care work and costs for COVID-19 declarations based on the type of facility providing medical care.

1. Primary Medical Care Facility.

For medical care provided in a primary medical care facility (as defined in the **Definitions** section at the end of this document), work must be directly related to the treatment of



COVID-19 patients. Work may include both emergency and inpatient treatment of COVID-19 patients; this includes both confirmed and suspected cases of COVID-19. Medical care related to treatment of a non-COVID-19 illness or injury in a primary medical care facility is not eligible. The following medical care activities and associated costs are eligible in primary medical care facilities:

- a. Emergency and inpatient clinical care for COVID-19 patients, including, but not limited to:
  - i. Emergency medical transport related to COVID-19;
  - ii. Triage and medically necessary tests and diagnosis related to COVID-19 patients;
  - iii. Necessary medical treatment of COVID-19 patients; and
  - iv. Prescription costs related to COVID-19 treatment.
- b. Purchase, lease, and delivery of specialized medical equipment necessary to respond to COVID-19 (equipment purchases are subject to disposition requirements<sup>3</sup>);
- c. Purchase and delivery of PPE, durable medical equipment, and consumable medical supplies necessary to respond to COVID-19 (supply purchases are subject to disposition requirements<sup>4</sup>);
  - i. This includes the costs of eligible SLTT government Applicants providing PPE to any public or private medical care facility that treats COVID-19 patients.
- d. Medical waste disposal related to COVID-19; and
- e. Certain labor costs associated with medical staff providing treatment to COVID-19 patients may be eligible as outlined below. Any labor costs for medical staff that are included in patient billing and/or otherwise covered by another funding source (as described in **Section D.4 Duplication of Benefits** of this policy) are not eligible for PA. Otherwise, the following labor costs may be eligible:
  - i. Overtime for budgeted medical staff providing treatment to COVID-19 patients;
  - ii. Straight time and overtime for temporary medical staff providing treatment to COVID-19 patients; and
  - iii. Straight time, overtime, and other necessary costs for contract medical staff providing treatment to COVID-19 patients. Work and associated costs must be consistent with the scope of the contract and may include costs for travel, lodging, and per diem for contract medical staff from outside the local commuting area.

---

<sup>3</sup> As described in Chapter 2:V.E. Disposition of Purchased Equipment and Supplies of the PAPPG (V3.1).

<sup>4</sup> Id.

- f. For primary medical care facilities, increased operating costs for administrative activities (such as medical billing) are not eligible.<sup>5</sup>

## 2. Temporary and Expanded Medical Facilities.<sup>6</sup>

FEMA may approve work and costs associated with temporary medical facilities or expanded medical facilities when necessary in response to the COVID-19 Public Health Emergency. These facilities may be used to treat COVID-19 patients, non-COVID-19 patients, or both, as necessary. Medical care activities and associated costs related to treating both COVID-19 and non-COVID-19 patients in a temporary or expanded medical facility may be eligible.

- a. Costs must be reasonable and necessary based on the actual or projected need. The projected needs (i.e., capacity and capability) for a temporary or expanded medical facility must be supported by predictive modeling or other substantiating information used to determine the projected need.
- b. Eligible costs for temporary and expanded medical facilities include:
  - i. All eligible items and stipulations included in **Section C.1 Primary Medical Care Facility**, but applicable to both COVID-19 and non-COVID-19 patients;
  - ii. Lease, purchase, or construction costs, as reasonable and necessary, of a temporary facility as well as reasonable alterations to a facility necessary to provide medical care services;<sup>7</sup>
  - iii. Mobilization and demobilization costs associated with setting up and closing the temporary or expanded medical facility;
  - iv. Operating costs including equipment, supplies, staffing, wraparound services (as defined in the **Definitions** section at the end of this document), and clinical care not covered by another funding source; and
  - v. Maintenance of a temporary or expanded medical facility in an operationally ready but unused status available for surge capacity for COVID-19 readiness and response when necessary to eliminate or lessen an immediate threat to public health and safety, based on public health guidance, location of areas expected to be impacted, and local/state hospital bed/ICU capacity.
- c. For contract costs related to establishing and/or operating a temporary or expanded medical facility, contracts must include a termination for convenience clause that will be implemented if the site is ultimately not needed, or the needs are less than projected, as determined by the legally responsible entity.
  - i. Ongoing and projected needs regarding continuing operations at a temporary or expanded medical facility should be based on regular assessments and the Applicant must document the review process to support its decision making.

---

<sup>5</sup> See Chapter 2:VI.B.2. Expenses Related to Operating a Facility or Providing a Service of the PAPPG (V3.1).

<sup>6</sup> Temporary medical facilities may include Alternate Care Sites or Community Based Testing Sites if eligible work and costs related to these facilities are incurred by eligible PA Applicants.

<sup>7</sup> As described in Chapter 2:VI.B.17(e) and (g) of the PAPPG (V3.1).

- ii. The assessments should include adjustments to projected needs based on guidance from public health officials, caseload trends, and/or other predictive modeling or methodologies; lead times and associated costs for scaling up or down based on projected needs; and any other supporting information.
  - iii. The assessments and supporting information are necessary to determine eligibility of claimed costs and should align with PA reasonable cost guidance provided in the PAPPG<sup>8</sup> and the *Public Assistance Reasonable Cost Evaluation Job Aid*.<sup>9</sup>
- d. Costs related to expanding a primary medical care facility to effectively respond to COVID-19 must be feasible and cost effective. In most cases, permanent renovations are not eligible unless the Applicant can demonstrate that the work can be completed in time to address COVID-19 capacity needs and is the most cost-effective option. Permanent renovations and other improvements to real property with PA funds are subject to real property disposition requirements.<sup>10</sup>
- e. For temporary and expanded medical facilities, and the specific type of temporary medical facilities known as Alternate Care Sites, administrative activities and associated costs necessary for the provision of essential medical services are eligible.

#### **D. GENERAL ELIGIBILITY CONSIDERATIONS FOR COVID-19 COSTS**

Outcome: To provide additional information about eligible costs and cost-related considerations.

1. Eligible claimed costs must be necessary in order to respond to the COVID-19 Public Health Emergency and reasonable pursuant to Federal regulations and Federal cost principles.<sup>11</sup> A cost is considered 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. All costs are subject to standard PA program eligibility and other Federal requirements. For COVID-19 declarations, FEMA will use Medicare rates<sup>12</sup> as the basis to determine reasonable costs for eligible clinical care not covered by another funding source. Both patient payments and insurance payments are considered another funding source; clinical care for which providers have received or will receive payments from patients or insurance is not eligible.
2. Cost Share for COVID-19 Declarations. PA funding authorized under COVID-19 declarations is subject to the following cost share provisions:

---

<sup>8</sup> As described in Chapter 2:V. Cost Eligibility of the PAPPG (V3.1).

<sup>9</sup> The Public Assistance Reasonable Cost Evaluation Job Aid is available on the FEMA website at [www.fema.gov/media-library/assets/documents/90743](http://www.fema.gov/media-library/assets/documents/90743).

<sup>10</sup> As described in Chapter 2:V.F. Disposition of Real Property of the PAPPG (V3.1).

<sup>11</sup> 2 CFR §200.404.

<sup>12</sup> FEMA will use standard Medicare rates that do not include the 20 percent increase in COVID-19 Medicare DRG rates implemented by the CARES Act.

- a. Eligible costs incurred by an eligible Applicant claiming reimbursement through PA are subject to the non-federal cost share established for the respective emergency or major disaster declaration. Pursuant to sections 403(b) and 503(a) of the Stafford Act, the federal share for FEMA PA funding is not less than 75 percent of eligible costs.
  - b. Direct Federal Assistance provided under Stafford Act authorities is also subject to the cost share established for the respective emergency or major disaster declaration, unless otherwise stipulated.
  - c. Federal assistance provided by other federal departments and agencies, including instances in which provision of the assistance is facilitated by FEMA, is funded at the cost share of the other federal department or agency, some of which may be provided at 100 percent federal funding.
  - d. In most cases, federal assistance provided by other federal departments and agencies cannot be used to cover the non-federal cost share. The Applicant can only apply other federal award funds toward the PA non-federal cost share if the other federal award has specific statutory authority allowing it to be utilized to meet cost-share requirements, or is otherwise allowable under the other federal source of funding.
  - e. The Applicant cannot apply PA funds toward the non-federal cost share of other federal agency funding. For example, States may not use PA funding to meet the State share of Medicaid or the Children's Health Insurance Program (CHIP).<sup>13</sup>
3. Procurement Requirements for COVID-19 Declarations.<sup>14</sup>
- a. States and territorial governments are required to follow their own procurement procedures as well as the Federal requirements for procurement of recovered materials and inclusion of required contract provisions per 2 C.F.R. §§ 200.317, 200.322, and 200.326 and Appendix II to 2 CFR Part 200.<sup>15</sup>
  - b. Tribal governments, local governments, and PNPs must comply with the requirements of 2 C.F.R. §§ 200.318-200.326.
  - c. In accordance with the March 17, 2020, memorandum from David Bibo, Acting Associate Administrator for the Office of Response and Recovery, and Bridget E. Bean, Assistant Administrator, Grant Programs Directorate, for the duration of the Public Health Emergency, as determined by HHS, local governments, tribal

---

<sup>13</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

<sup>14</sup> Additional guidance regarding procurement standards is available at <https://www.fema.gov/procurement-disaster-assistance-team>.

<sup>15</sup> For additional guidance regarding required contract clauses, see the Procurement Disaster Assistance Team's "FEMA Contract Provisions Template" (2019 ed.), available online at [https://www.fema.gov/media-library-data/1569959119092-92358d63e00d17639d5db4de015184c9/PDAT\\_ContractProvisionsTemplate\\_9-30-19.pdf](https://www.fema.gov/media-library-data/1569959119092-92358d63e00d17639d5db4de015184c9/PDAT_ContractProvisionsTemplate_9-30-19.pdf).



governments, nonprofits, and other non-state entities may proceed with new and existing non-competitively procured contracts using the exigent/emergency circumstances exception in 2 C.F.R. § 200.320(f)(2). The March 17, 2020 memorandum and other information related to procurement specific to COVID-19 declarations are available on the FEMA website at [www.fema.gov/media-library/assets/documents/186350](http://www.fema.gov/media-library/assets/documents/186350). Additional resources on COVID-19 specific to grants are also available at [www.fema.gov/grants](http://www.fema.gov/grants) under “News and Announcements” and [www.fema.gov/coronavirus](http://www.fema.gov/coronavirus).

- d. SLTT governments may contract with medical providers, including private entities, to carry out any eligible activity described in **Section C. Eligible Medical Care by Facility** of this policy.
- e. Contracts must include an actionable termination for convenience clause that will be implemented if any part of the scope of the contract is ultimately not needed, or the needs are less than projected, as determined by the legally responsible entity. Ongoing and projected needs should be based on regular reviews and the Applicant must document the review process to support its decision making. All claimed contract costs must be necessary and reasonable pursuant to applicable Federal regulations and Federal cost principles.

#### 4. Duplication of Benefits.

Pursuant to Section 312 of the Stafford Act, FEMA is prohibited from providing financial assistance where such assistance would duplicate funding available from another program, insurance, or any other source for the same purpose.

- a. FEMA cannot duplicate assistance provided by HHS or other federal departments and agencies. This includes, but is not limited to, funding provided by the programs listed below. FEMA is providing this list as a helpful reference, but SLTT government entities and PNPs should consult with the appropriate federal agency and the terms and conditions of each program or source of funding to determine what funding may be considered duplicative.
  - i. The Public Health Emergency Preparedness Cooperative Agreement Program;
  - ii. The Public Health Crisis Response Cooperative Agreement;
  - iii. The Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases;
  - iv. The Hospital Preparedness Program Cooperative Agreement;
  - v. The Regional Ebola and Other Special Pathogen Treatment Centers Cooperative Agreement;
  - vi. The National Emerging Special Pathogens Training and Education Center Cooperative Agreement;
  - vii. The Hospital Association COVID-19 Preparedness and Response Activities Cooperative Agreement;
  - viii. The Coronavirus Relief Fund and the Provider Relief Fund;



- ix. The COVID-19 Uninsured Program; and
  - x. The Paycheck Protection Program.
- 
- b. FEMA cannot provide PA funding for clinical care costs funded by another source, including private insurance, Medicare, Medicaid/CHIP, other public insurance, a pre-existing private payment agreement, or the COVID-19 Uninsured Program for uninsured patients.<sup>16</sup> The Applicant will certify that it has not received and does not anticipate receiving assistance from these sources or any other source for the same work or costs. FEMA will deobligate any PA funding that has been provided in the event that another source provides funds to the Applicant for the same clinical care costs.
  - c. At no time will FEMA request or accept any Personally Identifiable Information related to the medical care of individual COVID-19 patients.
  - d. FEMA will reconcile final funding based on any funding provided by another agency or covered by insurance or any other source for the same purpose. FEMA will coordinate with HHS to share information about funding from each agency to assist in preventing duplication of benefits.
5. Time Limitations for the Completion of Work.
- a. Costs for eligible medical care for COVID-19 declarations are limited to those incurred within six months of the date of the declaration in accordance with regulatory timeframes for emergency work at 44 C.F.R. §206.204(c) or until the end of the COVID-19 Public Health Emergency, whichever comes first.
  - b. For all COVID-19 declarations, FEMA may extend the deadline in accordance with 44 C.F.R. §206.204(d) if the duration of the COVID-19 Public Health Emergency extends beyond six months or for work required after the end of the Public Health Emergency, such as demobilization of temporary medical facilities, or to address localized needs as appropriate.

---

Keith Turi  
Assistant Administrator, Recovery Directorate

May 9, 2020

---

Date

---

<sup>16</sup> The COVID-19 Uninsured Program reimburses for testing and clinical care costs for the uninsured which is being provided at Medicare rates.

## ADDITIONAL INFORMATION

### REVIEW CYCLE

This policy will be reviewed periodically during the COVID-19 Public Health Emergency period. The Assistant Administrator for the Recovery Directorate is responsible for authorizing any changes or updates. This policy will sunset with the closure of the national emergency declaration for COVID-19 and any subsequent major disaster declarations for COVID-19.

### AUTHORITIES and REFERENCES

#### Authorities

- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207, as amended
- Title 44 of the Code of Federal Regulations, Part 206, Subpart H
- Title 2 of the Code of Federal Regulations, Part 200

#### References

- Public Assistance Program and Policy Guide, Version 3.1

### DEFINITIONS

To establish consistent terminology for purposes of implementing this policy, the following definitions are provided below. These definitions are specific to this policy and may differ from definitions prescribed for the same or similar terms in other policies.

1. **Medical Care:** Medical Care refers both to assistance provided to support the provision of medical care and assistance for clinical care. Examples of medical care support include eligible facility, equipment, supplies, and staffing costs.
2. **Clinical Care:** Clinical Care refers to medical treatment of individual patients including testing, diagnosis, treatment, hospitalization, prescriptions, and other costs associated with individual patient treatment typically billed to individual patients, their insurance carriers, Medicare, Medicaid, or other pre-existing payment agreements.
3. **Primary Medical Care Facility:** A primary medical care facility is the facility owned and/or operated by an eligible PA Applicant that provides medical care services. This includes any licensed hospital, outpatient facility, rehabilitation facility, or facility for long-term care.
4. **Temporary Medical Facility:** A temporary medical facility is a facility separate from the primary medical care facility that is used to provide medical care services when the primary medical care facility is overwhelmed by the declared event.

5. **Expanded Medical Facility:** An expanded medical facility is part of the primary medical care facility and refers to an expansion of the primary medical care facility to increase its capacity when the primary medical care facility is overwhelmed by the declared event.
6. **Alternate Care Sites:** Alternate Care Site is a type of Temporary Medical Facility and broadly describes any building or structure of opportunity converted for healthcare use. It provides additional healthcare capacity and capability for an affected community separate from a traditional, established healthcare institution, though healthcare institutions may partner with eligible Applicants operating an Alternate Care Site.
7. **Community-Based Testing Sites:** Community-Based Testing Sites are strategically located sites within a community operated by a SLTT government for the purpose of providing COVID-19 testing to members of the community.
8. **Wraparound Services:** Wraparound services in the context of this policy are the same as those defined in the Alternate Care Site Toolkit. The services will differ at each temporary medical facility. Such services include, but are not limited to, the following: linen and laundry services; food preparation and delivery; biomedical waste removal, including contaminated items such as personal protective equipment; perimeter fencing; contracted security guards; professional cleaning; and other related services. The toolkit and other Alternate Care Site resources are available on the HHS website at <https://asprtracie.hhs.gov/technical-resources/111/covid-19-alternate-care-site-resources>.

## **MONITORING AND EVALUATION**

FEMA will closely monitor the implementation of this policy through close coordination with regional and field staff, as appropriate, as well as interagency partners and SLTT stakeholders.

## **QUESTIONS**

Applicants should direct questions to their respective FEMA regional office.

# **Coronavirus (COVID-19) Pandemic: Alternate Care Site (ACS) “Warm Sites”**

Release date: May 12, 2020  
Release Number: Fact Sheet

To address immediate and projected needs from the coronavirus (COVID-19) pandemic, state, local, tribal, and territorial (SLTT) governments may, under certain conditions, be reimbursed through FEMA’s Public Assistance (PA) Program for costs associated with keeping Alternate Care Sites (ACS), including temporary and expanded medical facilities, minimally operational when COVID- 19 cases diminish and the facilities are no longer in use.

## **FEMA Public Assistance Program**

In accordance with sections 403 and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq. (the “Stafford Act”), emergency protective measures taken by SLTT governments to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under the PA program. Under this authority, FEMA may approve work and costs associated with maintaining minimal operational readiness at ACS facilities when necessary in response to the COVID-19 Public Health Emergency.

Public health experts have warned of the potential for a second wave of COVID-19 cases, the severity and timing of which are uncertain. ACS facilities that are unused but remain operationally ready and available for potential medical surge capacity for COVID-19 response are referred to as “warm sites.”

## **Work to Eliminate or Lessen an Immediate Threat**

FEMA has the authority to provide funding for activities that eliminate or lessen immediate threats to lives, public health, or safety, such as operating an ACS facility.<sup>1</sup> To determine whether work related to ACS warm sites is necessary to eliminate or lessen an immediate threat, FEMA may consider SLTT assessments of need based on:

- Public health guidance, including the continued declaration of a Public Health Emergency by the U.S. Department of Health and Human Services (HHS), and other information on the likelihood of a resurgence of COVID-19 cases;
- Whether the ACS facility is strategically located for areas projected to be most impacted by a resurgence (e.g., If the ACS facility needs to be relocated to better address the most impacted areas, it may not be prudent to maintain the facility as a warm site); and
- SLTT hospital bed capacity relative to the projected need.

**FEMA regions will work with the state, territory, or tribe acting as the Recipient to:**

- Identify ACS warm sites based on SLTT projections of need as supported by predictive modeling or other supporting information and in accordance with federal, state, and/or local public health guidance;
- Provide support for ACS warm sites to either suspend medical care activities while maintaining minimal operational readiness for future rapid activation, or to demobilize the ACS and store necessary medical equipment and supplies for future rapid activation; and/or
- Reduce excess capacity by demobilizing and closing ACS facilities that are no longer in use and not anticipated to be required in future planning scenarios based on the projected needs.

**Eligible Costs to Maintain ACS Warm Sites**

All claimed costs must be necessary and reasonable in order to effectively respond to the COVID-19 Public Health Emergency, in accordance with public health guidance, and are subject to standard program eligibility, the applicable cost share for the declaration, and other federal requirements.<sup>2</sup> Pursuant to Section 312 of the Stafford Act, FEMA is prohibited from providing financial assistance where such assistance would duplicate funding available from another program, insurance, or any other source for the same purpose. FEMA will reconcile final funding based on any funding provided by another agency or covered by insurance or any other source for the same purpose. FEMA will coordinate with HHS to share information about funding from each agency to assist in preventing duplication of benefits. Costs that may be necessary to maintain the minimum operational level of an ACS warm site include:

- Renting/leasing the space for an ACS facility and/or the necessary equipment to operate the facility and provide adequate medical care in the event of a COVID-19 resurgence;
- Other facility costs such as utilities, maintenance, and/or security;
- Keeping the necessary equipment and supplies (including PPE) in stock, including inspection and maintenance of equipment and supplies, and replacement of non-functioning equipment and expired supplies and commodities;
- Demobilization of ACS facilities when it is more cost effective than maintaining a warm site, and remobilizing in the event of a COVID-19 resurgence based on projected needs;
- Storage of equipment and supplies for ACS warm sites or demobilized ACS facilities which can be re- deployed for future rapid activation;
- Wraparound services, as defined in the ACS Toolkit,<sup>3</sup> necessary for minimal operational readiness;
- Minimal level of medical and/or non-medical staffing, If necessary;
- Site restoration to allow a facility that was/is being used as an ACS to return to

- normal operations until such time as the facility is needed as an ACS again in the event of a COVID-19 resurgence; and/or
- Other costs necessary to maintain a minimum level of operational readiness.

### **Time Limitations**

Funding for ACS warm sites is limited to maintaining the site no longer than is necessary and reasonable based on projected needs and in accordance with public health guidance.

- The continued need for an ACS warm site should be assessed on a monthly basis by FEMA and SLTTs and based on the latest federal and/or SLTT COVID-19 projections of the likelihood of a COVID-19 resurgence in the area and the subsequent capacity and capability needs.
- FEMA will not reimburse costs related to maintaining ACS warm sites for more than 30 days after the end of the COVID-19 Public Health Emergency, as determined by HHS.

### **Footnotes:**

- 1 42 U.S.C. § 5170b; 44 CFR § 206.225(a).
- 2 In accordance with regulations at 2 CFR Part 200 and 44 CFR Part 206 and applicable guidance in the Public Assistance Program and Policy Guide, FP 104-009-2, April 2018.
- 3 Such services include, but are not limited to linen and laundry services; food preparation and delivery; biomedical waste removal, including contaminated items such as personal protective equipment; perimeter fencing; contracted security guards; professional cleaning; and other related services. The toolkit and other ACS resources are available on the HHS website at <https://asprtracie.hhs.gov/technical-resources/111/covid-19-alternate-care-site-resources>.

Last Updated: May 12, 2020 - 18:44

# President Donald J. Trump Directs FEMA Support Under Emergency Declaration for COVID-19

Release date:

March 13, 2020

Release Number: HQ-20-017

The federal government continues to take aggressive and proactive steps to address the COVID-19 threat as the health and safety of the American people remain a top priority.

Today, President Trump declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”). This increases federal support to the Department of Health and Human Services (HHS) in its role as the lead federal agency for the ongoing COVID-19 pandemic response. As a result of the President’s decisive, unprecedented action, FEMA is directed to assist state, local, tribal, territorial governments and other eligible entities with the health and safety actions they take on behalf of the American public. Today’s declaration does not make direct financial assistance available to individuals.

The emergency declaration does not change measures authorized under other federal statutes and HHS remains the lead federal agency directing the federal response to COVID-19. FEMA actions will be in support of HHS and in coordination with state, tribal and territorial governments. **Eligible emergency protective measures taken at the direction or guidance of public health officials in response to this emergency, and not supported by the authorities of another federal agency, will be reimbursed strictly under the FEMA Public Assistance program.** FEMA assistance will be provided at a 75 percent Federal cost share. Reimbursable activities typically include emergency protective measures such as the activation of State Emergency Operations Centers, National Guard costs, law enforcement and other measures necessary to protect public health and safety.

For more information, visit the COVID-19 Emergency Declaration Fact Sheet.

###

# Coronavirus (COVID-19) Pandemic: Eligible Emergency Protective Measures

Release date: March 19, 2020

Release Number: FACT SHEET

Consistent with the President's national emergency declaration for the coronavirus (COVID-19) pandemic on March 13, 2020, FEMA urges officials to, without delay, take appropriate actions that are necessary to protect public health and safety pursuant to public health guidance and conditions and capabilities in their jurisdictions. FEMA provides the following guidance on the types of emergency protective measures that may be eligible under FEMA's Public Assistance Program in accordance with the COVID-19 Emergency Declaration in order to ensure that resource constraints do not inhibit efforts to respond to this unprecedented disaster.

## FEMA Public Assistance Program

In accordance with section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under Category B of FEMA's Public Assistance program. FEMA will not duplicate assistance provided by the U.S. Department of Health and Human Services (HHS), to include the Centers for Disease Control and Prevention (CDC), or other federal agencies.

State, territorial, tribal, and local government entities and certain private non-profit organizations are eligible to apply for Public Assistance. FEMA assistance will be provided at a 75 percent federal cost share. This assistance will require execution of a FEMA-State/Tribal/Territory Agreement, as appropriate, and execution of an applicable emergency plan. Local governments and other eligible PA applicants will apply through their respective state, tribal or territorial jurisdictions.

## Eligible Assistance

Under the COVID-19 Emergency Declaration described above, FEMA may provide assistance for emergency protective measures including, but not limited to, the following, if not funded by the HHS/CDC or other federal agency. While some activities listed may be eligible for funding through HHS/CDC, final reimbursement determinations will be coordinated by HHS and FEMA. FEMA will not duplicate any assistance provided by HHS/CDC):

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:

- Non-deferrable medical treatment of infected persons in a shelter or temporary medical facility
- Related medical facility services and supplies
- Temporary medical facilities and/or enhanced medical/hospital capacity (for treatment when existing facilities are reasonably forecasted to become overloaded in the near term and cannot accommodate the patient load or to quarantine potentially infected persons)
- Use of specialized medical equipment
- Medical waste disposal
- Emergency medical transport

Medical sheltering (e.g. when existing facilities are reasonably forecasted to become overloaded in the near future and cannot accommodate needs)

- All sheltering must be conducted in accordance with standards and/or guidance approved by HHS/CDC and must be implemented in a manner that incorporates social distancing measures.
- Non-congregate medical sheltering is subject to prior approval by FEMA and is limited to that which is reasonable and necessary to address the public health needs of the event, is pursuant to the direction of appropriate public health officials and does not extend beyond the duration of the Public Health Emergency.
- 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

Further information about eligible emergency protective measures can be found in the Public Assistance Program and Policy Guide, FP 104-009-2 (April 2018).

Last Updated:

March 19, 2020 - 15:09

# Public Assistance: Non-Congregate Sheltering Delegation of Authority

Release date: March 19, 2020

Release Number: FACT SHEET

Under President Trump's March 13, 2020, national emergency declaration for the coronavirus (COVID-19) pandemic, FEMA's Regional Administrators have been delegated authority to approve requests for non-congregate sheltering for the duration of the Secretary of Health and Human Services' declaration of a Public Health Emergency for COVID-19.

In accordance with section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of state, local, tribal, and territorial public health officials may be reimbursed under Category B of FEMA's Public Assistance program.

FEMA recognizes that non-congregate sheltering may be necessary in this Public Health Emergency to save lives, to protect property and public health, and to ensure public safety, as well as to lessen or avert the threat of a catastrophe. States, tribes and territories should work with their regional administrators for approval of noncongregate sheltering and procure the necessary support services needed to meet the needs of the public health emergency. The following criteria must be considered before setting up non-congregate sheltering and support services:

- The non-congregate sheltering must be at the direction of and documented through an official order signed by a state, local, tribal, or territorial public health official.
- Any approval is limited to that which is reasonable and necessary to address the public health needs of the event and should not extend beyond the duration of the Public Health Emergency.
- Applicants must follow FEMA's Procurement Under Grants Conducted Under Exigent or Emergency Circumstances guidance and include a termination for convenience clause in their contracts
- Prior to approval, the applicant must provide an analysis of the implementation options that were considered and a justification for the option selected.
- The funding for non-congregate sheltering to meet the needs of the Public Health Emergency cannot be duplicated by another federal agency, including the U.S. Department of Health and Human Services or Centers for Disease Control and Prevention.
- Applicable Environmental and Historic Preservation laws, regulations, and executive orders apply and must be adhered to as a condition of assistance.

###

Last Updated: March 19, 2020 - 14:05

# Coronavirus (COVID-19) Pandemic: Private Nonprofit Organizations

---

All 50 states, the District of Columbia, five territories, and numerous tribes are working directly with FEMA under President Trump's March 13, 2020, nationwide emergency declaration for COVID-19. Under this emergency declaration, and subsequent major disaster declarations, certain private non-profit (PNP) organizations are eligible to apply for funding through FEMA's Public Assistance program. This fact sheet provides guidance for determining the eligibility of PNP applicants and work performed in accordance with the COVID-19 emergency and major disaster declarations.

## PNP Applicant 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.<sup>1</sup>

Eligible PNPs must also own or operate an eligible facility.<sup>2</sup> For PNPs, an eligible facility is one that provides an eligible service, which includes education, utilities, emergency, medical, custodial care, and other essential social services.<sup>3</sup>

Private entities, including for profit hospitals or restaurants, are not eligible for assistance from FEMA under Public Assistance. However, state, local, tribal, and territorial government entities may contract with private entities to carry out eligible emergency protective measures. In these cases, FEMA will reimburse the eligible applicant for the cost of eligible work, and the applicant will then pay the private entity for the provision of services.

## PNP Work Eligibility

In accordance with sections 403 and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq. (the "Stafford Act"), eligible emergency protective measures taken to respond to the COVID-

<sup>1</sup> 44 C.F.R. 206.221(f)

<sup>2</sup> 44 C.F.R. 206.222(b), 206.223(b)

<sup>3</sup> Stafford Act, Section 102(11); 44 C.F.R. 206.221(e). For non-critical PNP facilities, services must be provided to the general public.

19 emergency at the direction or guidance of public health officials may be eligible for reimbursement under category B of FEMA's Public Assistance program.<sup>4</sup> Emergency work is that which is necessary to save lives or protect public health and safety. To be eligible, work must be the legal responsibility of an eligible applicant.<sup>5</sup>

Measures to protect life, public health, and safety are generally the responsibility of state, local, tribal, and territorial governments. In some cases, a government entity may be legally responsible to provide services and enter into an agreement with a PNP to provide those 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.<sup>6</sup>

In limited circumstances, essential components of a facility are urgently needed to save lives or protect health and safety, such as an emergency room of a PNP hospital. In these cases, PNPs that own or operate an eligible facility and perform eligible work, such as providing emergency, medical or custodial care services for which they are legally responsible in response to the COVID-19 incident, may be eligible for reimbursement of costs as a Public Assistance applicant.

For PNPs, operating costs (such as patient care and administrative activities) are generally not eligible even if the services are emergency services, unless the PNP performs an emergency service at the request of and certified by the legally responsible government entity. In such case, FEMA provides Public Assistance funding through that government entity as the eligible applicant.

## More Information

Further information about PNP eligibility can be found in the "Public Assistance Program and Policy Guide," FP 104-009-2, dated April 2018.

For more information, visit the following websites:

1. [FEMA Public Assistance Program and Policy Guide](#)
2. [U.S. Department of Health and Human Services](#)  
[Centers for Disease Control and Prevention](#)  
[Centers for Medicare & Medicaid Services](#)

<sup>4</sup> For more information on eligible emergency protective measures see *Fact Sheet: Coronavirus (COVID-19) Pandemic: Eligible Emergency Protective Measures* (March 19, 2020), and the *Public Assistance Program and Policy Guide*, FP 104-009-2, (April 2018). FEMA will not duplicate assistance provided by the U.S. Department of Health and Human Services (HHS), to include the Centers for Disease Control and Prevention (CDC), or other federal agencies.

<sup>5</sup> 44 C.F.R. 206.223(a)(3)

<sup>6</sup> *Public Assistance Program and Policy Guide*, FP 104-009-2, at pg. 60 (April 2018)

## FACT SHEET

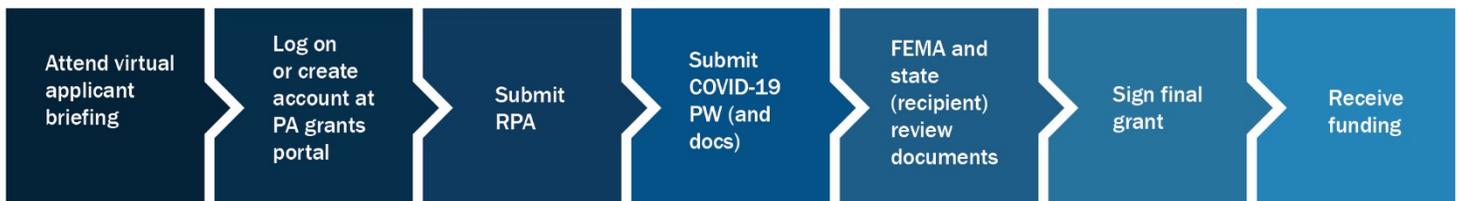
# Coronavirus (COVID-19) Pandemic: Public Assistance Simplified Application

This Fact Sheet supplements *Fact Sheet: Coronavirus (COVID-19) Pandemic Emergency Protective Measures* and provides an overview of the FEMA Public Assistance application process for recipients and applicants requesting reimbursement related to federal emergency and major disaster declarations for Coronavirus 2019 (COVID-19). FEMA is simplifying the Public Assistance application and funding process to address the magnitude of this event and allow local officials to receive eligible funding more quickly.

**FEMA is simplifying the Public Assistance application process.** FEMA is developing a simplified online form applicants can complete, and on which they may explain work activities, answer basic questions, provide limited supporting documentation, and provide a cost estimate. FEMA and the recipient will review this information, follow up with limited requests for additional information if necessary, and award assistance. Recipients will have access to all projects in [PA Grants Portal](#), consistent with the traditional PA process.

The national emergency declaration authorized Public Assistance Category B reimbursement for emergency protective measures. It does not include additional categories of assistance, such as infrastructure repair and replacement, which are needed after typical natural disasters. This enables FEMA to eliminate many application steps that are designed for those categories, including: eliminating exploratory calls, recovery scoping meetings, and most site inspections; and reducing documentation requirements to the minimum needed to support Category B reimbursement.

Recipients are states, tribes, or territories that receive and administer Public Assistance awards. Applicants are state, local, tribal and territorial governments, or eligible private nonprofits, submitting a request for assistance under a recipient's federal award.



**Applicants are empowered to drive their own recovery** and directly apply for reimbursement without waiting for FEMA to assign a Program Delivery Manager. FEMA is simplifying the process so applicants may directly apply for assistance through the [PA Grants Portal](#).

As FEMA and recipients implement these changes, FEMA will continue to process and fund Public Assistance projects. Funding is immediately available should state, tribal, territorial or local officials request expedited assistance. Prior to funding, recipients must sign FEMA-State/Tribal/Territorial Agreements, submit signed Federal Grant Applications (SF-424), and update Recipient Public Assistance Administrative Plans. Recipients should start [setting up Grants Portal accounts](#) for themselves and applicants at [grantee.fema.gov](https://grantee.fema.gov) so they can



apply for assistance. Once an account is created, Applicants may [submit Requests for Public Assistance](#) to begin the application process.

FEMA is working to rapidly scale up the information, tools and technology necessary to provide assistance to all applicants. Eligibility guidance on what FEMA can fund will be updated on the Public Assistance Policy, Guidance, and Factsheets [page on FEMA.gov](#) and the [COVID-19 page on FEMA.gov](#). Application support and tutorials are available on the resource tab in [PA Grants Portal](#).

## More Information

For more information, visit the following websites:

1. [Public Assistance Program and Policy Guide](#)
2. [FEMA.gov/Coronavirus](#)
3. [Coronavirus \(COVID-19\)](#) (CDC)

# PA Application Simplification for Nationwide Emergency Declaration for COVID-19

---

## Top Line Messages:

- FEMA is simplifying the Public Assistance application and funding process to address the magnitude of this event and allow local officials to receive eligible funding more quickly.
- Public Assistance applicants are empowered to drive their own recovery and directly apply for reimbursement through a streamlined process designed to eliminate portions of the process that are unnecessary for the unique circumstances of, and types of assistance available for, response to COVID-19.
- While FEMA is making adjustments to streamline processes, we are keeping the adjustments as simple as possible and not deviating from the basic process with which experienced recipients and applicants are familiar.
- Funding is immediately available should local officials need expedited assistance.
- This is a dynamic environment. FEMA will be quick and clear in communicating changes. But the entire emergency management community should prepare for further adjustments in the delivery of Public Assistance for COVID-19 as we work together to assist the American people.

## **Applicants are empowered to drive their own recovery and directly apply for reimbursement without an assigned Program Delivery Manager.**

- The nature and scale of this national event are beyond anything the emergency management community has seen, with the most simultaneous FEMA PA applicants and project worksheets in the history of the program.
- Additionally, FEMA and recipient staff must alter work practices to follow CDC and local health official social distancing guidelines in order to slow the spread of COVID-19.
- To scale to an event of this size and maintain social distancing, it is not possible for FEMA or recipients to proactively work with every applicant to develop their subgrant project worksheets, as would be the case in a traditional disaster.
- Instead, FEMA is allowing applicants to directly apply for assistance in the PA Grants Portal at <https://grantee.fema.gov>.
- This prevents the need for applicants to wait on the availability of limited federal and recipient resources and provide applicants a transparent environment to request and quickly receive federal assistance.

**FEMA is making adjustments to simplify the application process but not deviating from the basics that experienced recipients and applicants may be familiar with.**

- Since assistance is limited to emergency protective measures, FEMA's complex eligibility criteria are significantly streamlined:
  - Permanent work is not needed nor eligible for reimbursement, so complicating damage eligibility and engineering challenges will not exist.
  - Debris removal is not needed nor eligible for reimbursement, so typical complicated questions about monitoring and disposal will not exist.
- This simplification of the program's eligibility criteria enables FEMA to streamline its application steps.
  - FEMA is eliminating exploratory calls, recovery scoping meetings, and most site inspections (temporary facilities will be inspected on a case-by-case basis).
  - FEMA is reducing documentation requirements to the minimum needed to support Category B reimbursement.
  - Many steps, including most initial steps to begin the reimbursement process, will remain the same: Account creation, SF-424 Grant Application submission, Request for Public Assistance submission, Scope of Work and Cost Estimate development, compliance reviews, and eligibility reviews.
- FEMA will simplify the process for creating a Project Worksheet (PW) by creating a template PW form for Category B assistance for COVID-19:
  - Applicants will complete the form online in the PA Grants Portal at <https://grantee.fema.gov>.
  - The form will collect minimal information about the work activities being performed.
  - The form will include a few basic questions to establish eligibility.
  - The form will ensure the U.S. Department of Health and Human Services and Centers for Disease Control and Prevention are not duplicating the funding.
  - The form will require minimal documentation to support eligibility based on the project's risk of providing ineligible funding and emergency need:
    - Expedited Projects: Limited documentation but funded at 50 percent.
    - Small Projects: Limited documentation and self-certified as to basic eligibility requirements.
    - Large Projects: Limited documentation but full FEMA review based on amount of funding provided.
- Instead of using a project-specific approach to environmental and historic preservation (EHP) compliance, FEMA is developing a program-wide approach for activity types that have little to no potential to affect or impact EHP resources.

**FEMA is standing by to immediately provide funding, as requested.**

- These changes are coming, but FEMA can process projects now through Grants Manager and Grants Portal.
- Nothing immediately changes from a standard PA declaration: FEMA needs signed FEMA-State/Tribal/Territorial Agreements, signed SF-424 Grant Applications, and the PA Administrative Plan. Recipients can start setting up Grants Portal accounts for themselves and applicants so they can provide information sign-off at appropriate steps.
- Recipients will need to set up [Grants Portal](#) accounts for their staff and send invites to applicants to set up in Grants Portal. These requests can be targeted to those needing immediate funding since applicants, recipients and FEMA are in a response environment.

- **Expedited funding** is available to interested states, tribes and territories:
  - Expedited funding enables FEMA to provide 50 percent of the estimated project cost quickly based on limited information and provide the remainder of funding upon receipt of documentation.
  - Expedited projects can be processed in a timely manner, in most cases less than a week, when the recipient quickly provides information and responds to FEMA requests.

**This is a dynamic environment, and we are doing everything we can to communicate and improve our ability to deliver large-scale assistance rapidly.**

- FEMA has tutorials for applicants and recipients to [create accounts](#) and [submit Requests for Public Assistance](#) and will be sharing follow-on guidance and training materials for how to navigate the process.
  - Eligibility guidance is available and will be constantly updated on [FEMA's website](#).
  - Guidance on how to apply is available in the Resources tab in Grants Portal.

**IF ASKED: Are direct application and the simplified application processes available today?**

- No. FEMA is working to implement processes and tools to enable simplified application processes within two to three weeks and expects to have direct application capability available through Grants Portal in six to eight weeks.
- If applicants need immediate funding, FEMA will provide this funding using standard processes – including providing expedited funding for immediate needs. In these scenarios, until direct application is available, FEMA will assign staff to help answer questions.

**IF ASKED: But what if an applicant needs a FEMA point of contact and does not want to directly apply?**

- If applicants have questions about Grants Portal access they may contact the Grants Portal Hotline at (866) 337-8448 or [FEMA-Recovery-PA-Grants@fema.dhs.gov](mailto:FEMA-Recovery-PA-Grants@fema.dhs.gov).
- Applicants will also be provided a remote point of contact should FEMA have any questions about their PW.
- Additionally, recipients may choose to provide customer service to applicants requesting PA.
- FEMA may also assign program delivery managers to applicants with (1) high-risk; (2) low-capacity, or (3) an ongoing disaster recovery not related to COVID-19. However, given the national scale of the event, FEMA will not be able to assign program delivery managers to every applicant.

**IF ASKED: Why isn't FEMA exploring other opportunities to simplify the application process, such as raising the simplified procedures threshold?**

- FEMA is exploring all avenues to simplify the PA application process in the COVID-19 environment. Ideas can be submitted through FEMA's regional offices or the feedback button in the upper right-hand corner of PA Grants Portal.
- FEMA will make continuing adjustments to streamline and provide more timely assistance.
- FEMA is trying to balance the need for changes to scale to the unprecedented nature of COVID-19 with not making too many changes in a complex response environment.
- Raising the simplified procedures threshold (also called the small project maximum or large project threshold) would not simplify the process to *award* assistance because simplified procedures mainly simplify *post-award* processes. FEMA is targeting reducing the documentation burden, as analysis shows this is the driver of pre-award complexity and timeliness.

# Public Assistance Appeals & Arbitration under the Disaster Recovery Reform Act

---

This Fact Sheet explains how certain applicants for FEMA Public Assistance may request arbitration with the Civilian Board of Contract Appeals (CBCA).

## Background

Section 1219 of the Disaster Recovery Reform Act of 2018 (DRRA) amended Section 423 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to provide a right of arbitration for applicants who dispute a FEMA determination on their Public Assistance application, including eligibility for assistance or repayment of assistance. FEMA refers to this arbitration as “Section 423 arbitration.”

## Eligible for Section 423 Arbitration

To be eligible for Section 423 arbitration, a Public Assistance applicant’s request must meet **all three** of the following conditions:

1. The dispute arises from a disaster declared after January 1, 2016; and
2. The disputed amount exceeds \$500,000 (or \$100,000 if the applicant is in a “rural area,” defined as having a population of less than 200,000 living outside an urbanized area); and
3. The applicant filed a first-level appeal with FEMA pursuant to the time requirements established in 44 Code of Federal Regulations (C.F.R.) § 206.206.

## Not eligible for Section 423 Arbitration

1. Applicants who do not file a first-level appeal pursuant to the time requirements established in 44 C.F.R. § 206.206; and
2. Applicants who were eligible to file a second-level appeal, but did not do so within the time requirements established in 44 C.F.R. § 206.206; and
3. Applicants who file a second-level appeal pursuant to 44 C.F.R. § 206.206; and
4. Applicants who received a second-level appeal determination from FEMA.

## Time limits for filing a second-level appeal or a request for Section 423

### Arbitration

Applicants must file a second-level appeal or Section 423 arbitration request within 60 days after receipt of the first appeal decision. If the applicant takes neither action, the applicant no longer has a right to appeal or arbitrate.

If FEMA does not issue a first-level appeal decision within 180 days of receiving the appeal, the applicant may withdraw the first-level appeal and request Section 423 arbitration. In this circumstance, the applicant must file the request for Section 423 arbitration within 30 days of withdrawing their first appeal.

### Appeals & Arbitration Request and Process

FEMA's regulations on appeals, found in 44 C.F.R. § 206.206, are still in effect and provide the required process for Public Assistance applicants to file first- and second-level appeals.

CBCA regulations at [48 C.F.R. 6106.601 - .613](#) provide the CBCA's rules of procedure for FEMA Section 423 arbitrations. Public Assistance applicants may request arbitration by emailing the request to the CBCA at [cbca.efile@cbca.gov](mailto:cbca.efile@cbca.gov); an applicant must submit its request for arbitration in writing simultaneously to the recipient, the FEMA Regional Administrator, and the arbitration administrator (the CBCA); "Each party shall have one primary representative. This person need not be an attorney..."; and "[n]o party is required to provide additional evidence. An applicant or grantee may, but need not, supplement materials it previously provided to FEMA regarding the dispute."

FEMA also intends to initiate a revision of 44 C.F.R. § 206.206 to implement Section 423 arbitration. Until FEMA finalizes such regulations, the Agency will rely on procedures indicated in this Fact Sheet and the CBCA's regulation at 48 C.F.R. Part 6106.

### Notification of Right to Arbitrate

When FEMA issues a first-level appeal denial for a dispute arising from a declaration since January 1, 2016, the Agency will provide the applicant specific information on how it may further request either a second-level appeal or Section 423 arbitration.

### Costs

The CBCA arbitrates at no cost to the parties. Other expenses, including attorney's fees, representative fees, copying costs, costs associated with attending any hearing, or any other fees not listed in this paragraph will be paid by each party incurring such costs.

### Questions

Questions concerning Public Assistance, including appeals and arbitration, should be directed to the Public Assistance Branch Chief in the applicable FEMA Regional Office.

*Last updated February 2020*

## 7. Supplies and Commodities

The purchase of supplies and commodities required for emergency protective measures is eligible.

Costs related to the Applicant purchasing supplies or using its own stock to perform Emergency Work are eligible and reimbursed in accordance with [Chapter 2:V.D](#). Examples include, but are not limited to, safety equipment, personal protective equipment, radios, power tools, sand, and tarps.



Purchasing and packaging life-saving and life-sustaining commodities and providing them to the impacted community are eligible. Examples of such commodities include, but are not limited to, food, water, ice, personal hygiene items, cots, blankets, tarps, plastic sheeting for roof damage, and generators, as well as food and water for household pets and service animals. The cost of delivering these same commodities to unsheltered residents in communities where conditions constitute a level of severity such that these items are not easily accessible for purchase is also eligible. This includes food and water for household pets whose owners are in shelters.

The cost of leasing distribution and storage space for the commodities is also eligible.

## 8. Meals

Applicants often provide meals for emergency workers. Provision of meals, including beverages and meal supplies, for employees and volunteers engaged in eligible Emergency Work, including those at EOCs, is eligible provided the individuals are not receiving per diem and one of the following circumstances apply:

- Meals are required based on a labor policy or written agreement that meets the requirements of [Chapter 2:V.A.1](#);
- Conditions constitute a level of severity that requires employees to work abnormal, extended work hours without a reasonable amount of time to provide for their own meals; or
- Food or water is not reasonably available for employees to purchase.

FEMA only reimburses the cost of meals that are brought to the work location and purchased in a cost-effective and reasonable manner, such as bulk meals. FEMA does not reimburse costs related to group outings at restaurants or individual meals.<sup>184</sup>

## 9. Medical Care

When the emergency medical delivery system within a declared area is destroyed, severely compromised or overwhelmed, FEMA may fund extraordinary costs associated with operating emergency rooms and with providing temporary facilities for emergency medical care of survivors. Costs associated with emergency medical care should be customary for the emergency

---

<sup>184</sup> FEMA reimburses meal costs as part of a contract in accordance with the contract terms provided it meets the requirements in [Chapter 2:V.G](#).

medical services provided. Costs are eligible for up to 30 days from the declaration date unless extended by FEMA.

Eligible medical care includes, but is not limited to:

- 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
- Vaccinations for survivors and emergency workers to prevent outbreaks of infectious and communicable diseases
- Durable medical equipment
- Consumable medical supplies
- Temporary facilities, such as tents or portable buildings for treatment of survivors
- Leased or purchased equipment for use in temporary medical care facilities
- Security for temporary medical care facilities
- Use of ambulances for distributing immunizations and setting up mobile medical units

Long-term medical treatment is not eligible. FEMA determines the reasonableness of these costs based on Medicare's cost-to-charge ratio (a ratio established by Medicare to estimate a medical service provider's actual costs in relation to its charges).

FEMA does not provide PA funding for these costs if underwritten by private insurance, Medicare, Medicaid, or a pre-existing private payment agreement.<sup>185</sup> The Applicant must take reasonable steps to provide documentation on a patient-by-patient basis verifying that insurance coverage or any other source funding including private insurance, Medicaid, or Medicare, has been pursued and does not exist for the costs associated with emergency medical care and emergency medical evacuations.

Ineligible costs include:

- Medical care costs incurred once a survivor is admitted to a medical facility on an inpatient basis
- Costs associated with follow-on treatment of survivors beyond 30 days of the declaration
- Administrative costs associated with the treatment of survivors



### Terminology

**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
- Other medical equipment

**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

<sup>185</sup> Stafford Act § 312, 42 U.S.C. § 5155.

## 10. Evacuation and Sheltering

Evacuation and sheltering of survivors are eligible activities. This includes household pets and service and assistance animals, but not exhibition or livestock animals.

### (a) *Evacuation Including Accessible Transportation and Emergency Medical Transportation*

Transportation of evacuees, household pets, service animals, luggage, and durable medical equipment is eligible. This includes emergency medical transportation. The mode of transportation should be customary and appropriate for the work required. Eligible activities include, but are not limited to:

- Transferring patients from inoperable, compromised, or overwhelmed eligible medical or custodial care facilities to another medical facility or to a shelter.
- Transferring patients back to original medical or custodial care facility, when appropriate.
- Transporting survivors, including shelterees, who require emergency medical care to and from the nearest existing or temporary medical care facility equipped to adequately treat the medical emergency. Transport may include emergency air, sea, or ground ambulance services if necessary.
- Use of equipment such as buses, trucks, or other vehicles (including accessible vehicles) to provide one-time transportation to evacuate survivors and their household pets and service and assistance animals to emergency shelters from pre-established pick-up locations. This includes stand-by time for drivers and contracted equipment while waiting to transport survivors.
- Paratransit transportation services, such as vans, minibuses, and buses, (including accessible vehicles) to transport senior citizens, individuals with disabilities (including mobility disabilities) or access and functional needs, individuals in nursing homes and assisted-living facilities, and homebound individuals impacted by the incident.
- Tracking of evacuees, household pets, service animals, luggage, and durable medical equipment. This includes the use of animal microchips for the purpose of tracking evacuated animals.
- Food and water provided during transport.
- Emergency medical care provided during transport, including emergency medical personnel and supply costs.
- Stabilization of individuals injured during evacuation.



### Terminology

**Household pets** are domesticated animals that:

- Are traditionally kept in the home for pleasure rather than for commercial purposes
- Can travel in commercial carriers
- Can be housed in temporary facilities

Examples are dogs, cats, birds, rabbits, rodents, and turtles.

Household pets do not include reptiles (except turtles), amphibians, fish, insects, arachnids, farm animals (including horses), or animals kept for racing purposes.

**Service animals** are dogs that are individually trained to do work or perform tasks for people with disabilities or access and functional needs.

**Assistance animals** are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates identified symptoms or effects of a person's disability.

Although dogs are the most common type of assistance animal, other animals can also be assistance animals.

- Costs incurred in advance of an incident necessary to prepare for evacuations in threatened areas. Costs may include mobilization of ambulances and other transport equipment. Contracts for staging ambulance services must be part of the State, Territorial, Tribal, or regional evacuation plan. Costs of staging ambulances are eligible even if the incident does not impact the area normally served by those ambulances. PA funding for activating, staging, and using ambulance services ends when any of the following occurs:



- FEMA, and the State, Territorial, or Tribal Government, determines that the incident did not impact the area where it staged ambulances;
- Evacuation and return of medical patients and individuals with disabilities or access and functional needs is complete; or
- The immediate threat caused by the incident has been eliminated and the demand for services has returned to normal operation levels.

FEMA does not provide PA funding for ambulance services that are covered by private insurance, Medicare, Medicaid, or a pre-existing private payment agreement.<sup>186</sup>

*(b) Sheltering*

FEMA provides PA funding to State, Territorial, Tribal, and local government Applicants for costs related to emergency sheltering for survivors. Typically such sheltering occurs in facilities with large open spaces, such as schools, churches, community centers, armories, or other similar facilities. FEMA refers to these shelters as congregate shelters.

Generally, FEMA does not provide PA funding for emergency sheltering in non-congregate environments, which are locations where each individual or household has living space that offers some level of privacy (e.g., hotels, motels, casinos, dormitories, retreat camps, etc.). In limited circumstances, such as when congregate shelters are not available or sufficient, FEMA may reimburse costs related to emergency sheltering provided in non-congregate environments.

FEMA’s Assistant Administrator for Recovery has the authority to approve this policy exception. The Applicant must submit a request for PA funding for costs related to emergency, non-congregate sheltering and obtain FEMA approval prior to sheltering survivors in non-congregate facilities. At a minimum, the Applicant should include the following information in its request:

- Justification for the necessity of non-congregate sheltering;
- Whether the State or Tribal Government has requested Transitional Sheltering Assistance;



**Transitional Sheltering Assistance Program**

FEMA’s Transitional Sheltering Assistance program provides short-term lodging to eligible survivors who, after an evacuation, cannot return to their homes for an extended period of time because their community is either uninhabitable or inaccessible as a result of the incident.

FEMA implements and manages Transitional Sheltering Assistance directly through a contract agent.

<sup>186</sup> Stafford Act § 312, 42 U.S.C. § 5155.

- The type of non-congregate sheltering available and which type the Applicant intends to utilize;
- An analysis of the available options with the associated costs of each option; and
- The time frame requested (i.e., date of activation and length of time).<sup>187</sup>

FEMA will limit any approval to that which is reasonable and necessary to address the needs of the event (generally no more than 30 days). FEMA determines the eligible costs based on the contractual agreement, including reimbursement for repairing damage if it is the Applicant's legal responsibility based on the agreement. The Applicant must obtain FEMA approval for any time extensions, which should include a detailed justification for the continued need and a revised analysis of options, including the costs for each option.

If FEMA approves the request, the Recipient will need to maintain tracking mechanisms to provide sufficient data and documentation to establish eligibility (including the need for non-congregate sheltering resulting from the disaster, reasonableness, and costs). Sufficient documentation includes:

- The number of non-congregate shelterees:
  - By age groups 0-2, 3-6, 7-12, 13-17, 18-21, 22-65, and 66+;
  - With disabilities or access and functional needs;
  - Registered for assistance from FEMA's IA Programs; and
  - Referred to State or non-governmental organization programs for assistance.
- Number of household pets, and assistance and service sheltered and the type of shelter provided (e.g., stand alone, co-located, or co-habitational);
- Length of stay per "household unit;" and
- Number of meals and other services provided.

As with any activity, lack of full documentation may result in FEMA determining that some or all of the costs are ineligible.

Eligible costs related to sheltering include, but are not limited to, the items listed below, as necessary based on the type of shelter and the specific needs of the shelterees. If any of the items listed are donated, including labor, the Applicant may offset the non-Federal share of its eligible Emergency Work projects in accordance with [Chapter 2:V.L](#). Sheltering and caring for household pets is only eligible while the pet owner is in an emergency shelter.

#### Shelter Facility Costs

- Facility lease or rent, including space for food preparation
- Utilities such as power, water, and telephone
- Minor facility modifications if necessary to make the facility habitable, compliant with the Americans with Disabilities Act (ADA), functional as a child care facility, or functional as an animal shelter
- Restoration to return the facility to its condition prior to use
- Generator costs
- Secure storage space for medical supplies

---

<sup>187</sup> 44 CFR §§ 206.225(a)(2) and 206.202(c) and (d).

If an eligible State, Territorial, Tribal, or local government Applicant owns or leases the shelter facility, and a volunteer agency operates the shelter, the facility costs described above are eligible. However, the labor costs for the volunteer agency's workers are not eligible (except as a donated resource in accordance with the criteria in [Chapter 2:V.L](#)).

#### Shelter Staff Costs

- Medical staff
- Personal assistance service staff
- Veterinary staff
- Public Information Officer
- Social workers
- Food service workers
- Custodial and facilities staff
- National Guard personnel (See [Chapter 2:V.J](#))

#### Shelter Supplies and Commodities

- Hot and cold meals, snacks, beverages, and related supplies for survivors
- Cooking and serving supplies
- Food, water, and bowls for household pets and service and assistance animals
- Durable medical equipment
- Consumable medical supplies
- Medication for animal decontamination and parasite control
- Infant formula, baby food, and diapers
- Refrigerators, microwaves, and crock pots
- Cots, cribs, linens, blankets, pillows, tables, and chairs
- Crates, cages, leashes, and animal transport carriers
- Personal hygiene kits with items such as shampoo, soap, toothpaste, a toothbrush, towels, and washcloths
- Animal cleaning tables and supplies
- Televisions or radios – one per 50 shelterees
- Basic cable service
- Computers – one per 25 shelterees
- Internet service
- Washers and dryers – one of each per 50 shelterees
- Toys and books

#### Shelter Services

Shelter services are eligible for the time the facility is actively used to shelter survivors.

- Shelter management
- Supervision of paid and volunteer staff
- Cleaning the shelter, linens, and animal crates
- Shelter safety and security

- Use of equipment, such as ambulances, buses, trucks, or other vehicles, to provide sheltering support
- Phone banks for survivors
- Care for survivors with disabilities or access and functional needs, including the provision of the following personal assistance services:
  - Grooming, eating, walking, bathing, toileting, dressing, and undressing
  - Movement between a cot and wheelchair (transferring)
  - Maintaining health and safety
  - Taking medications
  - Communicating or accessing programs and services
- Emergency medical and veterinary services for sheltered survivors, household pets, and service and assistance animals, including:
  - Emergency and immediate life stabilizing care, including necessary prescriptions (not to exceed 30-day supply)
  - Triage, medically necessary tests, diagnosis, treatment, stabilization, and monitoring
  - First-aid assessment
  - Provision of first aid and health information
  - Care for evacuees with chronic conditions
  - Administering vaccinations to shelterees and workers for transmissible or contagious diseases, including, but not limited to, tetanus and hepatitis
  - Administering vaccinations to household pets, and service and assistance animals, for transmissible or contagious diseases, including, but not limited to, Bordetella (kennel cough)
  - Medical waste disposal
  - Mental-health care
  - Outpatient costs for sheltered survivors requiring emergency life-sustaining treatment not available at the shelter for the period of time that a survivor is housed in a congregate shelter. Eligible outpatient services are limited to:
    - Physician services in a hospital outpatient department, urgent care center, or physician's office;
    - Related outpatient hospital services and supplies, including X-rays, laboratory and pathology services, and machine diagnostic tests; and
    - Local professional transport services to and from the nearest hospital equipped to adequately treat the emergency.
- Sheltering self-evacuees (self-evacuee transportation costs are not eligible)
- Costs paid to the American Red Cross (ARC) or other Non-Governmental Organizations (NGO) to operate shelters under a written agreement [costs that ARC or other NGOs incur under their own authorities (i.e., independent of any Federal, State, Tribal, or local request) are not eligible for reimbursement]

(c) *Child Care Services*

FEMA reimburses State, Territorial, Tribal, and local governments for the cost of providing licensed child care services to support sheltered populations. This includes the cost of the labor, facility, supplies, and commodities. Additionally, FEMA may provide PA funding for the cost of

child care services that the eligible Applicant provides to other survivors, and beyond the period of emergency sheltering, with certification that temporary child care is necessary to meet immediate threats to life, public health and safety, or property.

Child care includes services such as:

- Day care for children
- Before- and after-school care

The Applicant may provide these services within a shelter facility or in a separate facility, as appropriate. FEMA PA staff will coordinate with IA staff to ensure there is no duplication with IHP assistance.

*(d) Host-State or Host-Tribe Evacuation and Sheltering*

If the impacted State or Tribe (Impact-State or Impact-Tribe)<sup>188</sup> has evacuation and sheltering needs beyond its ability to address within its jurisdictional area, it may request assistance either from another State or Tribal Government (Host-State or Host-Tribe)<sup>189</sup> through mutual aid agreements such as EMAC, or from FEMA.

If the Impact-State/Tribe requests assistance directly from another State or Tribal Government, FEMA reimburses costs based on the mutual aid agreement as described in [Chapter 2:V.H](#). FEMA may also provide PA funding to a Host-State/Tribe directly, even if the Impact-State/Tribe already requested assistance directly from that Host-State/Tribe, provided that:



- The Host-State/Tribe agrees to accept evacuees based on need—without restriction;
- The Host-State/Tribe makes at least 10 percent of its normal day-to-day sheltering capacity available;
- An authorized official from the Host-State/Tribe transmits a written agreement of these two terms to FEMA; and
- The Governor or Tribal Chief Executive of the Host-State/Tribe signs the FEMA/Host-State or FEMA/Host-Tribe Agreement pursuant to the terms and conditions in 44 CFR § 206.44, FEMA-State Agreements, to establish the Host-State/Tribe as the Recipient.<sup>190</sup>

If the Impact-State/Tribe requests assistance from FEMA, FEMA determines whether potential Host-States/Tribes have sufficient capability to meet some or all of the sheltering and evacuation needs of the Impact-State/Tribe. If FEMA determines a potential Host-State/Tribe has sufficient

---

<sup>188</sup> Impact-State or Impact-Tribe means the State or Tribal Government for which the President declared an Emergency or Major Disaster and requested FEMA assistance because of a need to evacuate and/or shelter affected individuals outside the State.

<sup>189</sup> Host-State or Host-Tribe means a State or Tribal Government that by agreement with FEMA provides sheltering or evacuation support to evacuees from an Impact-State or Impact-Tribe.

<sup>190</sup> 44 CFR § 206.202(f)(1)(i).

capability and the Host-State/Tribe meets the three conditions described above, FEMA provides PA funding to the Host-State/Tribe directly.<sup>191</sup>

When FEMA provides PA funding directly to a Host-State/Tribe, FEMA reimburses 100 percent of the Host-State/Tribe's eligible costs, including straight-time and benefits of the Host-State/Tribe's permanent employees<sup>192</sup> so that they have no out-of-pocket costs. In these cases, the Impact-State/Tribe is responsible for the non-Federal cost share and must subsequently reimburse FEMA for the non-Federal cost share of the eligible costs incurred by the Host-State/Tribe. The non-Federal cost share is based on the Category B cost-share amount designated in the declaration. The Impact-State/Tribe cannot offset its non-federal cost share with the Host-State/Tribe's volunteer labor.

In addition to the evacuation and sheltering costs noted in [Chapter 2:VI.B.10](#), FEMA also reimburses Host-States/Tribes for the following:

- Straight-time and benefits of entities' employees that provide assistance under a mutual aid agreement or a contract with the Host-State/Tribe such as a local government or PNP.
- Costs to provide the requested shelter capacity, even if the shelter was underused or not used at all.
- Costs related to arrest and incarceration of evacuees who commit unlawful acts in a Host-State/Tribe congregate shelter, including costs incurred by on-duty law enforcement officers in order to detain, take into custody, or make an arrest (costs of chemical tests, processing, charging, booking, and holding such persons are not eligible costs). Costs to transport a detainee back to the shelter is eligible if the individual was not charged.
- When patients in hospitals in the Impact-State/Tribe are evacuated, transported, and admitted into hospitals in the Host-State/Tribe through mission assignment with U.S. Department of Health and Human Services (HHS), and the patients are treated and discharged but require follow-on care while they await transport and shelters are not available, the costs that a Host-State/Tribe's hospital incurs for hotel rooms during patients' follow-on care until the patients can be transported back to the Impact-State/Tribe, provided that Medicare, Medicaid, or private insurance does not cover these costs.
- Bus or shuttle transport to pick up evacuees at the airport, train station, or bus terminal when the expected plane, train, or bus is re-routed, canceled, or rescheduled.
- Ambulance costs for hospital-to-hospital transfers, provided it is a transfer within the Host-State/Tribe.
- When the Impact-State/Tribe determines that it is safe for re-entry, it will coordinate with the Host-State/Tribe and FEMA to return evacuees, household pets, and service and assistance animals to the Impact-State/Tribe by air, rail, or bus. Return transportation costs are eligible along with food, water, and security during transport.
- Return transportation costs for family members of an Impact-State/Tribe evacuee who was admitted to a hospital after the congregate shelters close.
- When evacuees are discharged from a hospital after all congregate shelters have closed and transportation cannot be arranged for departure on the same day discharged, FEMA will reimburse up to five (5) nights of hotel lodging while awaiting return transport.

---

<sup>191</sup> 44 CFR § 206.208(c)(3).

<sup>192</sup> 44 CFR § 206.202(f)(1)(ii).

- FEMA will reimburse a State agency from the Impact-State/Tribe for the transportation costs and related expenses to transport deceased evacuees and accompanying family members to the Impact-State/Tribe. The costs of State/Tribe-mandated embalming or cremation of the body prior to return are also eligible.

The Host-State/Tribe must determine whether any ambulance or medical service costs are covered by a patient's private insurance, Medicare, Medicaid, or a pre-existing private payment agreement as FEMA will deduct this amount from the Host-State/Tribe's eligible cost.

Fees that a Host-State/Tribe waives for the use of State parks by self-evacuees with recreational vehicles (RVs) are not eligible. Additionally, purchase and distribution of gas cards, bus passes, cash vouchers, debit cards, food vouchers, or direct payments to evacuees are not eligible.

## **11. Infectious Disease Event**

The HHS Centers for Disease Control and Prevention (CDC) has primary authority to enable support and assistance to States, Territorial, or Tribal Governments in response to an infectious disease event. FEMA may provide assistance for the rescue, evacuation, and movement of persons; movement of supplies; and care, shelter, and other essential needs of affected human populations. Any assistance provided by FEMA in response to an infectious disease event is done in coordination with the CDC. The Office of Response and Recovery Fact Sheet FP 104-009-001, *Infectious Disease Event*, provides additional details.<sup>193</sup>

## **12. Mosquito Abatement**

Mosquito abatement measures may be eligible when a State, Territorial, Tribal, or local government public health official validates in writing that a mosquito population poses a specific health threat as discussed further in [Appendix G: Mosquito Abatement](#). FEMA consults with the CDC to determine the eligibility of mosquito abatement activities. FEMA only provides PA funding for the increased cost of mosquito abatement. This is the amount that exceeds the average amount based on the last 3 years of expenses for the same period.

## **13. Residential Electrical Meters**

To reduce the number of survivors needing shelter, FEMA may provide limited PA funding to a State, Territorial, Tribal, or local government to repair residential electrical meters. To receive PA funding, the State, Territorial, Tribal, or local government must:

- Issue a finding of an immediate threat to safety due to loss of power caused by damaged meters or weather heads;
- Request participation in this program; and
- Receive FEMA approval for each identified property.

Only residential properties are eligible for this program. Commercial properties, including apartment complexes, are not eligible.

If approved, the applicable State, Territorial, Tribal, or local government will:

- Obtain a signed right-of-entry from each residential property owner;
- Take reasonable measures to document any known insurance proceeds;
- Contract with licensed electricians to perform electrical meter repair;

<sup>193</sup> [www.fema.gov/media-library/assets/documents/99710](http://www.fema.gov/media-library/assets/documents/99710).



FEMA

March 21, 2020

MEMORANDUM FOR: Regional Administrators  
FEMA Regions I-X

FROM: Keith Turi  
Assistant Administrator  
Recovery Directorate

SUBJECT: COVID-19 Requests for Public Assistance Deadline



On March 13, 2020, the President declared the ongoing coronavirus (COVID-19) pandemic of sufficient severity and magnitude to warrant a nationwide emergency declaration covering all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”). Consistent with the declaration of a national emergency and due to the nature of this incident, it is necessary and appropriate to amend certain deadlines for the Public Assistance Program (44 CFR Part 206, Subpart G, Public Assistance Project Administration) on a national basis for the effective administration of the national emergency declaration and meet the needs of Recipients and Applicants across the country. This memo addresses the deadline for submission of Requests for Public Assistance for the nationwide emergency declaration and any subsequent major disaster declarations for the incident.

To apply for Public Assistance, in accordance with procedures in 44 C.F.R. §206.202(c), Recipients must send a completed RPA (FEMA Form 90-49) to the Regional Administrator, through the FEMA Grants Portal, for each Applicant who requests Public Assistance. According to the regulation, these requests must be submitted “30 days after designation of the area where damage occurred.” In this case, the President’s emergency declaration designated all areas in the country on March 13, 2020.

Based on the national impacts of COVID-19, the unprecedented nature of the national emergency declaration, the number of potential Public Assistance Applicants, and the fact that these Applicants are actively engaged in life saving operations, enforcing the 30-day deadline is not appropriate. It would also not be appropriate to require each affected state, territory, and tribe to formally request an extension and to have each Regional Administrator individually respond while all parties are focused on response operations. Therefore, the Request for Public Assistance deadline is nationally extended and will remain open for the duration of the Public Health Emergency, as declared by the Secretary of the U.S. Department of Health and Human Services, unless an earlier deadline is deemed appropriate by the Assistant Administrator, Recovery Directorate. At that time, the Regional Administrator, pursuant to 44 CFR 206.202(f)(2), may extend the time limitations in 44 CFR 206.202(c). FEMA will accept RPAs for 30 days after the end of the declaration of the Public Health Emergency and provide 30-day advance notification if an earlier deadline is established or further extended by a Regional Administrator.

If you have any questions, please contact Traci Brasher, Director (Acting), Public Assistance Division at [traci.brasher@fema.dhs.gov](mailto:traci.brasher@fema.dhs.gov).

# Coronavirus (COVID-19) Pandemic: Purchase and Distribution of Food Eligible for Public Assistance

## FEMA Policy FP 104-010-03

---

### BACKGROUND

Under the President's March 13, 2020, COVID-19 emergency declaration<sup>1</sup> and subsequent major disaster declarations for COVID-19, state, local, tribal, and territorial (SLTT) government entities and certain private non-profit (PNP) organizations are eligible to apply for assistance under the FEMA Public Assistance (PA) Program. This policy is applicable to eligible PA applicants only and is exclusive to emergency and major disaster declarations for the COVID-19 pandemic.

As of April 9, 2020, 51 states and territories had "stay at home" orders in place.<sup>2</sup> The population at high-risk for severe illness from COVID-19 includes people 65 years and older and people of any age who have serious underlying medical conditions, including people with chronic lung disease or moderate to severe asthma, people with serious heart conditions, people who are immunocompromised (e.g., those undergoing cancer treatment, smokers, those with HIV or AIDs), and people with severe obesity, diabetes, or liver disease, and people undergoing kidney dialysis.<sup>3</sup> Due to the impact of the COVID-19 pandemic, there may be areas where it will be necessary as an emergency protective measure to provide food to meet the immediate needs of those who do not have access to food as a result of COVID-19 and to protect the public from the spread of the virus.

### PURPOSE

This policy defines the framework, policy details, and requirements for determining eligible work and costs for the purchase and distribution of food in response to the COVID-19 Public Health Emergency to ensure consistent and appropriate implementation across all COVID-19 emergency and major disaster declarations. Except where specifically stated otherwise in this policy, assistance is subject to PA Program requirements as defined in Version 3.1 of the Public Assistance Program and Policy Guide (PAPPG).<sup>4</sup>

<sup>1</sup> Proclamation 9994 of March 13, 85 FR 15337 (Mar. 18, 2020); see also [www.fema.gov/news-release/2020/03/13/covid-19-emergency-declaration](http://www.fema.gov/news-release/2020/03/13/covid-19-emergency-declaration).

<sup>2</sup> <https://www.nga.org/coronavirus/#states>

<sup>3</sup> <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/groups-at-higher-risk.html>.

<sup>4</sup> The current version of the Public Assistance Program and Policy Guide (PAPPG), Version 3.1, is available on the FEMA website at [www.fema.gov/media-library/assets/documents/111781](http://www.fema.gov/media-library/assets/documents/111781).

## **PRINCIPLES**

- A. FEMA will provide flexibility to applicants to protect the health and safety of impacted communities in response to the COVID-19 Public Health Emergency through the purchase and distribution of food.
- B. FEMA will responsibly implement this policy and any assistance provided in a consistent manner through informed decision-making and accountable documentation.
- C. FEMA will engage with interagency partners, including the U.S. Department of Agriculture (USDA), the U.S. Department of Health and Human Services (HHS), and U.S. Department of Housing and Urban Development (HUD), to ensure this assistance does not duplicate other available assistance. Engagement with USDA will include coordination with USDA's efforts on food bank response.

## **REQUIREMENTS**

### **A. APPLICABILITY**

Outcome: To establish the parameters of this policy and ensure it is implemented in a manner consistent with program authorities and appropriate to the needs of the COVID-19 Public Health Emergency.

- 1. This policy applies to:
  - a. All Presidential emergency and major disaster declarations under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended, issued for the COVID-19 Public Health Emergency.
  - b. Eligible PA applicants under the COVID-19 emergency declaration or any subsequent COVID-19 major disaster declaration.
  - c. This policy does not apply to any other emergency or major disaster declaration.

### **B. GENERAL ELIGIBILITY CONSIDERATIONS**

Outcome: To define the overarching eligibility framework for purchasing and distributing food in response to COVID-19 declarations.

- 1. Legal Responsibility.
  - a. To be eligible for PA, an item of work must be the legal responsibility of an eligible applicant.<sup>5</sup> Measures to protect life, public health, and safety are generally the responsibility of state, local, tribal, and territorial (SLTT) governments.

<sup>5</sup> 44 CFR §206.223.

- b. Legally responsible SLTT governments may enter into formal agreements or contracts with private organizations, including private nonprofit (PNP) organizations such as food banks, to purchase and distribute food when necessary as an emergency protective measure in response to the COVID-19 Public Health Emergency. In these cases, PA funding is provided to the legally responsible government entity, which would then reimburse the private organization for the cost of providing those services under the agreement or contract.

## 2. Work Eligibility.

- a. In accordance with sections 403 and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq. (the “Stafford Act”), emergency protective measures necessary to save lives and protect public health and safety, including the purchase and distribution of food, may be reimbursed under the PA program.
- b. When necessary as an emergency protective measure, eligible work related to the purchase and distribution of food in response to the COVID-19 pandemic includes:
  - i. Purchasing, packaging, and/or preparing food, including food commodities, fresh foods, shelf-stable food products, and prepared meals;
  - ii. Delivering food, including hot and cold meals if necessary, to distribution points and/or individuals, when conditions constitute a level of severity that food is not easily accessible for purchase; and
  - i. Leasing distribution and storage space, vehicles, and necessary equipment.
- c. Several indicators may demonstrate the need to purchase and distribute food in response to the COVID-19 pandemic:
  - i. Reduced mobility of people in need due to government-imposed restrictions, including “stay-at-home” orders, which prevent certain populations from accessing food;
  - ii. Marked increase or atypical demand for feeding resources; or
  - iii. Disruptions to the typical food supply chain within a given jurisdiction.
- d. Populations in an impacted community that may need the provision of food as a lifesaving and life-sustaining commodity, may include:
  - i. Those who test positive for COVID-19 or have been exposed to COVID-19, but who do not require hospitalization;<sup>6</sup>
  - ii. High-risk individuals, such as people over 65 or with certain underlying health conditions;<sup>7</sup> and

<sup>6</sup> Any collection or handling of information with regard to the health status of individuals must be compliance with applicable privacy laws, including the Health Insurance Portability and Accountability Act of 1996. FEMA will not be collecting any health information.

<sup>7</sup>The distribution of supplies and other relief and assistance activities shall be accomplished without discrimination on the grounds of race, color, religion, nationality, sex, age, disability, English proficiency, or economic status. Section 308 of the Stafford Act, 42 U.S.C. § 5151, as amended.

- iii. Other populations based on the direction or guidance of the appropriate public health official.

### 3. Cost Eligibility.

- a. All claimed costs must be necessary and reasonable in order to respond to the COVID-19 Public Health Emergency and are subject to standard program eligibility and other Federal requirements, including the prevailing cost-share for the respective declaration.<sup>8</sup>
- b. Applicants must follow applicable cost principles and procurement requirements.<sup>9</sup>
  - i. Costs claimed by SLTT governments must be reasonable pursuant to Federal regulations and Federal cost principles.<sup>10</sup> A cost is considered 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.
  - ii. States and territorial governments are required to follow their own procurement procedures, comply with 2 CFR §200.322, and include any clauses required by 2 CFR §200.326. Local and tribal governments must follow their own procedures and comply with 2 CFR §200.318.
  - iii. In accordance with the March 17, 2020, memorandum from David Bibo, Acting Associate Administrator for the Office of Response and Recovery, and Bridget E. Bean, Assistant Administrator for the Grants Program Directorate, for the duration of the Public Health Emergency, as determined by U.S. Department of Health and Human Services (HHS), local governments, tribal governments, PNPs, and other non-state entities may proceed with new and existing non-competitively procured contracts. The March 17, 2020 memorandum and other information related to procurement specific to COVID-19 declarations are available on the FEMA website at [www.fema.gov/media-library/assets/documents/186350](https://www.fema.gov/media-library/assets/documents/186350).
- c. Pursuant to Section 312 of the Stafford Act, FEMA is prohibited from providing financial assistance where such assistance would duplicate funding available from another program, insurance, or any other source for the same costs.<sup>11</sup>

<sup>8</sup> In certain circumstances, the Regional Administrator may require the submission of an internal control plan, pursuant to 2 CFR §200.303, in particular when the SLTT government is implementing residential delivery of meals to targeted groups of individuals who are need of such assistance.

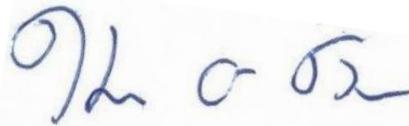
<sup>9</sup> See. *COVID-19 Guidance: Procurements Under Grants During Periods of Exigent or Emergency Circumstances*, March 17, 2020. (<https://www.fema.gov/media-library/assets/documents/186350>.)

<sup>10</sup> 2 CFR §200.404; OMB Circular 87.

<sup>11</sup> 42 U.S.C. § 5155.

4. Time Limitations.

- a. FEMA may provide funding for an initial 30-day time period.
- b. SLTT governments may request a 30-day time extension from the Regional Administrator (RA) with documentation showing continued need.
- c. Work may not extend beyond the duration of the COVID-19 Public Health Emergency, as determined by HHS.



---

Keith Turi  
Assistant Administrator, Recovery Directorate

April 11, 2020

---

Date

## **ADDITIONAL INFORMATION**

### **REVIEW CYCLE**

This policy will be reviewed periodically during the COVID-19 Public Health Emergency. The Assistant Administrator of Recovery is responsible for authorizing any changes or updates. This policy will sunset with the closure of the national emergency for COVID-19 and any subsequent major disaster declarations for COVID-19.

### **AUTHORITIES and REFERENCES**

#### **Authorities**

- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, et seq., as amended
- Title 44 of the Code of Federal Regulations, Part 206, Subparts G and H

#### **References**

- Public Assistance Program and Policy Guide, Version 3.1

### **MONITORING AND EVALUATION**

FEMA will closely monitor the implementation of this policy through close coordination with regional and field staff, as appropriate, as well as interagency partners and SLTT stakeholders. Various planning calls are conducted daily related to COVID-19 declarations. Additionally, FEMA has set up a mailbox for COVID-19 questions and concerns at [covid19paoperations@fema.dhs.gov](mailto:covid19paoperations@fema.dhs.gov).

### **QUESTIONS**

Direct questions to [covid19paoperations@fema.dhs.gov](mailto:covid19paoperations@fema.dhs.gov).

# Disaster Financial Management Guide and COVID-19 Response

---

## Background

On March 13, 2020, President Trump declared that the ongoing Coronavirus Disease 2019 (COVID-19) pandemic was of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”).

Many government and private sector/nonprofit resources and programs are available to help jurisdictions respond and recover. Navigating various eligibility requirements and application processes can pose administrative challenges. Disaster funding or cost reimbursements are often delayed or not approved because of incomplete paperwork, missed steps in the process or a lack of understanding of the eligibility criteria.

The recently released Disaster Financial Management Guide can help a jurisdiction successfully use all available Federal resources for disaster recovery, to include the COVID-19 Supplemental Funding.

The Disaster Financial Management guide identifies the capabilities and activities necessary to prepare and successfully implement disaster financial management while maintaining fiscal responsibility throughout response and recovery operations. It includes guidance for recipients and sub-recipients on:

- Considerations and practices for tracking, calculating and justifying the cost of an emergency.
- Supporting local reimbursement reconciliation.
- Avoiding deobligation of grant funding.
- Effectively funding and implementing recovery projects and priorities.

### COVID-19 SUPPLEMENTAL FUNDING

To support COVID-19 response and recovery, supplemental funding is available under recently enacted laws, to include:

- Coronavirus Aid, Relief and Economic Security (CARES) Act
- Coronavirus Preparedness and Response Supplemental Act
- Families First Response Act

Although the Disaster Financial Management Guide takes an all-hazards approach and addresses a broad range of issues that jurisdictions face, the concepts, principles and resources it outlines directly apply to the current operational environment and ongoing COVID-19 response and recovery efforts.

On the following page, this Fact Sheet briefly summarizes relevant financial management concepts and principles discussed in the Disaster Financial Management Guide.

## Financial Management Practices to Use During the COVID-19 Response

The following concepts and principles are found in the Disaster Financial Management Guide. Jurisdictions should consider implementing these activities during the ongoing response to, and recovery from, COVID-19.

### Portfolio and Project Management

Project management entails accurately managing the complex disaster budget to pay all bills, release funding according to schedule and maintain accurate financial records and documents. Portfolio management are the prioritizes and authorizes the group of related projects or programs to achieve a strategic objective.

### Knowledge of Procurement and Contract Practices

Jurisdictions must follow Federal procurement under grants and subawarding regulations, as well as applicable state, local, tribal or territorial (SLTT) requirements. Follow the rule that will comply with all applicable layers of rules—sometimes Federal rules are more restrictive; sometimes SLTT rules are.

### Document All Expenditures Related to the COVID-19 Response

Jurisdictions should document every expenditure related to response and recovery, including equipment and materials used, and differentiate them from general operational costs. Using cost eligibility requirements helps jurisdictions justify each expenditure and directly relate it to the COVID-19 response and recovery.

### Log and Track Time and Expenses

Disaster cost reimbursement requires accurate and detailed records of the time and cost associated with the response actions. Initiating a disaster accounting general ledger is good way to track time and cost.

### Compile Cost and Expense Data

To achieve certain thresholds for disaster cost reimbursements, jurisdictions must show proof of cost and impact.

### Document Use of Mutual Aid and Volunteer Programs

Jurisdictions must document and track their mutual aid agreements and the cost associated with those response functions.

### Continue Documentation Processes

Detailed documentation and accounting requirements should continue throughout response and recovery efforts.

### Increase or Adjust Legal Authorities

If applicable, and in consultation with legal counsel, obtain governing body resolution or approval for increased emergency spending authority, contracting or access to a disaster reserve fund.

### Manage Positive Cash Flow

Jurisdictions need adequate cash reserves and receivables available that do not exceed expenses.

## For More Information

- Visit [fema.gov/plan](https://www.fema.gov/plan) for more information on the Disaster Financial Management Guide
- Visit [coronavirus.gov](https://www.coronavirus.gov) for information and specific resources for healthcare professionals, health departments and laboratories
- Visit [fema.gov](https://www.fema.gov) for more information on the COVID-19 Emergency Declaration
- Visit the [FEMA Public Assistance Program and Policy Guide](#) (pages 21–42) for more eligibility requirements



# Disaster Financial Management Guide

Guidance for State, Local, Tribal & Territorial Partners

*April 2020*



FEMA

<https://www.fema.gov/media-library-data/1586814281653-0d83b58a58fac2db96fb531c2e0349c9/Disaster-Financial-Management-Guide-April-2020.pdf>

# Coronavirus (COVID-19) Pandemic: Addressing PPE Needs in Non-Healthcare Setting

---

This guidance summarizes how organizations should consider and manage their personal protective equipment (PPE) needs while ensuring the protection of workers during the coronavirus (COVID-19) pandemic response.

## Objective

The COVID-19 National Strategy for Addressing Personal Protective Equipment (PPE) Shortage seeks to ensure protection against COVID-19 for healthcare workers, first responders, and patients by implementing three pillars of practice: reduce, reuse and repurpose. Industries that use similar PPE (e.g., N95 respirators) as part of their normal duties will be challenged in obtaining PPE while available supply is prioritized for healthcare workers and first responders. Industries whose [essential critical infrastructure workers](#) need PPE to perform their duties should continue working with suppliers to acquire needed PPE, but should expect shortages to continue. All industries should immediately implement strategies to preserve existing supplies of PPE and find alternative work methods to address shortfalls.

## Preservation Strategies for Non-Healthcare Settings

A critical component in implementing PPE preservation strategies is determining the appropriate level of PPE for use. Non-healthcare industries should carefully consider whether PPE is required by law or regulation as part of their routine duties, or whether it is needed for mitigating employee exposure to COVID-19.

If PPE is required by law or regulation as part of routine duties performed by essential critical infrastructure workers:

- Extend use times of undamaged, non-visibly soiled PPE, and implement expanded facility-based PPE reuse policies and procedures.
- Adapt and implement Centers for Disease Control and Prevention (CDC) strategies for healthcare to [optimize the supply of PPE](#) and equipment, and [best practices](#) to sustain PPE supplies.
- Implement [decontamination and reuse strategies](#) of filtering facepiece respirators as contingency and crisis capacity measures.
- Understand and track PPE requirements and burn rates. Utilize CDC's [PPE burn rate calculator](#) if you lack an existing means to do so.

- Use alternative types or sources of PPE to support necessary operations. Use National Institute for Occupational Safety and Health (NIOSH)-approved respiratory protection that was not previously approved by the Food and Drug Administration (FDA). Monitor FDA and Occupational Safety and Health Administration (OSHA) websites for updates and announcements on relaxed enforcement and [Emergency Use Authorizations](#).
- Consult [guidance](#) from CDC's NIOSH on strategies to conserve, extend and respond to shortages in the supply of filtering facepiece respirators (FFRs) used in non-healthcare worksites, such as manufacturing and construction.

If PPE is **not** required by law or regulation as part of routine duties performed by essential critical infrastructure workers:

- Implement exposure-reduction measures, such as barrier controls (e.g., Plexiglass barriers, improved ventilation systems) and safe-work practices, such as adjusting business operations to increase physical space between employees. Consult CDC's [Interim Guidance for Businesses and Employers to Plan and Respond to COVID-19](#) for further considerations to reduce overall risk of exposure in the workplace.
- Do not attempt to acquire medical or industrial use PPE for such employees. Such PPE is likely unavailable and is required for other higher priority critical infrastructure functions. Surgical masks or N95 respirators are critical supplies that must continue to be reserved for healthcare workers and other medical first responders, as recommended by current CDC guidance.
- Instead, follow CDC guidance on use of simple cloth face coverings. [CDC recommends](#) wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., control rooms, production floors), especially in areas of significant community-based transmission.
- Commercially manufactured cloth face coverings may also be in short supply; demand has increased as Americans heed the U.S. government's recent recommendation for their use as a complementary measure to the [President's Coronavirus Guidelines for America, 30 Days to Slow the Spread](#). If commercially sourced cloth face coverings are not available, they can be fashioned from common materials at low cost. Follow [CDC's guidance](#) on how to make and use of cloth face coverings.

All industries should follow [U.S. government guidance](#) to help the most critical workers quickly return to work after potential exposure to someone with COVID-19, provided those workers are symptom-free.

## Acquiring PPE During Shortages

If after minimizing the need for PPE through strategies described above, PPE is still required by [essential critical infrastructure workers](#) to perform their duties, organizations should:

1. Continue working with normal and alternate private sector suppliers to obtain PPE. It may be necessary to identify multiple options for suppliers and prioritize near-term versus long-term needs.
2. If suppliers are unable to provide for your needs, and the PPE is urgently required, submit a request for assistance to your local or [state emergency management agencies](#). If local emergency management is unable to address the PPE shortfall, they can relay it to the state. If the state is unable to address it, they can submit a request for support to their FEMA Regional Response Coordination Center.

Any requests to local, state or federal agencies for urgent resupply of PPE for essential critical infrastructure workers should accurately describe:

- Specific types, quantities (include 30, 60 and 90-day demand), and locations where PPE is needed;
- Estimated time until shortage impacts operations based on PPE burn rate; and,
- Consequence of the shortage and duration of its impact.

## Key Questions Before Making Requests

Do you employ essential critical infrastructure workers?	If not, you do not need PPE currently. Non-essential workers should be following stay-at-home orders and practicing social distancing, making use of telework options, etc.
Have you implemented all possible PPE use reduction strategies?	If not, consult CDC and other guidance to reduce or eliminate the need for PPE through other engineering solutions or modifications to business practices.
If PPE is still needed, is it required by law or regulation?	If not, use cloth face coverings. PPE should be reserved for workers that must have it in order to perform their essential duties.
Have you sought regulatory relief or approved alternatives?	If not, contact the regulator requiring PPE use. Consult FDA, NIOSH and OSHA notices for EUAs, regulatory relaxations and alternatives to address PPE need.
Is the PPE needed considered “scarce or threatened medical supplies”*?	If not, this need should be addressed through normal market of suppliers; FEMA is only involved in managing inventories of PPE used in healthcare settings.  *See <a href="#">“Memorandum on Allocating Certain Scarce or Threatened Health and Medical Resources to Domestic Use”</a> PPE subject to this policy includes: N95 respirators and a variety of other filtering respirators; air-purifying respirators; surgical masks; and surgical gloves.
Have you properly defined the need?	If not, apply above guidance to accurately describe your PPE need. These details are necessary for government agencies to consider.
Submit a request for assistance.	Submit a request for assistance to your local or state emergency management agency. Continue to pursue PPE through the normal market of suppliers as not all requests for government assistance will be met.

# COVID-19 Process Overview



## Public Assistance Applicant Quick Guide

The Public Assistance Program provides federal grant assistance to help communities quickly respond to and recover from major disasters or emergencies declared by the President. An Applicant is a non-Federal entity (state, territorial, tribal, and local government or private non-profit) submitting an application for assistance under a Federal award given to a Recipient (the state, territorial, or tribal entity managing the Federal award under the declaration). Once FEMA approves funding for an Applicant, the Applicant becomes a Subrecipient. This Quick Guide provides an **overview** of the **Public Assistance process** for **Applicants seeking assistance** under **COVID-19** declarations.

FEMA provides funding for management costs that an Applicant incurs in administering and managing PA awards. For details on management costs, see the [Public Assistance \(PA\) Management Costs Interim Policy](#).

### Summary of COVID-19 Process Changes

For COVID-19 declarations, FEMA has streamlined the PA application process, including:

- Enabling the Applicant to apply directly to FEMA without relying on FEMA or Recipient staff.
- Providing a COVID-19 Streamlined Project Application.
- Reducing documentation requirements for projects under \$131,100.

For more information, refer to FEMA's *Coronavirus (COVID-19) Pandemic: Public Assistance Simplified Application Fact Sheet*.

### COVID-19 Process Overview



The streamlined application for COVID-19 allows for applications to be processed and managed remotely through the following steps:

#### Virtual Applicant Briefing

The Applicant Briefing is a Recipient-led meeting that occurs after a declaration to discuss Public Assistance procedures and requirements with potential Applicants. Organizations interested in applying for Public Assistance should contact their state, territorial, tribal, or local emergency management representative to obtain information on attending an Applicant Briefing.

#### Grants Portal Account Creation and Requests for Public Assistance

Applicants apply for assistance through FEMA's [Grants Portal](#). Applicants can create accounts directly in Grants Portal or work through their Recipient to gain access. FEMA and the Recipient

review the Request for Public Assistance for eligibility. If FEMA approves the application, the Applicant proceeds with submitting its project application(s). For more information on the process, see *Public Assistance Applicant Quick Guide: Grants Portal Account and Request for Public Assistance*, located in the Resources tab on Grants Portal.

**Grants Portal**  
is the system used by  
Recipients and  
Applicants to manage  
PA applications.

### **COVID-19 Streamlined Project Application**

The Applicant completes and submits its project application(s) in Grants Portal. The project application includes detailed information about the activities for which an Applicant's is requesting funding and lists supporting documentation the Applicant needs to provide to justify the request. Once the Applicant completes the project application, the Applicant can follow prompts in Grants Portal to upload and submit the application. For more information on the process, see *Public Assistance Applicant Quick Guide: Completing and Submitting the COVID-19 Streamlined Project Application in Grants Portal*, located in the Resources tab on Grants Portal.

### **FEMA and Recipient Review**

FEMA and the Recipient review and validate the project application to ensure completeness, eligibility, and compliance with Federal laws and regulations on items such as contracting and environmental and historic preservation. FEMA or the Recipient may request additional information from the Applicant during these reviews.

### **Applicant Signs Project**

The Applicant reviews all terms and conditions that FEMA or the Recipient include in the project application and signs in agreement to the funding terms, including requirements for reporting on project work progress and completion.

### **Post-Award Activities**

The Applicant provides additional documentation as its response efforts unfold and work is completed to document actual costs and expenditures of Public Assistance funds. Upon completion of work, the Applicant coordinates with the Recipient to formally close projects. The Applicant must retain records of all project-related documentation.

# Completing and Submitting the COVID-19 Streamlined Project Application



FEMA

## Public Assistance Applicant Quick Guide

This Quick Guide provides **step-by-step guidance** for **Applicants** on **completing and submitting** the **COVID-19 Streamlined Project Application**, including tracking and monitoring the status of submitted projects.

Applicants are state, tribal, territorial, or local governments or private non-profit entities that submit requests for assistance under a Recipient’s Federal award. Recipients are state, tribal, or territorial entities that receive and administer Public Assistance Federal awards.

### COVID-19 Streamlined Project Application

The **COVID-19 Streamlined Project Application** is the formal request for COVID-19 funding under the Public Assistance program. The project application requests information about the activities for which the Applicant is requesting funding and any supporting documentation to justify that request. Applicants download and complete the fillable Adobe Portable Document Format (.pdf) application using the instructions in the form and then upload it in Grants Portal. The Applicant can track the status of the application, provide additional requested information, review and sign projects, and make necessary modifications.

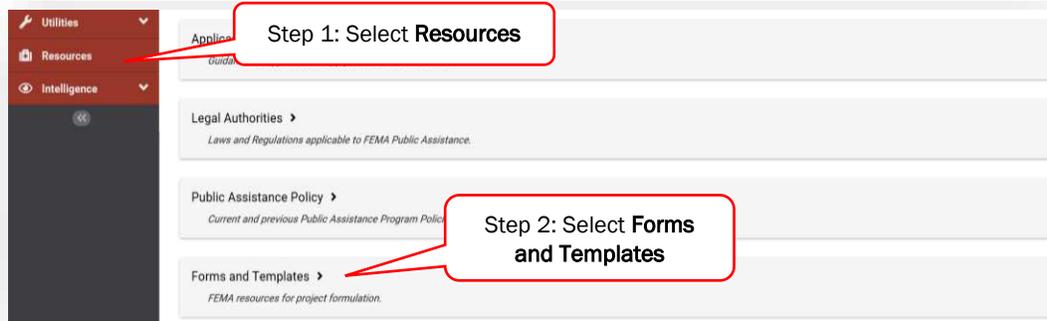
**Grants Portal** is the system used by Recipients and Applicants to manage PA grant applications.



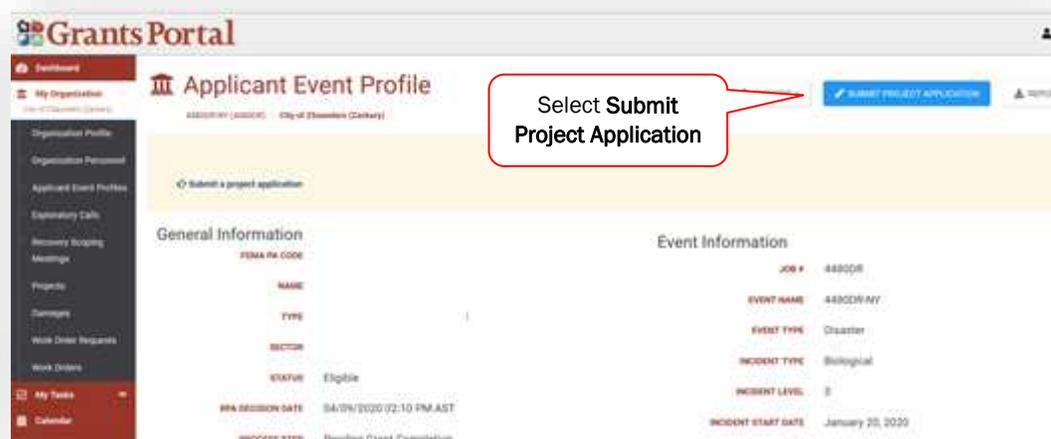
### Completing and Submitting the Project Application in Grants Portal

The Applicant will complete the following steps to develop the application:

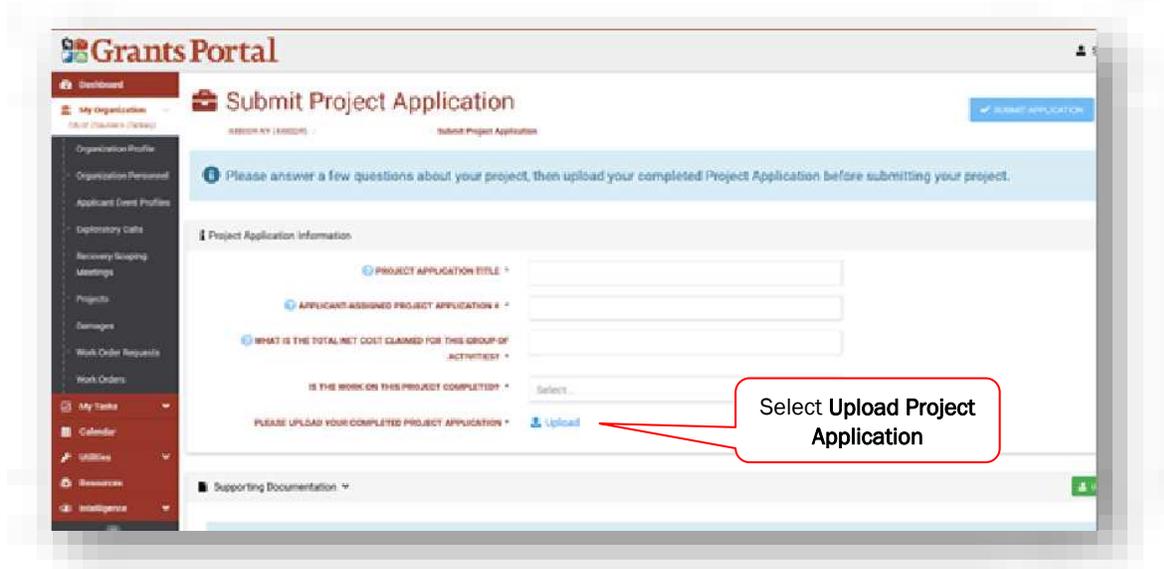
- Download the application from Grants Portal by navigating to “Resources” and selecting “Forms and Templates”:



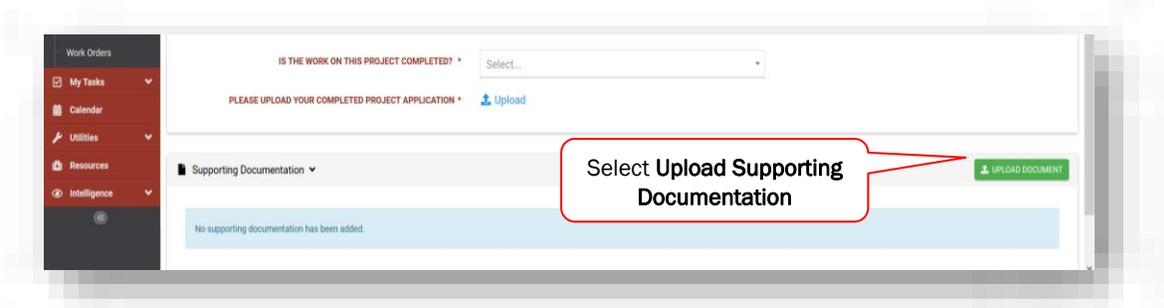
- ❑ Use the instructions in the project application document to complete the appropriate sections.
- ❑ Once complete, submit the application by selecting “Submit Project Application” in the Applicant Event Profile.



- ❑ Before uploading, the system will request the Applicant respond to the following required questions:
  - Project Application Title
  - Applicant-Assigned Project Application Number
  - What is the total Net Cost Claimed for this Group of Activities?
  - Is the Work on this Project Completed?
- ❑ After responding to all questions, upload the completed project application.



- Add all supporting documentation by selecting the “Upload Documentation” button



- When all questions have been answered and the project application along with supporting documentation has been uploaded, click “Submit Application”. A system notification will confirm submission, and the project status in Grants Portal will be updated to “Pending CRC Development”.
- When the application enters “Pending CRC Development” status, the application has been routed to staff at a FEMA Consolidated Resource Center where FEMA specialists scope, cost, validate and review the the information in the project application for compliance with all state/local and Federal laws and regulations.

## Reviewing and Signing a Project

Following FEMA and Recipient approval of the project application, the Applicant reviews and signs the project in Grants Portal.

- The Applicant will be notified by email that the application is ready for review. At that point, the Applicant may go to the Tasks tab and click “Review” to begin reviewing the project application.

**Step 1: Select Tasks**

For any incomplete active tasks assigned to you, a **REVIEW** button or similar will be displayed. Clicking the button will direct you to the location in Grants Portal to complete the task.

Filters: My Active Incomplete Tasks

Personnel	Type	Description	Start Date	Age	Deadline	Last Action	Note
Sam, Yosemite	Submit EEI to FEMA for Review	Submit EEI - Direct Administrative Cost on [8132] Damaged Roads on Glennville - PDMG0125 - 4332DR (4332DR - 125) on 4332DR-TX (4332DR) for FEMA to Review	11/02/2017 06:03 PM CDT	6d 21h	11/05/2017		
Sam, Yosemite	Applicant Sign	Pending Applicant DDD / Scope / Cost Approval for [9103] Emergency Protective Measures on Glennville - PDMG0125 - 4332DR (4332DR - 125) on 4332DR-TX (4332DR)	11/09/2017 02:09 PM CST	0d 0h	11/16/2017		

Page 1 to 2 of 2 entries (filtered from 11 total entries)

**Step 2: Click Review next to the Project you need to sign**

- The Applicant may sign by clicking “Sign Scope and Cost” at the top of the page and then “Click to Sign” at the bottom of the next page to authorize the project.

**Project**

4332DR-TX (4332DR) / Glennville - PDMG0125 - 4332DR (4332DR - 125)  
[8132] Damaged Roads

**SIGN SCOPE & COST** SEND BACK DOWNLOAD PROJECT REPORT SUBSCRIBE

**Warning:** This project is pending Applicant Scope & Cost Approval.  
The scope and cost must be approved and signed by the Applicant.

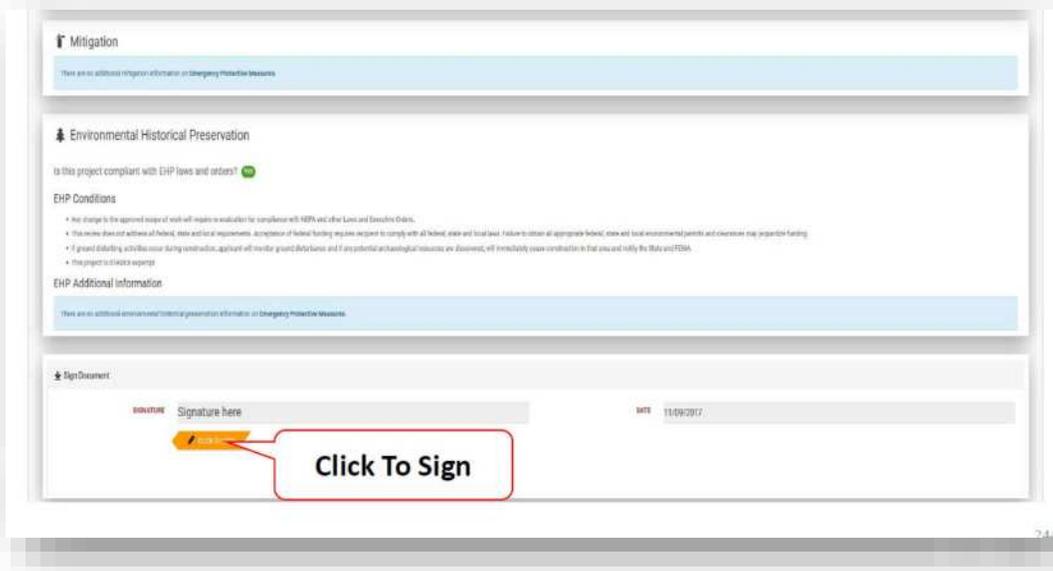
Policy Issues: Mitigation (1)

**General Information**

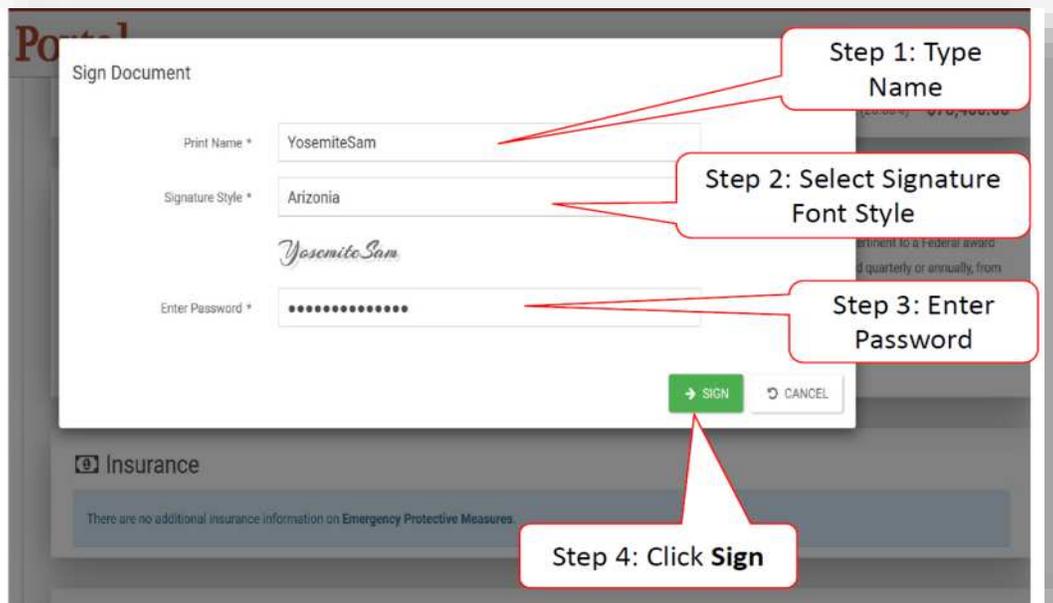
PROJECT # 8132 APPLICANT Glennville - PDMG0125 - 4332DR (4332DR - 125)

CATEGORY C - Roads and Bridges

**Click Sign Scope & Cost**



- A prompt will appear to enter name, signature font style, and system password

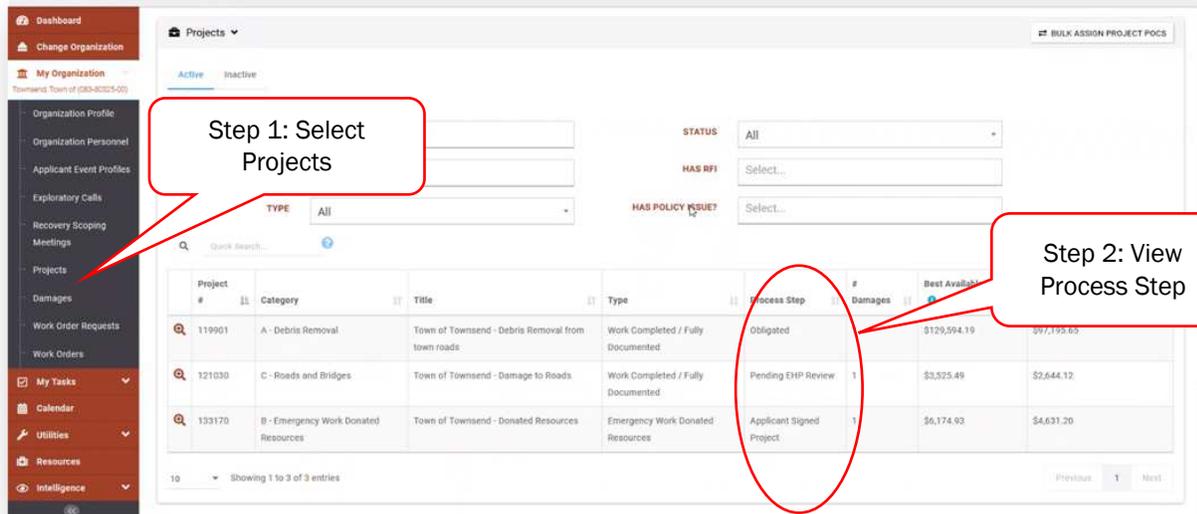


- The Applicant can click “Sign” at the bottom to complete

## Tracking a Project Submission

The Applicant may see the status of their projects in Grants Portal:

- Navigate to the My Organization tab in Grants Portal
- Click “Projects” on the left side of the dashboard
- A page showing all of the Applicant’s projects will appear
- Identify the current status of the project in the Process Step column



After a project has been submitted, the “Process Step” column will reflect the FEMA or Recipient activities being conducted to review the project. Generally, the Applicant has no action during these steps unless a FEMA or Recipient representative specifically contacts the Applicant. The following table summarizes the processing steps an Applicant may see, and what each of those steps means:

Summary of Project Process Steps	
<b>Pending Formulation Completion</b>	The project application is pending completion and upload by the Applicant.
<b>Pending CRC Project Development, Peer Review, Insurance Completion, QA Review, or EHP Review</b>	FEMA specialists are processing the project, including reviewing documentation, developing scopes of work and cost estimates, and ensuring compliance with applicable requirements.
<b>Pending Final FEMA Review</b>	A FEMA official is conducting a final project eligibility review.
<b>Pending Recipient Final Review</b>	A Recipient official is conducting a final project eligibility review.
<b>Pending Applicant Project Review</b>	The project is ready for the Applicant’s final review and signature.
<b>Applicant Signed Project</b>	The project is ready for FEMA to make funding available through the Recipient for the Applicant.
<b>Obligated</b>	Federal funding has been approved for release through the Recipient to the Applicant.

# Submitting a Public Assistance Funding Request for COVID-19



## FEMA Public Assistance COVID-19 Streamlined Project Application

FEMA developed this COVID-19 streamlined project application to simplify the application process for [Public Assistance](#) funding under the COVID-19 pandemic declarations. This document includes the project application and instructions for how the Applicant should complete and submit the application to the Recipient and FEMA.

### Overview

FEMA may provide funding to eligible Applicants for costs related to emergency protective measures<sup>1</sup> conducted as a result of the COVID-19 pandemic. Emergency protective measures are activities conducted to address immediate threats to life, public health, and safety. Eligible Applicants may submit funding requests to the Recipient and FEMA through the Public Assistance Grants Portal. FEMA provides funding through Recipients to eligible Applicants.

### Prerequisites

Prior to submitting this project application, Applicants must submit and receive approval of a Request for Public Assistance. To submit a request, visit the Public Assistance Grants Portal at [grantee.fema.gov](https://grantee.fema.gov).

### Public Assistance Funding Considerations

**Public Assistance funding is subject to a cost share:** The assistance FEMA provides through its Public Assistance program is subject to a cost share. The federal share is not less than 75 percent of eligible costs. The federal cost share may be increased in limited circumstances if warranted. The Recipient determines how much of the non-federal share the Applicant must fund.

**Public Assistance cannot duplicate funding from another federal source:**

Some activities may be eligible for funding through both FEMA and other federal agency funding sources for COVID-19 including the U.S. Department of Health and Human Services' Centers for Disease Control and Prevention (CDC) and Office of the Assistant Secretary for Preparedness and Response (ASPR). The Applicant should not request funding for activities where the costs have been or will be claimed from another federal funding source.<sup>2</sup>

**Some activities may be completed through direct federal assistance:** Some eligible activities may be completed directly by the Federal Government rather than provided as financial assistance to Applicants to

**Recipients**  
are state, [tribal](#), or territorial entities that receive and administer Public Assistance federal awards.

**Applicants**  
are state, [tribal](#), territorial, or local governments or private non-profit entities that may request and receive subawards under a Recipient's award.

**Grants Portal**  
is the system used by Recipients and Applicants to manage PA grant applications.

**Projects & Subawards**  
Projects are groupings of activities that become a subaward under the Recipient's award when approved.

<sup>1</sup> The latest updated guidance on emergency protective measures eligible for Public Assistance reimbursement for COVID-19 can be found at <https://www.fema.gov/coronavirus>.

<sup>2</sup> Including any costs that have been or will be claimed through another funding source will delay the Recipient's and FEMA's processing of this funding request. If FEMA or the Recipient later determines the Applicant requested funding for activities where costs were funded by another federal agency, FEMA may de-obligate all funding until the Applicant can specifically demonstrate that duplicate funding was not provided. If another federal agency has *denied* a funding request, the Applicant may submit the funding request to the Recipient and FEMA for consideration.

complete those activities. If an Applicant does not have the capacity to directly complete the activity or oversee activity completion through contract or mutual aid, the Applicant may request that FEMA or another federal agency directly conduct the activity. Applicants seeking direct federal assistance should not use this project application but instead request assistance from the FEMA Regional Administrator through the Recipient's emergency manager.

**For more guidance:** The following FEMA guidance defines activities and associated costs that are eligible for Public Assistance funding:

- FEMA's [Public Assistance Program and Policy Guide \(PAPPG\)](#)
- FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Eligible Emergency Protective Measures](#)
- FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Emergency Medical Care](#)
- FEMA Fact Sheet: [Public Assistance: Non-Congregate Sheltering Delegation of Authority](#)
- FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Non-Congregate Sheltering- FAQ](#)
- FEMA Fact Sheet: [Procurement Under Grants: Under Exigent or Emergency Circumstances](#)
- FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: FEMA Assistance for Tribal Governments](#)
- FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Private Nonprofit Organizations](#)

## What information is required?

Applicants will need the following information about their activities and costs to complete this form:

- A description of the activities including when, where, and by whom the activities were completed or will be completed.
- A summary of how much the activities cost, including costs associated with contract, labor, equipment, supply, material, and other cost types.
- Documentation supporting the activities completed and costs claimed, as detailed below.
- Certification of compliance with federal, state, tribal, territorial, and local laws and regulations.

## How does the Applicant complete this project application?

Applicants will complete and submit this project application online in the FEMA [Public Assistance Grants Portal](#). FEMA will **not** accept paper submissions of this project application. The application is being provided to Applicants and Recipients in paper form here to provide guidance on what information FEMA will require from Applicants if they seek reimbursement for COVID-19 related activities.

FEMA will process each project application submitted as a separate funding request. **To reduce funding delays and maximize the Applicant's administrative flexibilities to track costs, Applicants should generally report all activities on one project application.** However, submitting a separate project application for distinct activities or time periods is advisable in certain scenarios:

- When an Applicant needs to be reimbursed immediately and cannot wait to gather all information to submit a full claim for all their activities and costs, the Applicant may:
  - Request expedited funding to receive an award of 50% of the total cost based on limited documentation;<sup>3</sup> or
  - Limit an initial project application to certain activities or an initial time period and follow up later with an additional project application for other activities or time periods.<sup>4</sup>
- Certain activities may require FEMA to complete a more in-depth environmental or historic preservation review, for example: ground disturbance, hazardous materials, modifications to buildings, or new construction. For these activities, the Applicant should submit one project

<sup>3</sup> Applicants should use Schedule A of this project application to request expedited funding. FEMA may provide remaining 50% of funds through a project amendment, which will require the Applicant to provide documentation to support expenditures of the entire claimed cost, including the first 50%. Because expedited funding is awarded based on reduced documentation requirements, FEMA will only fund these projects for specific time periods.

<sup>4</sup> If the follow-up funding request is for the same activities and time periods, the original project application will be amended. If the follow-up funding request is for distinguishable activities or time periods an additional project application may be submitted.

application for activities with environmental or historic preservation considerations and another project application with their remaining activities. For additional information, see the *COVID-19 Fact Sheet: Environmental and Historic Preservation and Emergency Protective Measures for COVID-19*.

The project application has four sections and six supplemental schedules. All Applicants must complete sections I, II, III, and IV and one or more of the following schedules:

- Schedule A, B, C, or EZ depending on the cost and activity status.
- Schedule D when claiming costs equal to or greater than \$131,100<sup>5</sup> for certain activities.
- Schedule F when claiming costs for activities that may have environmental and historic preservation concerns.

Table 1 illustrates the circumstances under which each schedule should be completed.

Cost	Funding Request Type	Work Status	Cost Basis	Schedules Required					
				A	B	C	D	EZ	F*
Less than \$131,100	Small	Any	Any					X	X
Equal to or greater than \$131,100	Large Expedited	Any	Applicant-Provided Information	X					X
	Large Regular	Complete	Actual Costs		X		X		X
		In-progress	Actual Costs & Applicant-Provided Information			X	X		X
		Not started	Applicant-Provided Information			X	X		X

\*Schedule F may be required based on specific activities.

## What happens after submitting the project application?

FEMA and the Recipient will review the information in the project application and may follow up with limited requests for additional information as part of the process outlined in the FEMA Fact Sheet [Coronavirus \(COVID-19\) Pandemic: Public Assistance Simplified Application](#). After submission:

1. FEMA and the Recipient review the project application and validate information and documentation provided to ensure compliance with all federal laws and regulations. If there are additional questions to evaluate the eligibility of the project application, FEMA and the Recipient will contact the Applicant to discuss. This may include contacting the Applicant by phone or through the [Public Assistance Grants Portal](#).
2. Upon completion of these reviews, the Applicant will be notified that funding for their project application is ready to be awarded. The Applicant will be required to review, agree to terms and conditions, and sign to accept the subaward in the [Public Assistance Grants Portal](#).
3. Once the Applicant signs the subaward, FEMA makes funding available to the Recipient for disbursement to the Applicant.
4. Once FEMA obligates and transfers funding for the subaward, the Applicant will become a Subrecipient in the Public Assistance program. The Recipient may request additional information before disbursing funds to the Subrecipient.
5. The Recipient will work directly with the Subrecipient to: monitor and report on the status of the activities, comply with federal and Recipient grant requirements, and close the subaward in accordance with 44 C.F.R. § 206.204-209, 2 C.F.R. Part 200, FEMA's *Public Assistance Program and Policy Guide (PAPPG)*, and FEMA's [Program Management and Grant Closeout SOP](#).

<sup>5</sup> FEMA establishes a threshold to categorize projects as large or small based on the final approved amount of eligible costs after any cost adjustments, including insurance deductions. The threshold is adjusted for each federal fiscal year. For more details, see <https://www.fema.gov/public-assistance-indicator-and-project-thresholds>.

## Section I – Project Application Information

Instructions: Applicants must complete this section and should refer to the Public Assistance Grants Portal for the declaration # and FEMA PA code. The Applicant must assign a unique title and number for each project application. This title and number can help the Applicant connect this project application to their accounting or other systems. Any documents attached to this project application should include the project application number and title.

Declaration #:	Name of Organization Applying:	FEMA PA Code:	Applicant-Assigned Project Application #:
----------------	--------------------------------	---------------	---

Project Application Title:

*Continue to Section II – Scope of Work.*

## Section II – Scope of Work

Instructions: Applicants must complete this section and describe the activities that the Applicant conducted or will conduct in response to COVID-19. For certain activities Applicants must provide additional information in Schedules D and F.

### 1. DESCRIPTION OF ACTIVITIES

Please provide a brief description of the activities the Applicant conducted or will conduct:

Please select all the activities the Applicant conducted or will conduct:

#### Management, control, and reduction of immediate threats to public health and safety

- Emergency operations center activities
- Training
- Facility disinfection
- Technical assistance on emergency management
- Dissemination of information to the public to provide warnings and guidance
- Pre-positioning or movement of supplies, equipment, or other resources
- Purchase and distribution of food, water, or ice
- Purchase and distribution of other commodities
- Security, law enforcement, barricading, and patrolling
- Storage of human remains or mass mortuary services
- Other. *Please describe:*

#### Emergency Medical Care

- Purchase and distribution/use of **medical supplies & equipment** including:
  - [In vitro diagnostic](#) supplies
  - [Personal protective equipment](#) including:
    - Respirators
    - [N95 Respirators](#)
    - [Medical gloves](#)
    - [Surgical masks](#)
    - [Medical gowns](#)
    - Coveralls

- Face shields
- Other Personal Protective Equipment (PPE). *Please describe:*
- [Decontamination systems](#)
- [Ventilators and products modified for use as ventilators](#)
- Therapeutics
- Other. *Please describe:*
- Provision of **medical services** including:
  - [Disease testing](#)
  - Treatment
  - Diagnosis
  - Emergency medical transport
  - Medical waste disposal
  - Other. *Please describe:*
- Enhanced **medical facilities** including:
  - [Alternate Care Sites](#) or other temporary medical facilities
  - Expansion of capacity within an existing medical facility
  - [Community-based testing sites](#)
  - Other. *Please describe:*

**Sheltering**

- [Isolation-related](#) temporary lodging
- [Quarantine-related](#) temporary lodging
- High-risk population sheltering
- Healthcare worker and first responder temporary lodging
- Household pet or assistance animal or service animal sheltering
- Other. *Please describe:*

**Other**

- Other activity. *Please describe:*

*Complete Schedule F if any of the following activities are reported above: storage of human remains or mass mortuary services, decontamination systems, or medical waste disposal.*

**Please select the method(s) of work the Applicant used or will use to complete the activities reported above:**

- Establishment of temporary facilities, including:
  - Repurposing, renovating, or reusing existing facilities.
  - Placing prefabricated facilities on a site.
  - Constructing new temporary medical or sheltering facilities.
- Staging resources at an undeveloped site.
- Purchase of meals for emergency workers
- Purchase of supplies or equipment
- Purchase of land or buildings

*Complete Schedule F if any of the following activities are reported above: establishment of temporary facilities or staging resources at an undeveloped site.*

## 2. LOCATIONS

Please select the locations where the activities reported above were or will be conducted:

- Jurisdiction-wide
- Geographic area(s). *Please attach a list of all areas.*
- Specific sites. *Please attach a list of all addresses or GPS coordinates.*

*Continue to Section III – Cost and Work Status Information.*

## Section III – Cost and Work Status Information

Instructions: Applicants must complete this section and provide the costs of the activities reported in Section II. Applicants must also complete Schedule A, B, C, or EZ as instructed below to estimate a project cost.

### 1. GENERAL COST & WORK STATUS QUESTIONS

#### Optional: Request Expedited Funding

An Applicant may request approval for expedited funding from the Recipient and FEMA if they have an immediate need for funding to continue life-saving emergency protective measures. If approved, the Applicant will be awarded 50% of the FEMA-confirmed project cost based on initial documentation. However, the Applicant will then be required to provide **all information**, including all documentation to support actual incurred costs, to support the initial 50% of funding before receiving **any additional funding**. Applicants will be required to return any funds that were not spent in compliance with the program's terms and conditions. In general, **Applicants who have never received FEMA Public Assistance funding and do not have significant experience with federal grant requirements should avoid expedited funding** or, at a minimum, discuss expedited funding with their Recipient emergency management office *prior* to requesting expedited funding. Expedited funding is only available for activities completed during specific time periods.

Does the Applicant want to request expedited funding?

- No. *Continue to the next question.*
- Yes. *Please complete Schedule A to request an expedited project from FEMA and return to Section IV.*

Is the Applicant's estimated cost for activities reported in Section II greater than or equal to \$131,100?

- Yes. *Continue to the next question.*
- No. *Please complete Schedule EZ to provide a small project estimate and return to Section III Part 2.*

What is the status of the activities reported in Section II?

An Applicant may not request funding for activities conducted prior to January 20, 2020, the beginning of the COVID-19 incident period. This question should be answered once to describe all the activities reported in Section II (i.e. the earliest start date and the latest end date). If FEMA's eligibility criteria for certain activities are limited to specific time periods, FEMA will ask for the time period that a particular activity was or will be conducted.

- Activities started \_\_\_\_\_ (MM/DD/YY) and completed \_\_\_\_\_ (MM/DD/YY).  
*Please complete Schedule B to provide actual cost documentation and return to Section III Part 2.*
- Activities started \_\_\_\_\_ (MM/DD/YY), \_\_\_% complete, and projected to end \_\_\_\_\_ (MM/DD/YY).  
*Please complete Schedule C to provide a detailed cost estimate and return to Section III Part 2.*
- Activities started \_\_\_\_\_ (MM/DD/YY), \_\_\_% complete, with no predictable end date.  
*Please complete Schedule C to provide a detailed cost estimate and return to Section III Part 2.*
- Activities have not started.  
*Please complete Schedule C to provide a detailed cost estimate and return to Section III Part 2.*

### 2. PROJECT COST

What is the **total net cost**? *Please enter the total net cost from Schedule B, C or EZ.*

\$

*If the total net cost is greater than or equal to \$131,100 and the Applicant is not requesting expedited funding, please complete Schedule D and return to Section IV – Project Certifications.  
If the total net cost is less than \$131,100 or the Applicant is requesting expedited funding, please continue to Section IV – Project Certifications.*

## Section IV – Project Certifications

Instructions: Applicants must complete this section to certify that the activities and costs reported in this project application comply with applicable federal, state, tribal, territorial, and local laws and regulations.

### 1. CERTIFICATION THAT BENEFITS WILL NOT BE DUPLICATED

**Has the Applicant applied for any funding for COVID-19 from any other federal program?**

An Applicant may request funding from other programs but may not receive funding for the same costs from multiple programs.

- No.
- Yes. *Please list other programs:*

**If yes, has the Applicant applied for any funding from any other federal program for the activities reported in Section II?**

- No.
- Yes, but the other federal program has not yet approved the funding. *The Applicant must inform FEMA if funding is approved and either (a) withdraw the FEMA project application for any non-obligated subaward or (b) request to close the subaward and return withdrawn funding for any obligated subaward.*
- Yes, but the other federal program has conclusively denied the funding. *Please attach denial.*

*I certify that the specific activities and costs in this project application were not requested from another funding source or, if they were requested, that other source has not yet approved the funding. Further, I certify that if the Applicant does receive funding for the specific activities and costs in this project application, I must notify the Recipient and FEMA, and funding will be reconciled to eliminate duplication.*

<b>Applicant Authorized Representative</b>	<b>Title</b>	<b>Signature</b>
--	--------------	------------------

### 2. GENERAL CERTIFICATION

**I certify the following:**

**Activity Certifications**

As required by Title 44 Code of Federal Regulations (C.F.R.) §§ 206.223 and 206.225 and in accordance with the *Public Assistance Program and Policy Guide (PAPPG)*, the Emergency Protective Measures described in this project were or are:

- The Applicant’s legal responsibility;
- Undertaken in response to the COVID-19 threat caused by the declared event; and
- Undertaken because they were necessary to eliminate threats to life, public health, and safety.

Any activity claimed has to have been performed or is being performed at the direction of or pursuant to guidance of state, local, tribal, or territorial public health officials (such as an executive order or other official order signed by a public health official).

*If any activity was or will be occurring on private property:* For each property, the Applicant (A) had or has a legal basis and authority to conduct the activities; and (B) completed or will complete the following actions for each property for which supporting documentation will be maintained: (i) obtained a right-of-entry, (ii) signed an agreement with the property owner to indemnify and hold harmless the Federal Government, and (iii) made efforts to identify any known insurance proceeds for the same activities.

**Cost Certifications**

As required by 44 C.F.R. § 206.228 and 2 C.F.R. Part 200 and in accordance with the PAPPG, the costs for which the Applicant is claiming reimbursement were or are:

- Of a type generally recognized as ordinary and necessary for the type of facility or activities;
- Reduced by applicable credits, such as insurance proceeds and salvage values; and
- Reasonable as demonstrated by the method selected in *Schedule A, B, C or EZ* of this project application.

As required by the Stafford Act § 312, 42 U.S. Code § 5155, and 2 C.F.R. §200.406 and in accordance with the PAPPG, the Applicant has either:

- Informed FEMA of all insurance proceeds; or

- Did not have insurance coverage in place for the claimed costs at the time of the declaration.

*If claiming contract costs:* The Applicant complied with federal, Recipient, and Applicant procurement requirements.

*If claiming equipment costs:* The Applicant complied with all FEMA policies regarding equipment rates in accordance with the PAPPG.

*If claiming labor costs:* The Applicant complied with all FEMA policies regarding labor in accordance with the PAPPG.

### **Environmental and Historic Preservation Compliance Certifications**

In accordance with the PAPPG, the Applicant will comply with applicable federal, state, and local laws; will provide all documentation requested to allow FEMA to ensure project applications comply with federal Environmental and Historic Preservation (EHP) laws, implementing regulations, and Executive Orders; and will comply with any EHP compliance conditions placed on the grant.

### **Documentation Certifications**

In accordance with 2 C.F.R. §200.333 as well as state and local record retention requirements, the Applicant will maintain all documentation that supports this project application in its own files. This documentation will be required if the Applicant submits an appeal for additional funding, as well as in the case of any audits.

**It is important to know that upon submittal your project application becomes a legal document. The Recipient or FEMA may use external sources to verify the accuracy of the information you enter. It is a violation of Federal law to intentionally makes false statements or hide information when applying for Public Assistance. This can carry severe criminal and civil penalties including a fine of up to \$250,000, imprisonment, or both. (18 U.S.C. §§ 287, 1001, 1040, and 3571). I certify that all information I have provided regarding the project application is true and correct to the best of my knowledge. I understand that, if I intentionally make false statements or conceal any information in an attempt to obtain Public Assistance, it is a violation of federal laws, which carry severe criminal and civil penalties.**

<b>Applicant Authorized Representative</b>	<b>Title</b>	<b>Signature</b>
--	--------------	------------------

### **3. PREPARER CERTIFICATION**

**Did the Applicant Authorized Representative receive consultant support or technical assistance in preparing this project application from anyone not directly employed by the Applicant?**

No.

Yes. *Please provide the following information and obtain the preparer's certification.*

<b>Preparer's Company or Firm Name</b>	<b>Preparer's Company or Firm EIN</b>
--	---------------------------------------

**Preparer's Company or Firm Address**

**By signing below, I certify all information provided in this project application is true and correct based on all information of which I have any knowledge. I understand that causing the Applicant to make false certification or statements or conceal any information in an attempt to obtain disaster aid is a violation of federal laws, which carry severe criminal and civil penalties, including a fine of up to \$250,000, imprisonment, or both (18 U.S.C. Part 287, 1001, 1040 and 3571).**

<b>Preparer's Name</b>	<b>Preparer's Title</b>	<b>Preparer's Signature</b>
------------------------	-------------------------	-----------------------------

***Please ensure that you have completed all schedules applicable to the activities you performed. You have completed the project application. Thank you.***

## SCHEDULE A – Expedited Funding Estimate

Instructions: The Applicant must complete this section if requesting expedited funding in Section III of the project application. Expedited funding is only available if the total net cost for the request is greater than or equal to \$131,100.

### 1. GENERAL ELIGIBILITY

Please explain why there is an immediate need for funding:

Please select the time-period for which the Applicant is requesting expedited funding for the activities reported in Section II:

Because expedited funding is awarded based on reduced documentation requirements, FEMA funds these projects for specific time periods.

Start Date: \_\_\_\_\_ (MM/DD/YY) Designated Time-Period:

- 30 days
- 60 days
- 90 days
- Another time-period: \_\_\_\_\_

Please describe how the activities reported in Section II address an immediate threat to life, public health, or safety:

If it is not clear that a direct threat to life, public health, or safety exists, or that the activity is necessary to cope with the threat, FEMA may request documentation to demonstrate that the Applicant conducted the activities at the direction or guidance of public health officials. See PAPPG at pp. 19-20, 42-43, and 57.

Please select the reason why the activities reported in Section II are the legal responsibility of the Applicant:

- The Applicant is a government organization and the state's, tribe's, or territory's constitution or laws delegate jurisdictional powers to the Applicant.
- A statute, order, contract, articles of incorporation, charter, or other legal document makes the Applicant responsible to conduct the activities for the general public. *Please describe:*
- For other reasons. *Please describe:*

To determine legal responsibility for Emergency Protective Measures, FEMA evaluates whether the Applicant requesting the assistance either had jurisdiction over the area in which work was performed or the legal authority to conduct the activities. In general, an Applicant only has legal responsibility to conduct Emergency Protective Measures within its jurisdiction. If an Applicant conducts Emergency Protective Measures outside its jurisdiction, it must demonstrate its legal basis and responsibility to conduct those activities. See PAPPG at pp. 20-21 and 41-42.

### 2. PROJECT COST & COST ELIGIBILITY

Please select the resources necessary to complete the activities reported in Section II. For each resource selected, please provide the cost or other information FEMA can use to estimate the cost.

<input type="checkbox"/> <b>Contracts.</b> Please enter the total cost of contracts and provide copies of the request for proposals, bid documents or signed contracts. If contracts are not available, please provide a unit price estimate and the basis for the unit prices (for example, historic price documentation, or vendor quotes).  FEMA provides funding for contract costs based on the terms of the contract if the Applicant meets federal procurement and contracting requirements. See PAPPG at pp. 30-33. The federal procurement under grant rules are found at <a href="#">2 C.F.R. §§ 200.317-200.326</a> . Different sets of procurement rules apply depending on whether you are a state or a non-state entity. For additional information see FEMA's <a href="#">Procurement Under Grants Public Assistance Policy</a> and FEMA Fact Sheet: <a href="#">Procurement Under Grants: Under Exigent or Emergency Circumstances</a> .	<table border="1"> <tr> <td style="text-align: right;"><b>Cost</b></td> </tr> <tr> <td style="text-align: right;">\$</td> </tr> </table>	<b>Cost</b>	\$
<b>Cost</b>			
\$			
<input type="checkbox"/> <b>Labor.</b> Including the Applicant's own staff, Mutual Aid, prison labor, or National Guard. Please enter the total cost of labor and provide a copy of the calculation. If not available, please provide the following (attach a list if necessary): <ul style="list-style-type: none"> <li>• Number of personnel:</li> <li>• Average hours per day:</li> <li>• Average days per week:</li> <li>• Average pay rate:</li> </ul> If the personnel were or will be provided through mutual aid, please provide the written mutual aid agreement.  FEMA reimburses force account labor costs based on actual hourly rates plus the cost of the employee's actual fringe benefits. FEMA determines the eligibility of overtime, premium pay, and compensatory time costs based on the Applicant's pre-disaster written labor policy. For Emergency Work activities conducted by budgeted employees, FEMA will only reimburse overtime salary costs. See PAPPG at pp. 23-26 and 33-35.	<table border="1"> <tr> <td style="text-align: right;"><b>Cost</b></td> </tr> <tr> <td style="text-align: right;">\$</td> </tr> </table>	<b>Cost</b>	\$
<b>Cost</b>			
\$			
<input type="checkbox"/> <b>Equipment.</b> Including applicant owned, purchased, or rented. Please enter the total cost of equipment. If Applicant's own equipment, provide the following (attach a list if necessary): <ul style="list-style-type: none"> <li>• Number and types of equipment used:</li> <li>• Average hours used per day:</li> <li>• Average days per week:</li> <li>• Average hourly rate:</li> </ul> If purchased, enter the purchase price. If rented, provide the rental agreement and enter the rental price.  FEMA provides funding for the use of Applicant-owned equipment based on hourly rates. If an Applicant does not have sufficient equipment to effectively respond to an incident, FEMA may provide funding for purchased or leased equipment. Costs are eligible if the Applicant performed an analysis of the cost of leasing versus purchasing the equipment. FEMA funds the least costly option. See PAPPG at pp. 26-28.	<table border="1"> <tr> <td style="text-align: right;"><b>Cost</b></td> </tr> <tr> <td style="text-align: right;">\$</td> </tr> </table>	<b>Cost</b>	\$
<b>Cost</b>			
\$			
<input type="checkbox"/> <b>Materials and Supplies.</b> Please enter the total cost of materials and supplies and provide the following (attach a list if necessary): <ul style="list-style-type: none"> <li>• Amount of materials and supplies, by type:</li> <li>• Purchase or stock replenishment cost:</li> </ul> The cost of materials and supplies is eligible if (1) the materials or supplies were purchased and justifiably needed to effectively address threats caused by COVID-19 or (2) the materials or supplies were taken from an Applicant's stock and used to address threats caused by COVID-19. The Applicant needs to track items taken from stock with inventory withdrawal and usage records. FEMA will also consider escalation of costs (such as due to shortages) or exigent circumstances in evaluating cost reasonableness. See PAPPG at p. 22 and p. 28.	<table border="1"> <tr> <td style="text-align: right;"><b>Cost</b></td> </tr> <tr> <td style="text-align: right;">\$</td> </tr> </table>	<b>Cost</b>	\$
<b>Cost</b>			
\$			
<input type="checkbox"/> <b>Other costs.</b> Including travel costs, utilities and any other expenses not listed above. Please enter the total cost and provide high-level information which can substantiate costs:  Other costs may include travel costs, utilities and other expenses directly tied to the performance of eligible work. Not all costs incurred as a result of the incident are eligible. See PAPPG at pp. 21-22, and 41-42.	<table border="1"> <tr> <td style="text-align: right;"><b>Cost</b></td> </tr> <tr> <td style="text-align: right;">\$</td> </tr> </table>	<b>Cost</b>	\$
<b>Cost</b>			
\$			
<table border="1"> <tr> <td style="text-align: right;"><b>Subtotal</b> Please add together costs of labor, equipment, materials and other costs.</td> <td style="text-align: right;">\$</td> </tr> </table>		<b>Subtotal</b> Please add together costs of labor, equipment, materials and other costs.	\$
<b>Subtotal</b> Please add together costs of labor, equipment, materials and other costs.	\$		

### 3. DEDUCTIONS

Please select the credits available to offset costs of activities reported in Section II. For each selected, please provide the deduction or other information FEMA can use to estimate the deduction.

**Insurance Proceeds.**

*This does **not** include payment from patient insurance; for that, continue to medical payments below.*

**Deduction**  
\$ \_\_\_\_\_

**Does the Applicant have insurance coverage that might cover any activities reported in Section II?**

- No.
- Yes, the Applicant *anticipates* receiving a payment from its insurance carrier.
- Yes, the Applicants has *actually* received a payment from its insurance carrier.

*If yes, please enter the total amount of insurance proceeds and provide copy of insurance documentation.*

FEMA cannot provide funding that duplicates insurance proceeds. FEMA requires the Applicant to take reasonable efforts to pursue claims to recover insurance proceeds that the Applicant is entitled to receive from its insurer(s). See FEMA's [Public Assistance Policy on Insurance](#).

**Disposition.**

*Please enter the total salvage value of purchased equipment and supplies (if greater than \$5,000).*

**Deduction**  
\$ \_\_\_\_\_

When purchased equipment, supplies, or materials are no longer needed for federally funded projects, FEMA reduces eligible funding by the fair market value of each piece of equipment valued at \$5,000 or more and unused residual supplies and materials that total \$5,000 or more. If the Applicant acquires or improves real property with funds, disposition and reporting requirements apply. See PAPPG at pp. 29-30.

**Medical Payments.**

*Please enter the total amount of medical payments received or expected from for-profit entities, Medicare, Medicaid, or a pre-existing private payment agreement.*

**Deduction**  
\$ \_\_\_\_\_

FEMA cannot provide funding for emergency medical care costs if they are covered by another source, including private insurance, Medicare, Medicaid, or a pre-existing private payment agreement. See PAPPG at pp. 63-64 and FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Emergency Medical Care](#). **It is extremely important that Private Non-Profit and government medical care providers, as well as any other Applicant completing Emergency Medical Care activities, take caution to capture and document these cost deductions. If clear documentation is not available to show how medical payments are deducted and not duplicated, the Applicant may not receive funding for otherwise eligible activities.**

**Other Deductions.**

*Please enter the total amount of other goods and services provided to for-profit entities or any other proceeds or payments received or expected.*

**Deduction**  
\$ \_\_\_\_\_

**NET TOTAL** Please subtract all proceed deductions from the subtotal. \$ \_\_\_\_\_

*You have completed this schedule. Return to Section IV to certify and sign this project application.*

## SCHEDULE B – Completed Work Estimate

Instructions: Applicants must complete this schedule if the Applicant (1) has completed the activities reported in Section II, (2) has documentation available to support the actual costs, and (3) the cost of the activities is over \$131,100.

### 1. PROJECT COST & COST ELIGIBILITY

**Please select the resources necessary to complete the activities reported in Section II. For each resource selected, please provide the cost and requested information.**

**Contracts.**

**Cost**

\$

*Please enter the total cost of contracts. To calculate the total cost, complete [FEMA Public Assistance COVID-19 Contracts Report](#) (attached) or provide all information contained therein.*

*Please also provide:*

- Contracts, change orders, and summary of invoices
- Cost or price analysis (for contracts above \$250,000, the federal simplified acquisition threshold)
- The Applicant's procurement policy
- Other procurement documents that support the that the cost was reasonable (for example, requests for proposals, bids, selection process, or justification for non-competitive procurement)
- Documentation that substantiates a high degree of contractor oversight, such as daily or weekly logs, records of performance meetings (required for time and materials contracts)

FEMA provides funding for contract costs based on the terms of the contract if the Applicant meets federal procurement and contracting requirements. See *PAPPG* at pp. 30-33. The federal procurement under grant rules are found at [2 C.F.R. §§ 200.317-200.326](#). Different sets of procurement rules apply depending on whether the Applicant is a state or a non-state entity. For additional information see FEMA's [Procurement Under Grants Public Assistance Policy](#) and FEMA Fact Sheet: [Procurement Under Grants: Under Exigent or Emergency Circumstances](#).

**Labor.** Including the Applicant's own staff, mutual aid, prison labor, and National Guard.

**Cost**

\$

*Please enter the total cost of labor. To calculate the total cost, complete [FEMA Form 009-0-123 Force Account Labor Summary](#) and [FEMA Form 009-0-128 Applicants Benefit Calculation Worksheet](#) or provide all information contained therein.*

*Please also provide:*

- Justification for any standby time claimed
- Labor pay policy (must cover each employee type used, for example part time, full time, and temporary)
- National Guard pay policy (required for National Guard)
- Mutual aid agreement (required for mutual aid labor)
- Timesheets (please provide either (1) a summary list of all your timesheets, which FEMA will sample and request copies of a limited number of time sheets; or (2) a sample set of timesheets and a detailed explanation of the sampling methodology you used to select the representative sample)
- Daily logs or activity reports (please provide either (1) a summary list of all your logs or reports, which FEMA will sample and request copies of a limited number of logs or reports; or (2) a sample set of logs or reports and a detailed explanation of the sampling methodology you used to select the representative sample)

*Please describe any labor that was not Applicant's own staff, mutual aid, prison labor, or National Guard:*

FEMA reimburses force account labor costs based on actual hourly rates plus the cost of the employee's actual fringe benefits. FEMA determines the eligibility of overtime, premium pay, and compensatory time costs based on the Applicant's pre-disaster written labor policy. For Emergency Work activities conducted by budgeted employees, FEMA will only reimburse overtime salary costs. See *PAPPG* at pp. 23-26 and 33-35.

<input type="checkbox"/> <b>Equipment.</b> Including applicant owned, purchased, or rented.	<b>Cost</b> \$
<p>Please enter the total cost of equipment. To calculate the total cost, complete <a href="#">FEMA Form 009-0-127 Force Account Equipment Summary</a> and <a href="#">FEMA Form 009-0-125 Rented Equipment Summary Record</a> or provide all information contained therein. Please also answer the following questions:</p> <p><b>How did the Applicant acquire the equipment?</b></p> <p><input type="checkbox"/> Owned prior to January 20, 2020.</p> <p><input type="checkbox"/> Purchased. Please provide invoices or receipts, and a rental vs. purchase cost comparison.</p> <p><input type="checkbox"/> Rented. Please provide rental agreement, invoices or receipts, and a rental vs. purchase cost comparison.</p> <p><b>What was the basis of the rate used in the summary? Please select all that apply.</b></p> <p><input type="checkbox"/> FEMA Equipment Rates.</p> <p><input type="checkbox"/> Applicant's Equipment Rates. Note, If the Applicant is not a state- or territory-level entity, they typically must use the lesser of their own rate or FEMA's rate.</p> <p><input type="checkbox"/> No rate is available, and the Applicant would like FEMA to calculate an Equipment Rate. For all equipment where a rate is requested, please provide the original purchase price and documentation, the year purchased, and the total useful lifetime hours.</p> <p><input type="checkbox"/> Other. Please describe:</p>	
<p>If purchase or rental was over \$250,000, the federal simplified acquisition threshold, please also provide all information requested of contracts above.</p> <p>FEMA provides funding for the use of Applicant-owned equipment based on hourly rates. If an Applicant does not have sufficient equipment to effectively respond to an incident, FEMA may provide funding for purchased or leased equipment. Costs are eligible if the Applicant performed an analysis of the cost of leasing versus purchasing the equipment. FEMA funds the least costly option. See PAPPG at pp. 26-28.</p>	
<input type="checkbox"/> <b>Materials and supplies.</b>	<b>Cost</b> \$
<p>Please enter the total cost of materials and supplies. To calculate the total cost, complete <a href="#">FEMA Form 009-0-124 Materials Summary Record</a> or provide all information contained therein.</p> <p><b>How did the Applicant acquire the materials or supplies?</b></p> <p><input type="checkbox"/> From stock. Please provide cost documentation such as original invoices or other historical cost records, inventory records, and—if available—supporting documentation such as daily logs.</p> <p><input type="checkbox"/> Purchased. Please provide invoices or receipts, and justification if purchased materials or supplies were not used. If purchase was over \$250,000, the federal simplified acquisition threshold, please also provide all information requested of contracts above.</p> <p>The cost of materials and supplies is eligible if (1) the materials or supplies were purchased and justifiably needed to effectively address threats caused by COVID-19 or (2) the materials or supplies were taken from an Applicant's stock and used to address threats caused by COVID-19. The Applicant needs to track items taken from stock with inventory withdrawal and usage records. FEMA will also consider escalation of costs (such as due to shortages) or exigent circumstances in evaluating cost reasonableness. See PAPPG at pp. 22 and 28.</p>	
<input type="checkbox"/> <b>Other costs.</b> Including travel costs, utilities and any other expenses not listed above.	<b>Cost</b> \$
<p>Please enter the total cost. Please also describe the costs:</p> <p>Please also provide invoices or receipts. If claiming travel expenses, please provide a travel policy.</p> <p>Other costs may include travel costs, utilities and other expenses directly tied to the performance of eligible work. Not all costs incurred as a result of the incident are eligible. See PAPPG at pp. 21-22, and 41-42.</p>	

<b>Subtotal</b> <i>Please add together costs of labor, equipment, materials and other costs.</i>	\$
<b>2. DEDUCTIONS</b>	
<b>Please select the credits available to offset costs of activities reported in Section II. For each selected, please provide the deduction or other information FEMA can use to estimate the deduction.</b>	
<input type="checkbox"/> <b>Insurance Proceeds.</b> <i>This does <u>not</u> include payment from patient insurance; for that, continue to medical payments below.</i>	Deduction \$
<b>Does the Applicant have insurance coverage that might cover any activities reported in Section II?</b> <input type="checkbox"/> No. <input type="checkbox"/> Yes, but the Applicant has not filed a claim yet. <input type="checkbox"/> Yes, the Applicant <i>anticipates</i> receiving a payment from its insurance carrier. <input type="checkbox"/> Yes, the Applicants has <i>actually</i> received a payment from its insurance carrier. <i>If yes, please enter the total amount of insurance proceeds and provide copy of insurance documentation.</i>  FEMA cannot provide funding that duplicates insurance proceeds. FEMA requires the Applicant to take reasonable efforts to pursue claims to recover insurance proceeds that the Applicant is entitled to receive from its insurer(s). See FEMA's <a href="#">Public Assistance Policy on Insurance</a> .	
<input type="checkbox"/> <b>Disposition.</b> <i>Please enter the total salvage value of purchased equipment and supplies (if greater than \$5,000) and answer additional questions in Schedule D.</i>  When purchased equipment, supplies, or materials are no longer needed for federally funded projects, FEMA reduces eligible funding by the fair market value of each piece of equipment valued at \$5,000 or more and unused residual supplies and materials that total \$5,000 or more. If the Applicant acquires or improves real property with funds, disposition and reporting requirements apply. See PAPPG at pp. 29-30.	Deduction \$
<input type="checkbox"/> <b>Medical Payments.</b> <i>Please enter the total amount of medical payments received or expected from for-profit entities, Medicare, Medicaid, or a pre-existing private payment agreement.</i>  FEMA cannot provide funding for emergency medical care costs if they are covered by another source, including private insurance, Medicare, Medicaid, or a pre-existing private payment agreement. See PAPPG at pp. 63-64 and FEMA Fact Sheet: <a href="#">Coronavirus (COVID-19) Pandemic: Emergency Medical Care</a> . <b><u>It is extremely important that Private Non-Profit and government medical care providers, as well as any other Applicant completing Emergency Medical Care activities, take caution to capture and document these cost deductions. If clear documentation is not available to show how medical payments are deducted and not duplicated, the Applicant may not receive funding for otherwise eligible activities.</u></b>	Deduction \$
<input type="checkbox"/> <b>Other Deductions.</b> <i>Please enter the total amount of other goods and services provided to for-profit entities or any other proceeds or payments received or expected.</i>	Deduction \$
<b>NET TOTAL</b> <i>Please subtract all proceed deductions from the subtotal.</i>	\$
<i><b>You have completed this schedule. Return to Section III.</b></i>	

## SCHEDULE C – In Progress Work Estimate

Instructions: Applicants must complete this schedule if the Applicant (1) has not started or is in the process of completing the activities reported in Section II and (2) the cost of the activities reported in Section II is over \$131,100.

### 1. BUDGET ESTIMATE

**Please attach a budget estimate created using standard procedures the Applicant would use absent federal funding.**

The estimate should be broken down by the resource necessary to complete the work (contracts, labor, equipment, materials & supplies, and other costs) and within those areas broken down further by the costs completed and future costs.

**What is the basis for the Applicant's cost estimate? (select all that apply)**

- Extrapolation of completed costs.
- Historical unit costs.
- Average costs for similar work in the area.
- Published unit costs from national cost estimating database.
- Contractor or vendor quotes.
- Other. *Please describe:*

### 2. PROJECT COST & COST ELIGIBILITY

**Please select the resources necessary to complete the activities reported in Section II. For each resource selected, please provide the cost incurred to date and estimated future costs. Please also provide the other requested information.**

<input type="checkbox"/> <b>Contracts.</b>	Completed Cost	+	Future Cost	=	Total Cost \$
	\$		\$		\$

*Please enter the completed cost of contracts. If no contracts-related costs are complete enter 0. To calculate the completed cost, complete FEMA Public Assistance COVID-19 Contracts Report (attached) or provide all information contained therein.*

*For completed costs, please also provide:*

- Contracts, change orders, and summary of invoices
- Cost or price analysis (for contracts above \$250,000, the federal simplified acquisition threshold)
- The Applicant's procurement policy
- Other procurement documents that support that the cost was reasonable (for example, requests for proposals, bids, selection process, or justification for non-competitive procurement)
- Documentation that substantiates a high degree of contractor oversight, such as daily or weekly logs, records of performance meetings (required for time and materials contracts)

*Please enter the estimated future cost of contracts. To calculate the future cost, please use the procedures the Applicant would normally use to create a budget estimate and answer the following questions:*

**Is the estimate based on awarded contracts?**

- Yes.** *Please complete the FEMA Public Assistance COVID-19 Contracts Report (attached) and provide:*
  - Cost or price analysis (for contracts above \$250,000, the federal simplified acquisition threshold)
  - The Applicant's procurement policy
  - Other procurement documents that support that the cost will be reasonable (for example, requests for proposals, bids, selection process, or justification for non-competitive procurement)
- No.** *Please provide:*
  - Cost or price analysis (for projected contracts above \$250,000, the federal simplified acquisition threshold)
  - The Applicant's procurement policy

*Please add the completed to the future costs and enter result as the total cost.*

FEMA provides funding for contract costs based on the terms of the contract if the Applicant meets federal procurement and contracting requirements. See PAPPG at pp. 30-33. The federal procurement under grant rules are found at [2 C.F.R. §§ 200.317-200.326](#). Different sets of procurement rules that apply depending on whether you are a state or a non-state entity. For additional information see FEMA's [Procurement Under Grants Public Assistance Policy](#) and FEMA Fact Sheet: [Procurement Under Grants: Under Exigent or Emergency Circumstances](#).

<input type="checkbox"/> <b>Labor.</b> Including the Applicant's own staff, mutual aid, prison labor, and National Guard.	<b>Completed Cost</b>	+	<b>Future Cost</b>	=	<b>Total Cost</b>
	\$		\$		\$

Please enter the completed cost of labor. If no labor-related costs are complete enter 0. To calculate the completed cost, complete [FEMA Form 009-0-123 Force Account Labor Summary](#) and [FEMA Form 009-0-128 Applicants Benefit Calculation Worksheet](#) or provide all information contained therein. Please also provide:

- Justification for any standby time claimed
- Labor pay policy (must cover each employee type used, for example part time, full time, and temporary)
- National Guard pay policy (required for National Guard)
- Mutual aid agreement (required for mutual aid labor)
- Timesheets (please provide either (1) a summary list of all your timesheets, which FEMA will sample and request copies of a limited number of time sheets; or (2) a sample set of timesheets and a detailed explanation of the sampling methodology you used to select the representative sample)
- Daily logs or activity reports (please provide either (1) a summary list of all your logs or reports, which FEMA will sample and request copies of a limited number of logs or reports; or (2) a sample set of logs or reports and a detailed explanation of the sampling methodology you used to select the representative sample)

Please describe any labor that was not Applicant's own staff, mutual aid, prison labor, or National Guard:

Please enter the estimated future cost of labor. To calculate the future cost, please use the procedures the Applicant would normally use to create a budget estimate and provide the following information:

- Labor pay policy (must cover each employee type used, for example part time, full time, and temporary)
- National Guard pay policy (required for National Guard)
- Mutual aid agreement (required for mutual aid labor)

Please add the completed costs to the future costs and enter result as the total cost.

FEMA reimburses force account labor costs based on actual hourly rates plus the cost of the employee's actual fringe benefits. FEMA determines the eligibility of overtime, premium pay, and compensatory time costs based on the Applicant's pre-disaster written labor policy. For Emergency Work activities conducted by budgeted employees, FEMA will only reimburse overtime salary costs. See PAPPG at pp. 23-26 and 33-35.

<input type="checkbox"/> <b>Equipment.</b> Including applicant owned, purchased, or rented.	<b>Completed Cost</b>	+	<b>Future Cost</b>	=	<b>Total Cost</b>
	\$		\$		\$

Please enter the completed cost of equipment. If no equipment-related costs are complete enter 0. To calculate the completed cost, complete [FEMA Form 009-0-127 Force Account Equipment Summary](#) and [FEMA Form 009-0-125 Rented Equipment Summary Record](#) or provide all information contained therein. Please also answer the following questions:

**How did the Applicant acquire the equipment?**

- Owned prior to January 20, 2020.
- Purchased. Please provide invoices or receipts, and a rental vs. purchase cost comparison.
- Rented. Please provide rental agreement, invoices or receipts, and a rental vs. purchase cost comparison.

**What was the basis of the rate used in the summary?** Please select all that apply.

- FEMA Equipment Rates.
- Applicant's Equipment Rates. Note, If the Applicant is not a State-level entity, they typically must use the lesser of their own rate or FEMA's rate.
- No rate is available, but the Applicant would like FEMA to calculate an Equipment Rate. For all equipment where a rate is requested, please provide the original purchase price and documentation, the year purchased, and the total useful lifetime hours.
- Other. Please describe:

If purchase or rental was over \$250,000, the federal simplified acquisition threshold, please also provide all information requested of contracts above.

Please enter the estimated future cost of equipment. To calculate the future cost, please use the procedures the Applicant would normally use to create a budget estimate.

Please add the completed to the future costs and enter result as the total cost.

FEMA provides funding for the use of Applicant-owned equipment based on hourly rates. If an Applicant does not have sufficient equipment to effectively respond to an incident, FEMA may provide funding for purchased or leased equipment. Costs are eligible if the Applicant performed an analysis of the cost of leasing versus purchasing the equipment. FEMA funds the least costly option. See PAPPG at pp. 26-28.

<input type="checkbox"/> <b>Materials and supplies.</b>	Completed Cost	+	Future Cost	=	Total Cost
	\$		\$		\$

Please enter the completed cost of materials and supplies. If no materials- or supplies-related costs are complete enter 0. To calculate the completed cost, complete [FEMA Form 009-0-124 Materials Summary Record](#) or provide all information contained therein. Please also answer the following questions:

**How did the Applicant acquire the materials or supplies?**

- From stock. Please provide cost documentation such as original invoices or other historical cost record, inventory records, and—if available—support documentation such as daily logs.
- Purchased. Please provide invoices or receipts, and justification if purchased materials or supplies were not used. If purchase was over \$250,000, the federal simplified acquisition threshold, please also provide all information requested of contracts above.

Please enter the estimated future cost of materials and supplies. To calculate the future cost, please use the Applicants standard procedures the Applicant would use to create a budget estimate and provide the following information:

Please add the completed costs to the future costs and enter result as the total cost.

The cost of materials and supplies is eligible if (1) the materials or supplies were purchased and justifiably needed to effectively address threats caused by COVID-19 or (2) the materials or supplies were taken from an Applicant's stock and used to address threats caused by COVID-19. The Applicant needs to track items taken from stock with inventory withdrawal and usage records. FEMA will also consider escalation of costs (such as due to shortages) or exigent circumstances in evaluating cost reasonableness. See PAPPG at p. 22 and p. 28.

<input type="checkbox"/> <b>Other costs.</b> Including travel costs, utilities and any other expenses not listed above.	Completed Cost	+	Future Cost	=	Total Cost
	\$		\$		\$

Please enter the completed other costs. If no other costs are complete enter 0. To calculate the other costs, please use the cost incurred and describe why it is reasonable:

Please also provide invoices or receipts. If claiming travel costs provide a travel policy.

Please enter the estimated future other costs. To calculate the future cost, please use the procedures the Applicant would normally use to create a budget estimate.

Please add the completed costs to the future costs and enter result as the total cost.

Other costs may include travel costs, utilities and other expenses directly tied to the performance of eligible work. Not all costs incurred as a result of the incident are eligible. See PAPPG at pp. 21-22, and 41-42.

**Subtotal** Please add together costs of labor, equipment, materials and other costs. \$

**3. DEDUCTIONS**

**Please select the credits available to offset costs of activities reported in Section II. For each selected, please provide the deduction.**

<input type="checkbox"/> <b>Insurance Proceeds.</b> This does <i>not</i> include payment from patient insurance; for that, continue to medical payments below.	Deduction \$
---	-----------------

**Does the Applicant have insurance coverage that might cover any activities reported in Section II?**

- No.
- Yes, but has not filed a claim yet.
- Yes, the Applicant *anticipates* receiving a payment from its insurance carrier.
- Yes, the Applicants has *actually* received a payment from its insurance carrier.

If yes, please enter the total amount of insurance proceeds and provide copy of insurance documentation.

FEMA cannot provide funding that duplicates insurance proceeds. FEMA requires the Applicant to take reasonable efforts to pursue claims to recover insurance proceeds that the Applicant is entitled to receive from its insurer(s). See FEMA's [Public Assistance Policy on Insurance](#).

**Disposition.**

Deduction  
\$

Please enter the total salvage value of purchased equipment and supplies (if greater than \$5,000) and answer additional questions in Schedule D.

When purchased equipment, supplies, or materials are no longer needed for federally funded projects, FEMA reduces eligible funding by the fair market value of each piece of equipment valued at \$5,000 or more and unused residual supplies and materials that total \$5,000 or more. If the Applicant acquires or improves real property with funds, disposition and reporting requirements apply. See PAPPG at pp. 29-30.

**Medical Payments.**

Deduction  
\$

Please enter the total amount of medical payments received or expected from for-profit entities, Medicare, Medicaid, or a pre-existing private payment agreement.

FEMA cannot provide funding for emergency medical care costs if they are covered by another source, including private insurance, Medicare, Medicaid, or a pre-existing private payment agreement. See PAPPG at pp. 63-64 and FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Emergency Medical Care](#). **It is extremely important that Private Non-Profit and government medical care providers, as well as any other Applicant completing Emergency Medical Care activities, take caution to capture and document these cost deductions. If clear documentation is not available to show how medical payments are deducted and not duplicated, the Applicant may not receive funding for otherwise eligible activities.**

**Other Deductions.**

Deduction  
\$

Please enter the total amount of other goods and services provided to for-profit entities or any other proceeds or payments received or expected.

**NET TOTAL** Please subtract all proceed deductions from the subtotal.

\$

***You have completed this schedule. Return to Section III.***

## SCHEDULE D – Large Project Eligibility Questions

Instructions: Applicants must complete part 1 of this schedule if the total net cost reported in Section III is greater than or equal to \$131,100. Additionally, if any of the following activities were reported in Section II, Applicants must answer the corresponding question:

- Purchase of supplies or equipment–Complete part 2.
- Purchase of land or buildings–Complete part 3.
- Purchase and distribution of food, water, ice, or other commodities–Complete part 4
- Purchase of meals for emergency workers–Complete part 5.
- Pre-positioning or movement of supplies, equipment, or other resources–Complete part 6.
- Emergency medical care–Complete part 7 and 8.
- Sheltering–Complete part 9.
- Establishing a temporary facility–Complete part 10.

### 1. GENERAL ELIGIBILITY

**Are all activities reported in Section II only being performed by the Applicant as a result of COVID-19?**

- Yes.
- No. *Please explain:*

FEMA can only provide funding for costs that are a result of COVID-19 and above and beyond what the Applicant usually incurs during its normal course of business. See PAPPG at pp. 21-22, and 41-42.

**Is the Applicant legally responsible for performing the activities reported in Section II?**

- Yes, the Applicant is a government organization and the state's, tribe's, or territory's constitution or laws delegate jurisdictional powers to the Applicant.
- Yes, a statute, order, contract, articles of incorporation, charter, or other legal document makes the responsible to conduct the activities for the general public. *Please attach and describe:*
- Yes, for other reasons. *Please attach supporting documentation and describe:*
- No. *Please describe how the Applicant is eligible for funding:*

To determine legal responsibility for Emergency Protective Measures, FEMA evaluates whether the Applicant requesting the assistance either had jurisdiction over the area in which work was performed or the legal authority to conduct the activities. In general, an Applicant only has legal responsibility to conduct Emergency Protective Measures within its jurisdiction. If an Applicant conducts Emergency Protective Measures outside its jurisdiction, it must demonstrate its legal basis and responsibility to conduct those activities. See PAPPG at pp. 20-21, and 41-42.

**Please describe how the activities reported in Section II address an immediate threat to life, public health, or safety:**

If it is not clear that a direct threat to life, public health or safety exists, or that the activity is necessary to cope with the threat, FEMA may request documentation to demonstrate that the Applicant conducted the activities at the direction or guidance of public health officials.

**Did or will any of the activities reported in Section II require access to residential private property?**

*Leasing a private facility is not considered accessing a residential private property.*

- No.
- Yes. *Please identify and describe the activities taking place on private property:*

FEMA may request additional information to demonstrate the Applicant's legal authority and responsibility to enter private property, the basis for the determination that a threat exists to the general public in that community, and copies of the rights-of-entry and agreements to indemnify and hold harmless the Federal Government.

For activities that involve the creation of a new program, please describe or attach the internal control plan the Applicant executed or will execute to ensure costs incurred remain reasonable in accordance with 2 C.F.R. Part 200, the FEMA Public Assistance Program and Policy Guide, and applicable Recipient and Applicant requirements:

## 2. PURCHASE OF SUPPLIES OR EQUIPMENT

Please provide approximate quantities and unit costs for each type of supply or equipment reported in Section II:

Supply or Equipment	Quantity	Unit Cost
<a href="#">In vitro diagnostic</a> supplies		\$
Respirators		\$
<a href="#">N95 Respirators</a>		\$
<a href="#">Medical gloves</a>		\$
<a href="#">Surgical masks</a>		\$
<a href="#">Medical gowns</a>		\$
Coveralls		\$
Face shields		\$
Other Personal Protective Equipment (PPE).		\$
<a href="#">Decontamination systems</a>		\$
<a href="#">Ventilators and products modified for use as ventilators</a>		\$
Therapeutics		\$
Other		\$

**Did or will the Applicant purchase equipment or supplies with a total cost of greater than \$5,000?**

- No. *Please skip the remaining questions in this part.*
- Yes. *Please proceed to the next question.*

**If yes to the previous question, is the aggregate value or will the aggregate value of unused supplies be greater than \$5,000 after use for federal projects concludes?**

- Unsure. *Please skip the remaining question in this part. Please ensure you keep accurate records of unused supplies as the Recipient or FEMA may request this information during an audit or when closing the Applicant's subaward(s).*
- No. *Please skip the remaining questions in this part.*
- Yes. *Please ensure the Applicant included disposition proceeds in Schedule B or C as applicable.*

If the aggregate total of unused supplies is less than \$5,000, FEMA does not reduce funding. See PAPPG at pp. 29-30.

**(Tribal, local, and non-profit entities only) Does the Applicant anticipate any piece of equipment they purchased will have fair market value of greater than \$5,000 after its use for federal projects concludes?**

- No.
- Yes. *Please ensure the Applicant included disposition proceeds in Schedule B or C as applicable.*

**(State- and Territory Applicants only) Did the Applicant dispose of equipment in accordance with state or territorial laws and procedures?**

- No.
- Yes. *Please ensure the Applicant included disposition proceeds in Schedule B or C as applicable.*

**Did or will the Applicant distribute supplies or equipment to for-profit entities?**

- No.
- Yes. *Please describe how the Applicant will seek reimbursement for the fair market value of the supplies or equipment:*

In certain cases, FEMA requires that funding be reduced by the remaining value of supplies and equipment after they are no longer needed for federally funded projects. 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. For more information on these requirements, see PAPPG at pp. 29-30.

**3. PURCHASE OF LAND OR BUILDINGS**

**Did or will the Applicant acquire or improve any real property?**

FEMA defines real property as “Land, including land improvements, structures, and appurtenances thereto.” Real property acquired with FEMA funds is subject to specific disposition and reporting requirements.

- No.
- Yes. *The Applicant must obtain specific disposition instructions from FEMA. The Applicant should work through their Recipient to obtain specific instructions when the acquired or improved property is no longer needed for the original authorized purpose.*

**4. PURCHASE AND DISTRIBUTION OF FOOD, WATER, ICE, OR OTHER COMMODITIES**

**When did or will purchase and distribution of food, water, ice or other commodities start and end?**

Activities started \_\_\_\_\_ (MM/DD/YY) and completed \_\_\_\_\_ (MM/DD/YY).

*Please attach any written requests and approvals for the activity given by the FEMA Regional Administrator or Recipient.*

**Please select and describe the work necessary to purchase and distribute food, water, ice or other commodities:**

- Purchasing and packaging. *Please describe:*
- Acquiring distribution and storage space. *Please describe:*
- Delivery and distribution. *Please describe:*
- Other. *Please describe:*

**Did or will the Applicant distribute food, water, ice or other commodities to for-profit entities?**

- No.
- Yes. *Please describe how the Applicant will seek reimbursement for the fair market value of the food, water, ice or other commodity:*

**Did or will the Applicant enter into a formal agreement or contract for the provision of food, water, ice or other commodities through a private organization?**

- No.
- Yes. *Please ensure contract costs are captured and associated questions answered in Schedule B or C as applicable.*

**If the purchase and distribution involved food, how is food security negatively impacted, making food distribution necessary to protect public health and safety? *Please select all that apply.***

- Reduced mobility of those in need due to government-imposed restrictions.
- Marked increase or atypical demand for feeding resources.
- Disruptions to the typical food supply chain within the relevant jurisdiction.
- Other. *Please describe:*

## 5. PURCHASE OF MEALS FOR EMERGENCY WORKERS

**Why are meals for emergency workers being claimed?** *Please select all that apply.*

- A labor policy or written agreement requires the provision of meals. *Please attach.*
- Conditions constituted a level of severity that requires employees to work abnormal, extended work hours without a reasonable amount of time to provide for their own meals. *Please describe:*
  
- Food or water was or is not reasonably available for employees to purchase. *Please describe:*
  
- Other. *Please describe:*

**Please check here to confirm that meals were provided in accordance with the following FEMA policy.**  No meals claimed for reimbursement were provided:

- To individuals receiving a per diem
- At a restaurant
- For individual meals

For more information on these requirements, see PAPPG at p. 63.

## 6. PRE-POSITIONING OR MOVEMENT OF SUPPLIES, EQUIPMENT, OR OTHER RESOURCES

**Please describe the resources the Applicant pre-positioned or will pre-position:**

**Please describe the activities that were or will be conducted using the pre-positioned resources:**

For more information on these requirements, see PAPPG at p. 60.

## 7. EMERGENCY MEDICAL CARE – GENERAL ELIGIBILITY

**Please describe how the emergency medical care activities in Section II directly relate to the COVID-19:**

**Did or will the Applicant contract for the provision of emergency medical care?**

- No, the Applicant directly provided the care.
- Yes. *Please ensure contract costs are captured and associated questions answered in Schedule B or C as applicable.*

**Were the medical supplies & equipment, services, or facilities provided to or used by for-profit entities?**

- No.
- Yes. *Please describe how the Applicant will seek reimbursement for the fair market value of the emergency medical care:*

**Please describe how the Applicant has, and will continue to pursue payment from patients' private insurance, Medicaid, Medicare, or any other source of funding:**

It is extremely important that Private Non-Profit and government medical care providers, as well as any other Applicant completing Emergency Medical Care activities, take caution to capture and document these cost deductions in Schedule B or C. If clear documentation is not available to show how medical payments are deducted and not duplicated, the Applicant may not receive funding for otherwise eligible activities.

## 8. EMERGENCY MEDICAL CARE – MEDICAL SERVICES

If the Applicant is claiming anything other than set-up costs for alternate care sites, other temporary medical facilities, or expansion of capacity within an existing medical facility, please provide additional information about the emergency medical care activities.

### When did or will the medical service activities start and end?

Activities started \_\_\_\_\_ (MM/DD/YY) and completed \_\_\_\_\_ (MM/DD/YY).

*Please attach any written requests and approvals for the activity given by the FEMA Regional Administrator or Recipient.*

### Please describe how the emergency medical delivery system within a declared area was or is destroyed, severely compromised, or overwhelmed:

When the emergency medical delivery system within a declared area is destroyed, severely compromised, or overwhelmed, FEMA may fund extraordinary costs associated with providing temporary facilities for emergency medical care or expanding existing medical care capacity in response to the declared incident. Temporary facilities and expansions may be used to treat COVID-19 patients or non-COVID-19 patients, as appropriate. For COVID-19 declarations where temporary facilities and expansions require additional health care workers, state, tribal, territorial, and local governments may contract with medical providers to provide medical services in these facilities. FEMA may provide assistance and approve funding for an initial 30 days, from the date that the facility is operational, as an immediate need notwithstanding that the services may be covered by another source. If additional time is needed, the Applicant should request FEMA re-assess before the end of the 30 days and FEMA may grant another 30-day extension as warranted. FEMA cannot duplicate funding provided by another source and will reconcile final funding based on any funding provided by another agency or covered by insurance. Applicable requirements for labor and contracting under federal grants apply. For more information on these requirements, see [fema.gov/coronavirus](https://www.fema.gov/coronavirus) and the PAPPG at pp. 63-64.

## 9. SHELTERING

### When did or will the sheltering activities start and end?

Activities started \_\_\_\_\_ (MM/DD/YY) and completed \_\_\_\_\_ (MM/DD/YY).

### Please describe how the sheltering was or is directly related to COVID-19:

### Please describe how sheltering was or is being conducted in accordance with standards and guidance approved by public health officials including social distancing measures:

### Was the sheltering conducted in a non-congregate environment?

Congregate sheltering is sheltering in facilities with large open spaces. Non-congregate sheltering is sheltering in which each individual or household has living space that offers some level of privacy. For more information, see PAPPG at pp. 66-67.

Yes. *Please proceed to the next question.*

No. *Please skip the remaining questions in this part.*

### Did the Applicant receive prior approval for non-congregate sheltering from FEMA?

Yes. *Please attach your request, all supporting documentation, and a copy of the FEMA approval.*

No. *This activity requires the FEMA approval. Please submit a request through the Recipient directly to the FEMA Regional Administrator.*

For more information on these requirements, see [fema.gov/coronavirus](https://www.fema.gov/coronavirus).

**Are the non-congregate sheltering activities completed?**

- No.
- Yes. The Applicant needs to provide sufficient documentation to establish eligibility, including the following information:
  - Specific need for each individual sheltered
  - Length of stay for each individual sheltered
  - Age of each individual sheltered
  - If applicable, number of meals provided for each individual sheltered. *Please also answer questions in part 4 related to the purchase and distribution of food, water, ice, or other commodities*
  - If applicable, number of individuals with access or functional needs sheltered
  - If applicable, number of household pets sheltered
  - If applicable, number of assistance and service animals sheltered
  - If applicable, type of shelter provided for animals as stand-alone, co-located, co-habitational
  - Description of services provided to sheltered individuals

For more information on these requirements, see PAPPG at p. 67 and FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Non-Congregate Sheltering- FAQ.](#)

**10. ESTABLISHING A TEMPORARY FACILITY**

Applicants must complete this part if the activities conducted or to be conducted include the set-up or operation of a temporary facility. The Applicant must either submit a separate project application for each facility or submit the information in this part for each facility. For more information on these requirements, see the *FEMA Coronavirus (COVID-19) Pandemic: Eligible Emergency Protective Measures Fact Sheet* and the *PAPPG* at pp. 76-80.

**What is the name of this temporary facility?**

**What dates were or will the temporary facility used?**

Start date: \_\_\_\_\_ (MM/DD/YY)                      End date: \_\_\_\_\_ (MM/DD/YY)

**What services did or will this temporary facility provide?**

- Emergency medical care
- Sheltering
- Other. *Please describe:*

**Why was or is this temporary facility needed?**

- Existing facilities were or are forecasted to become overloaded and cannot accommodate the need.
- Quarantine of COVID-19 affected individuals.
- Additional space needed to accommodate COVID-19 related response activities.
- Other. *Please describe:*

**Please indicate how the Applicant did or will establish the temporary facility and attach a cost analysis justifying the selection. Please select all that apply.**

- Rent a facility. *Please provide a lease agreement.*
- Purchase a facility. *Please provide documentation to support the purchase price.*
- Construct a new facility.
- Modify/expand an existing facility.

**If purchasing or constructing a new facility, has the Applicant completed its use of this temporary facility?**

No.

Yes. If the Applicant purchased or constructed a temporary facility, it must return to FEMA the federal share of the equity in the facility. The Applicant must report the equity to FEMA when the approved deadline has expired or when the facility is no longer needed for the authorized purpose, whichever occurs first. For more information on this requirement, see PAPPG at pp. 79-80. *Please ensure disposition proceeds are captured and associated questions answered in Schedule B or C as applicable.*

**Is or will the temporary facility be accessible to and usable by disabled persons, as required by the Americans with Disabilities Act?**

Yes, the existing facility is in compliance with the Americans with Disabilities Act and no alterations were or will be required to make the facility ADA-compliant.

Yes, the Applicant has made or will make all required alterations to ensure that the facility is in compliance with the Americans with Disabilities Act.

No. *Please describe why compliance is not applicable to this facility:*

For additional information on Americans with Disabilities Act, see PAPPG at pp. 95-96.

***You have completed this schedule. Return to Section II.***

## Schedule EZ – Small Project Estimate

Instructions: Applicants must complete this schedule if the total project cost is less than \$131,100 and provide the costs of the activities reported in Section II.

### 1. BUDGET ESTIMATE

**Please attach a budget estimate created using standard procedures the Applicant would use absent federal funding.** The estimate should be broken down by the resources necessary to complete the work (contracts, labor, equipment, materials & supplies, and other costs).

**If the activities are complete, please attach the corresponding summary records:**

- FEMA Public Assistance COVID-19 Contracts Report (attached)
- [FEMA Form 009-0-123 Force Account Labor Summary](#)
- [FEMA Form 009-0-128 Applicants Benefit Calculation Worksheet](#)
- [FEMA Form 009-0-127 Force Account Equipment Summary](#)
- [FEMA Form 009-0-125 Rented Equipment Summary Record](#)
- [FEMA Form 009-0-124 Materials Summary Record](#)

**If the activities are not yet complete, what is the basis for the estimate? (select all that apply)**

- Extrapolation of completed costs.
- Historical unit costs.
- Average costs for similar work in the area.
- Published unit costs from national cost estimating database.
- Contractor or vendor quotes.
- Other. *Please describe:*

### 2. PROJECT COST

**Please select the resources necessary to complete the activities reported in Section II. For each resource selected, please provide the cost.**

**Contracts.**

**Cost**  
\$

*Please enter the total cost of contracts from your estimate.*

FEMA provides funding for contract costs based on the terms of the contract if the Applicant meets federal procurement and contracting requirements. See PAPPG at pp. 30-33. The federal procurement under grant rules are found at [2 C.F.R. §§ 200.317-200.326](#). Different sets of procurement rules that apply depending on whether you are a state or a non-state entity. For additional information see FEMA's [Procurement Under Grants Public Assistance Policy](#) and FEMA Fact Sheet: [Procurement Under Grants: Under Exigent or Emergency Circumstances](#).

**Labor.** Including the Applicant's own staff, Mutual Aid, prison labor, National Guard.

**Cost**  
\$

*Please enter the total cost of labor from your estimate.*

FEMA reimburses force account labor costs based on actual hourly rates plus the cost of the employee's actual fringe benefits. FEMA determines the eligibility of overtime, premium pay, and compensatory time costs based on the Applicant's pre-disaster written labor policy. For Emergency Work activities conducted by budgeted employees, FEMA will only reimburse overtime salary costs. See PAPPG at pp. 23-26 and 33-35.

**Equipment.** Including applicant owned, purchased, or rented.

**Cost**  
\$

*Please enter the total cost of equipment from your estimate.*

FEMA provides funding for the use of Applicant-owned equipment based on hourly rates. If an Applicant does not have sufficient equipment to effectively respond to an incident, FEMA may provide funding for purchased or leased equipment. Costs are eligible if the Applicant performed an analysis of the cost of leasing versus purchasing the equipment. FEMA funds the least costly option. See PAPPG at pp. 26-28.

**Materials and Supplies.**

**Cost**  
\$

Please enter the total cost of materials and supplies from your estimate.

The cost of materials and supplies is eligible if (1) the materials or supplies were purchased and justifiably needed to effectively address threats caused by COVID-19 or (2) the materials or supplies were taken from an Applicant's stock and used to address threats caused by COVID-19. The Applicant needs to track items taken from stock with inventory withdrawal and usage records. FEMA will also consider escalation of costs (such as due to shortages) or exigent circumstances in evaluating cost reasonableness. See PAPPG at p. 22 and p. 28.

<input type="checkbox"/> <b>Other costs.</b> Including travel costs, utilities and any other expenses not listed above.	<b>Cost</b> \$
---	-------------------

Please enter any other costs from your estimate and describe:

Other costs may include travel costs, utilities and other expenses directly tied to the performance of eligible work. Not all costs incurred as a result of the incident are eligible. See PAPPG at pp. 21-22.

<b>Subtotal</b> Please add together costs of labor, equipment, materials and other costs.	\$
---	----

### 3. DEDUCTIONS

Please select the credits available to offset costs of activities reported in Section II. For each selected, please provide the deduction.

<input type="checkbox"/> <b>Insurance Proceeds.</b> <i>This does <u>not</u> include payment from patient insurance; for that, continue to medical payments below.</i>	<b>Deduction</b> \$
--	------------------------

**Does the Applicant have insurance coverage that might cover any activities reported in Section II?**

- No.
- Yes, the Applicant *anticipates* receiving a payment from its insurance carrier.
- Yes, the Applicants has *actually* received a payment from its insurance carrier.

If yes, please enter the total amount of insurance proceeds and provide copy of insurance documentation.

FEMA cannot provide funding that duplicates insurance proceeds. FEMA requires the Applicant to take reasonable efforts to pursue claims to recover insurance proceeds that the Applicant is entitled to receive from its insurer(s). See FEMA's [Public Assistance Policy on Insurance](#).

<input type="checkbox"/> <b>Disposition.</b>	<b>Deduction</b> \$
--	------------------------

Please enter the total salvage value of purchased equipment and supplies (if greater than \$5,000).

When purchased equipment, supplies, or materials are no longer needed for federally funded projects, FEMA reduces eligible funding by the fair market value of each piece of equipment valued at \$5,000 or more and unused residual supplies and materials that total \$5,000 or more. If the Applicant acquires or improves real property with funds, disposition and reporting requirements apply. See PAPPG at pp. 29-30.

<input type="checkbox"/> <b>Medical Payments.</b>	<b>Deduction</b> \$
---	------------------------

Please enter the total amount of medical payments received or expected from for-profit entities, Medicare, Medicaid, or a pre-existing private payment agreement.

FEMA cannot provide funding for emergency medical care costs if they are covered by another source, including private insurance, Medicare, Medicaid, or a pre-existing private payment agreement. See PAPPG at pp. 63-64 and FEMA Fact Sheet: [Coronavirus \(COVID-19\) Pandemic: Emergency Medical Care](#). **It is extremely important that Private Non-Profit and government medical care providers, as well as any other Applicant completing Emergency Medical Care activities, take caution to capture and document these cost deductions. If clear documentation is not available to show how medical payments are deducted and not duplicated, the Applicant may not receive funding for otherwise eligible activities.**

<input type="checkbox"/> <b>Other Deductions.</b>	<b>Deduction</b> \$
---	------------------------

Please enter the total amount of other goods and services provided to for-profit entities or any other proceeds or payments received or expected.

<b>NET TOTAL</b> Please subtract all proceed deductions from the subtotal.	\$
--	----

**You have completed this schedule. Return to Section III, Part 2.**

## SCHEDULE F – Environmental and Historic Preservation Questions

Instructions: Applicants must complete this schedule if any of the following activities are reported in Section II:

- Staging resources at an undeveloped site–Complete part 1.
- Storage of human remains or mass mortuary services– Complete part 2.
- Medical waste disposal–Complete part 3.
- Decontamination systems–Complete part 4.
- Establishment of temporary facilities–Complete part 5.

For additional information on EHP requirements, see the *Environmental and Historic Preservation (EHP) and Emergency Protective Measures for COVID-19 Fact Sheet*.

### 1. STAGING RESOURCES AT AN UNDEVELOPED SITE

#### Please describe the staging activities:

The description should include if an asphalt or concrete pad was built or if other ground disturbing occurred. If ground disturbing occurred, provide a general description of the disturbance, the general area and depth of the ground disturbing and the equipment used. Ground disturbing activities may also include site preparation and clearing.

Provide the GPS coordinates for each site (decimal degrees with five decimal places):

Latitude:

Longitude:

### 2. STORAGE OF HUMAN REMAINS OR MASS MORTUARY SERVICES

#### Please describe activities related to the storage or treatment of human remains or mass mortuary services:

#### Please select the locations where the activities reported above were or will be conducted:

- Jurisdiction-wide
- Geographic area(s). Please attach a list of all areas.
- Specific sites. Please attach a list of all addresses or GPS coordinates.

Provide the GPS coordinates for each site (decimal degrees with five decimal places):

Latitude:

Longitude:

### 3. MEDICAL WASTE DISPOSAL

#### What is the intended method of disposal?

- Using an existing licensed disposal site.

Provide the GPS coordinates for each site (decimal degrees with five decimal places):

Latitude:

Longitude:

- Creating a new disposal site. Please select one of the following:

- Landfill

Provide the GPS coordinates for each site (decimal degrees with five decimal places):

Latitude:

Longitude:

- Incinerator

Provide the GPS coordinates for each site (decimal degrees with five decimal places):

Latitude:

Longitude:

### 4. DECONTAMINATION SYSTEMS

#### Please describe decontamination activities:

Provide the GPS coordinates for each site (decimal degrees with five decimal places):

Latitude:

Longitude:

## 5. ESTABLISHMENT OF TEMPORARY FACILITIES

**Please confirm the method(s) of work the Applicant used or will use in establishing a temporary facility:**

- Repurposing, renovating, or reusing existing facilities.
- Placing prefabricated facilities on a site.
- Constructing new temporary medical or sheltering facilities.

**Please describe the temporary facilities established:**

*Provide the GPS coordinates for each site (decimal degrees with five decimal places):*

Latitude:

Longitude:

**Will the Applicant only repurpose or reuse an existing facility?**

- Yes, and the temporary use is the same as the most recent use of the facility. *Please skip the remaining questions in this part.*
- Yes, but the temporary use is not the same as the most recent use of the facility. *Please describe the temporary use and the most recent use of the facility:*

*Please skip the remaining questions in this part.*

- No, the temporary use required renovation, placing prefabricated facilities or new construction.

**If not new construction, what year was the facility built?**

*Please provide year built and note whether the date is approximate or exact:* \_\_\_\_\_  Approximate  Exact

**Please describe the work in detail or attach plans or other documentation describing the work:**

The description should include a description of the following: For existing buildings, interior and exterior modification descriptions including quantities, dimensions, and material types; and utility upgrade descriptions. For construction of new facilities, a description of site activities and new construction. For placement of prefabricated facilities on sites, a description of the prefabricated facility and any site work to be carried out.

**Will the activity occur entirely within an already-developed area?**

*Examples of developed areas include an existing parking lot, a lot previously developed for construction with existing utility tie-ins, or an existing asphalt or concrete pad.*

- Yes.
- No. **If no, will the activity require the construction of a concrete or asphalt pad?**
  - No.
  - Yes. **If yes, will the pad be removed when the temporary facility is no longer needed?**
    - No.
    - Yes. *Please describe planned demolition activities:*

**Will any ground disturbing activities occur as part of construction?**

Ground disturbing activities may include site clearing and preparation, laying utilities, or expanding of existing utilities.

- No.
- Yes. *Please attach a site plan for the temporary facility, including GPS coordinates and dimensions (length, width,*

and depth) of the ground disturbance.

**If yes, will the ground disturbance occur outside of an existing footprint or previously disturbed Right-of-Way?**

- No.
- Yes.

**If yes, will rooted vegetation be removed or cleared?**

- No.
- Yes. *Provide the GPS coordinates (decimal degrees with five decimal places):*

**If yes, will trees be removed?**

- No.
- Yes. *Provide the GPS coordinates (decimal degrees with five decimal places):*

*Number of trees:*

*Diameter of trees (approximate):                      units:*

**Will the activities include the use of staging areas for equipment or materials?**

- No.
- Yes. *Provide the GPS coordinates for each site (decimal degrees with five decimal places):*

*Latitude:*

*Longitude:*

**What surface does each staging area have (paved, gravel, grass field, etc.)?**

**Will the activities include expansion of parking facilities?**

- No.
- Yes.

**Will the activities involve the disposal of any existing materials as part of site preparation or construction?**

- No.
- Yes. **If yes, what are the types of debris?** *Please select all that apply.*
  - Vegetative
  - Construction and demolition
  - Hazardous Materials
  - Large Appliances
  - Electronics
  - Other. *Please describe:*

**How will debris be removed?**

- Using a contractor. *Please provide the name of the vendor:*
- Using other non-contracted resources.

**Will there be any temporary staging of debris?**

- No.
- Yes. *Please provide permits (if available) and the GPS coordinates (decimal degrees with five decimal places):*
  - Latitude:*
  - Longitude:*

**If vegetative was selected above, will any vegetative debris be burned?**

- No.
- Yes. **What is the method of ash disposal?** *Please provide permits, if available.*
  - Disposing in a Landfill.
  - Spreading.

Burying.

Other. *Please describe:*

**Will fill or borrow material be used for site preparation?**

No.

Yes. **What is the quantity of fill?** \_\_\_\_\_ Units:  Cubic yards  Tons  Other:

**If yes, what is the type of fill and borrow material?**

Soil

Sand

Gravel

Rock

Other material. *Please describe:*

**If yes, what is the source of the fill and borrow material?**

Commercial, please provide name of vendor:

Private

Municipal

Other location. *Please describe:*

Please provide the GPS coordinates (decimal degrees with five decimal places) of the fill and borrow sources:

Latitude:

Longitude:

**Are there any large, undeveloped or undisturbed areas on, or near, the site?**

*Select yes if there are large tracts of forestland, farmland, grassland, or naturally preserved areas, etc.*

No.

Yes. *Please describe:*

**Are any of the following environmental issues associated with the site or facility?** *Select all that apply.*

Conservation Area or Wildlife Refuge

Non-Attainment Area (Clean Air Act)

Underground storage tanks

Old gas stations or other potential toxic substance generators like dry cleaning, laboratories, landfills, dumps, industrial sites

Brownfield or Superfund sites

Fuel or oil spills

Other. *Please describe:*

None apply

Unsure if any apply

**Are there any of the following known hazardous materials at or adjacent to the site?** *If any are selected, please attach applicable permits, if available.*

Solvents (thinners, cleaners, varnishes, and adhesives)

Oil/Fuel/Hydraulics

Chemical, pesticide or fuel storage tanks (above or below ground)

Lead based paints, solder, flashing

Pesticides

Mercury containing waste (mercury switches, fluorescent bulbs, thermostats, etc.)

PCB containing materials (transformers, caulking, etc.)

- Hazardous Medical Waste
- Asbestos containing products (sealants, insulation, tile, etc.)
- No.
- Unsure

**Will any of the activities described in Section II be performed on any of the following?** *Select all that apply.*

- A facility listed in or eligible for listing in a local, state, or national register. *Please describe:*
- A site in or adjacent to a historic district. *Please describe:*
- A locally recognized landmark. *Please describe:*
- A National Historic Landmark. *Please describe:*
- No.
- Unsure

**If the Applicant selected any of the facility types listed above, and/or the facility is more than 45 years old: Will the Applicant be requiring interior installations or exterior modifications?**

- No.
- Unsure
- Yes. *Please describe:*

**Please provide the following documentation, if available, to aid FEMA's review of temporary facility activities.** *Check each box if the referenced documentation is provided.*

- Permits and correspondence with regulatory agencies, if applicable.
- Site map showing the location of all proposed areas where the Applicant will conduct site work or construction and the extent of ground disturbance (including staging areas, access roads, parking, landscaping, grading or utilities)
- Photographs of the site

***You have completed this schedule. Return to Section II.***

# FEMA Public Assistance COVID-19 Contracts Report

Instructions: Applicants should complete one form for each PA COVID-19 project application.

## Section I – Project Application Information

Declaration #:	Applicant Name:	FEMA PA Code:	Applicant-Assigned Project Application #:
----------------	-----------------	---------------	---

## Section II – Contract Information

Instructions: Applicants must complete this section to provide contract information for contract costs reported on the project application indicated in Section I of this form.

### 1. CONTRACT INFORMATION

Name of Contractor	Contractor EIN	Contract Award Date	Contract Start Date	Contract End Date	Was the contract awarded through a competitive bidding process?	If not competitively bid, please provide justification. Please select one of the following and write in the box below:	Type of Contract Please select one of the following options and write in the box below:	Scope of Contract For example, construction of temporary facility or emergency medical transport.	Total Contract Award Please indicate dollar amount.	Amount requested for funding on this project application Please indicate dollar amount.
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Only available from single source <input type="checkbox"/> Public exigency or emergency <input type="checkbox"/> FEMA authorized <input type="checkbox"/> Recipient authorized <input type="checkbox"/> Inadequate competition <input type="checkbox"/> Other:	<input type="checkbox"/> Fixed price <input type="checkbox"/> Cost-reimbursement <input type="checkbox"/> Time and materials <input type="checkbox"/> Cost-plus % of cost <input type="checkbox"/> Other:			
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Only available from single source <input type="checkbox"/> Public exigency or emergency <input type="checkbox"/> FEMA authorized <input type="checkbox"/> Recipient authorized <input type="checkbox"/> Inadequate competition <input type="checkbox"/> Other:	<input type="checkbox"/> Fixed price <input type="checkbox"/> Cost-reimbursement <input type="checkbox"/> Time and materials <input type="checkbox"/> Cost-plus % of cost <input type="checkbox"/> Other:			
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Only available from single source <input type="checkbox"/> Public exigency or emergency <input type="checkbox"/> FEMA authorized <input type="checkbox"/> Recipient authorized <input type="checkbox"/> Inadequate competition <input type="checkbox"/> Other:	<input type="checkbox"/> Fixed price <input type="checkbox"/> Cost-reimbursement <input type="checkbox"/> Time and materials <input type="checkbox"/> Cost-plus % of cost <input type="checkbox"/> Other:			
<b>TOTAL</b>										

### 2. CERTIFICATION

*I certify that the above information is accurate and was obtained from documents that are available for audit.*

Applicant Authorized Representative	Title	Signature
-------------------------------------	-------	-----------



FEMA

March 17, 2020

MEMORANDUM FOR: All States, Territories, Tribal Governments, Local Governments, and All Other Non-Federal Entities Receiving FEMA Financial Assistance

FROM: David Bibo   
Acting Associate Administrator  
Office of Response and Recovery

Bridget E. Bean   
Assistant Administrator  
Grant Programs Directorate

SUBJECT: Procurement Under Grants Conducted Under Emergency or Exigent Circumstances for COVID-19

Subsequent to the President's March 13, 2020 Nationwide Emergency Declaration for Coronavirus Disease 2019 (COVID-19), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) is issuing the attached Fact Sheet addressing procurements made during periods of exigent or emergency circumstances. FEMA recognizes that noncompetitive procurements may be necessary to save lives, to protect property and public health, and to ensure public safety, as well as to lessen or avert the threat of a catastrophe. The attached Fact Sheet provides answers and guidance surrounding the need for such measures.

Current Federal procurement standards (found at 2 C.F.R. § 200.320(f)(2)) allow non-state entities to noncompetitively procure contracts (i.e., sole-sourcing) under certain emergency or exigent circumstances. FEMA defines an emergency or exigent circumstances as unexpected and unusually dangerous situations requiring immediate action or an urgent need for assistance or relief. Emergencies typically involve a threat to life, public health or safety, improved property, or some other form of dangerous situation. Exigencies, on the other hand, typically involve an urgent need to avoid, prevent, or alleviate serious harm or injury, financial or otherwise. Under both an emergency and exigency, using a competitive procurement process would prevent a non-state entity from taking immediate action required to address the situation. However, use of the emergency/exigency exception is only permissible during the actual emergency or exigent circumstances.

The President's unprecedented Nationwide Emergency Declaration, and the Secretary of Health and Human Services' (HHS) declaration of a Public Health Emergency for COVID-19 establish that exigent and emergency circumstances currently exist.

[For the duration of the Public Health Emergency](#), which began January 27, 2020 as determined by HHS, local governments, tribal governments, nonprofits, and other non-state entities may proceed with new and existing noncompetitively procured contracts in order 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 and 2) Use of FEMA non-disaster grant funds by non-state recipients and sub-recipients to respond to or address COVID-19.

Attachment:

(1) Fact Sheet: *Procurement Under Grants Conducted Under Exigent or Emergency Circumstances*

# Public Assistance Applicant Procurement Compliance Checklist

## Purpose:

Checklist for Reviewing Procurements under Grants by States, local and tribal governments, Institutions of Higher Education, Hospitals, and private non-profit organizations - 2 C.F.R. pt. 200. Revised on 11/21/18.

## Complementary Resources:

- Procurement Rules Online: [www.ecfr.gov](http://www.ecfr.gov)  
2 C.F.R. 200.317-326 can be viewed in its entirety at this website.  
Title 2 → Subtitle A → Chapter II → Part 200 → Subpart D → Procurement Standards
- [Field Manual](#) and [Supplement](#) available at [www.fema.gov/procurement-disaster-assistance-team](http://www.fema.gov/procurement-disaster-assistance-team)

<b>Applicant Name:</b>	
<b>Reviewer Name:</b>	<b>Date Reviewed:</b>
<b>Type of Entity Conducting the Procurement</b>	
The term “non-Federal entity” (NFE) below refers to the entity that is conducting the procurement action (i.e., the state, local, territorial or tribal government, or private-non-profit entity).	
Type of Entity	<p>1 Is the NFE a <b>State</b> as defined by 2 C.F.R. § 200.90?</p> <p>Yes <input type="checkbox"/> → The NFE must comply with 2 C.F.R. 200.317, 200.322, and 200.326</p> <p>No <input type="checkbox"/> → The NFE must comply with 2 C.F.R. 200.318 through 200.326</p>
	<p>2 Does the <b>procurement</b> comply with the State’s own procurement laws, rules, and procedures? §200.317</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/> → The procurement does not comply with federal requirements</p>
	<p>3 Does the <b>procurement</b> comply with the requirement to make maximum use of recovered/recycled materials? § 200.317, § 200.322</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/> → The procurement does not comply with federal requirements</p> <p>N/A <input type="checkbox"/> → Work does not involve the use of materials (e.g., debris removal or otherservices) or the NFE is not a political subdivision of a State</p>

Required Contract Clauses

Contract Clauses		
4	If the contract amount exceeds \$250,000, does it address <b>administrative, contractual, or legal remedies</b> in instances where contractors violate or breach contract terms, and provide for sanctions and penalties?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
5	If the contract amount exceeds \$10,000, does it address <b>termination for cause and for convenience</b> , including the manner by which it will be effected and the basis for settlement?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
6	If the contract is for construction, does it include the required <b>Equal Employment Opportunity</b> clause?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
7	For construction contracts exceeding \$2,000 awarded under a Federal grant, does the contract include a <b>Davis-Bacon Act clause and Copeland "Anti- Kickback" Act</b> clause addressing prevailing wage rates?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
8	If the contract amount exceeds \$100,000 and involves the <b>employment of mechanics or laborers</b> , does the contract include the required <b>Contract Work Hours and Safety Standards</b> clause?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9	<b>Rights to Inventions Made Under a Contract or Agreement</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
10	If the contract or subrecipient amount exceeds \$150,000, does the contract include clauses addressing the <b>Clean Air Act and the Federal Water Pollution Control Act</b> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Required Contract Clauses	11	Does the contract include a <b>Suspension and Debarment</b> clause?	Yes <input type="checkbox"/>	No <input type="checkbox"/> 	The contract does not comply with federal requirements
	12	Does the contract include a <b>Byrd Anti-Lobbying</b> clause?	Yes <input type="checkbox"/>	No <input type="checkbox"/> 	The contract does not comply with federal requirements
	13	<b>For contracts exceeding \$100,000, have bidders submitted the required Byrd Anti-Lobbying Certification?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>  N/A <input type="checkbox"/>	The contract does not comply with federal requirements
	14	Does the contract include a clause requiring the contractor to maximize use of <b>recovered/recycled materials</b> ?	Yes <input type="checkbox"/>	No <input type="checkbox"/>  N/A <input type="checkbox"/> 	The contract does not comply with federal requirements Work does not involve the use of materials (e.g., debris removal or other services) or NFE is not a political subdivision of a State
Recommended Contract Clauses	15	Does the contract include a clause allowing for <b>changes or modifications</b> to the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>  N/A <input type="checkbox"/>	The contract does not include provisions <b>recommended by FEMA</b>
	16	Does the contract include a clause requiring the contractor and any subcontractors to comply with applicable provisions governing <b>Department and FEMA access to records</b> ?	Yes <input type="checkbox"/>	No <input type="checkbox"/>  N/A <input type="checkbox"/>	The contract does not include provisions <b>recommended by FEMA</b>
	17	Does the contract restrict any contractors and subcontractors from using <b>DHS's seal, logo, or flag</b> without express permission?	Yes <input type="checkbox"/>	No <input type="checkbox"/>  N/A <input type="checkbox"/>	The contract does not include provisions <b>recommended by FEMA</b>
	18	Does the contract contain a clause requiring the contractor to comply with all <b>applicable federal law, regulations, executive orders</b> , and FEMA policies, procedures and directives?	Yes <input type="checkbox"/>	No <input type="checkbox"/>  N/A <input type="checkbox"/>	The contract does not include provisions <b>recommended by FEMA</b>

Recommended Contract Clauses

19	Does the contract contain a provision stating that the <b>Federal Government is not a party to the contract</b> and is not subject to any obligations or liabilities to any party under the contract?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  N/A <input type="checkbox"/>	The contract does not include provisions <b>recommended by FEMA</b>
20	Does the contract include a provision in which the contractor acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for <b>False Claims and Statements</b> ) applies to its actions pertaining to the contract?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  N/A <input type="checkbox"/>	The contract does not include provisions <b>recommended by FEMA</b>



**If a State agency is awarding the contract, STOP here.**

The District of Columbia, USVI, the commonwealth of Puerto Rico, Guam, American Samoa, and the commonwealth of the Northern Mariana Islands are included in the definition of a state.

If the contract is being awarded by a local or tribal government or private nonprofit entity, CONTINUE with the checklist.

		General Requirements		
Type of Entity	21	Does the <b>procurement</b> comply with the NFE’s own procurement laws, rules, and procedures which reflect applicable <b>state, local, and tribal laws and regulations</b> ? §200.318(a)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> →	The procurement does not comply with federal requirements
	22	Did the NFE maintain <b>contract oversight</b> to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders? §200.318(b)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> →	The procurement does not comply with federal requirements
Written Standards of Conduct	23	<b>Does the NFE have written standards of conduct covering - §200.318(c)(1):</b>		
	24	<b>Conflicts of interest</b> and governing the actions of its employees engaged in the selection, award, and administration of contracts?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> →	The standards do not comply with federal requirements
	25	Any employee, officer, or agent participating in the selection, award, or administration of a contract supported by a Federal award that has an <b>actual or apparent conflict of interest</b> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> →	The standards do not comply with federal requirements
	26	Any employee, officer, or agent that has solicited and/or accepted <b>gratuities, favors, or anything of monetary value</b> from contractors or parties to subcontracts?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> →	The standards do not comply with federal requirements
	27	Do standards of conduct provide for <b>disciplinary actions</b> to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> →	The standards do not comply with federal requirements
	28	If the NFE has a <b>parent, affiliate, or subsidiary organization</b> that is not a state, local government, or Indian tribe, does the non-Federal entity have written standards of conduct covering <b>organizational conflicts of interest</b> ? §200.318(c)(2)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> → N/A <input type="checkbox"/>	The standards do not comply with federal requirements
	29	The NFE must avoid acquisition of <b>unnecessary or duplicative items</b> . Has the NFE <b>considered</b> consolidating or breaking out procurements to obtain a more economical purchase? Where appropriate, has the NFE <b>considered</b> lease versus purchase alternatives? § 200.318(d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> →	The procurement does not comply with federal requirements

T&M Contracts	30	Is the <b>contract</b> being awarded to a <b>responsible contractor</b> possessing the ability to perform successfully under the terms and conditions of the proposed procurement, giving consideration to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources? § 200.318(h)	Yes <input type="checkbox"/> No <input type="checkbox"/> →	The contract does not comply with federal requirements
	31	Is the <b>NFE</b> keeping <b>records sufficient</b> to detail the history of the procurement, including, but not limited to, records documenting the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price? § 200.318(i)	Yes <input type="checkbox"/> No <input type="checkbox"/> →	The procurement does not comply with federal requirements
	32	Is the contract a <b>time-and-materials contract</b> ? § 200.318(j)	Yes <input type="checkbox"/> → No <input type="checkbox"/> →	Answer questions 33 and 34 Skip to 35
	33	Has the NFE documented <b>why</b> no other contract is suitable?	Yes <input type="checkbox"/> No <input type="checkbox"/> →	The contract does not comply with federal requirements
	34	Does the contract include a <b>ceiling price</b> that the contractor exceeds at its own risk?	Yes <input type="checkbox"/> No <input type="checkbox"/> →	The contract does not comply with federal requirements
	35	Is the <b>NFE alone</b> responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements? §200.318(k)	Yes <input type="checkbox"/> No <input type="checkbox"/> →	The procurement does not comply with federal requirements
<b>Competition</b>				
Full & Open Competition	36	All procurement transactions must be conducted in a manner providing <b>full and open competition</b> consistent with the standards of this section. Does the procurement involve any of the following - § 200.319(a):		
	37	Placing <b>unreasonable requirements</b> on firms in order for them to qualify to do business?	Yes <input type="checkbox"/> → No <input type="checkbox"/>	The procurement does not comply with federal requirements
	38	Requiring <b>unnecessary experience</b> and <b>excessive bonding</b> ?	Yes <input type="checkbox"/> → No <input type="checkbox"/>	The procurement does not comply with federal requirements

Full & Open Competition	39	<b>Noncompetitive pricing</b> practices between firms or between affiliated companies?	Yes <input type="checkbox"/>  No <input type="checkbox"/>	The procurement does not comply with federal requirements
	40	Noncompetitive contracts to consultants that are on <b>retainer contracts</b> ?	Yes <input type="checkbox"/>  No <input type="checkbox"/>	The procurement does not comply with federal requirements
	41	<b>Organizational conflicts of interest</b> ?	Yes <input type="checkbox"/>  No <input type="checkbox"/>	The procurement does not comply with federal requirements
	42	Specifying only a <b>“brand name”</b> product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement?	Yes <input type="checkbox"/>  No <input type="checkbox"/>	The procurement does not comply with federal requirements
	43	Any <b>arbitrary action</b> in the procurement process?	Yes <input type="checkbox"/>  No <input type="checkbox"/>	The procurement does not comply with federal requirements
	44	Was the contractor that is bidding on the contract also involved with developing or drafting the specifications, requirements, statement of work, invitation for bids, or request for proposals? § 200.319(a)	Yes <input type="checkbox"/>  No <input type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements (That contractor must be excluded from competing for such procurement)
Geographic Preference	45	Does the <b>contract</b> include a state or local <b>geographic preference</b> for local contractors? § 200.319(b)	Yes <input type="checkbox"/>  No <input type="checkbox"/> 	Answer 46 Skip to 47
	46	Did the NFE document one of the allowed exceptions?	Yes <input type="checkbox"/> No <input type="checkbox"/> 	The contract does not comply with federal requirements
Written Procurement Procedures	47	Do the NFE’s <b>written procurement procedures</b> ensure that all solicitations comply with the following - § 200.319(c):		
	48	Incorporate a clear and accurate description of the <b>technical requirements</b> for the material, product, or service to be procured? § 200.319(c)(1)	Yes <input type="checkbox"/> No <input type="checkbox"/> 	The procedures do not comply with federal requirements
	49	Identify <b>all requirements</b> which the offerors must fulfill and all other factors to be used in <b>evaluating bids or proposals</b> ? § 200.319(c)(2)	Yes <input type="checkbox"/> No <input type="checkbox"/> 	The procedures do not comply with federal requirements

Pre-Qualified Lists	50	Is the NFE using a <b>prequalified list</b> of persons, firms, or products which are used in acquiring goods and services: § 200.319(d)?	Yes <input type="checkbox"/>	Answer questions 51-53
			No <input type="checkbox"/>	Skip to 54
	51	Is the list <b>current</b> ?	Yes <input type="checkbox"/>	
			No <input type="checkbox"/>	The prequalified list does not comply with federal requirements
	52	Does the list include <b>enough qualified sources</b> to ensure maximum open and <b>free competition</b> ?	Yes <input type="checkbox"/>	
			No <input type="checkbox"/>	The prequalified list does not comply with federal requirements
	53	Were any <b>potential bidders precluded from qualifying</b> during the solicitation period?	Yes <input type="checkbox"/>	The procurement does not comply with federal requirements
			No <input type="checkbox"/>	
<b>Method of Procurement</b>				
Micro-Purchase	54	Is the NFE using one of the following acceptable methods of procurement? § 200.320		
	55	<b>Micro-purchase</b> (i.e., purchases below \$10,000, see, §200.67 Micro- purchases) § 200.320(a)  <b>Note:</b> Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.	Yes <input type="checkbox"/>	Answer 56
			No <input type="checkbox"/>	Skip to next method
	56	To the extent practicable, is the NFE distributing micro-purchases equitably among qualified suppliers?	Yes <input type="checkbox"/>	
			No <input type="checkbox"/>	The procurement does not comply with federal requirements
			N/A <input type="checkbox"/>	

Small Purchase	57	<p><b>Small purchase procedures</b> § 200.320(b)</p> <p><b>Note:</b> Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the lesser of either (1) the federal small purchase threshold (i.e., \$250,000), or (2) whatever amount State or local procurement rules set as the small purchase threshold— <b>if more restrictive than the federal threshold.</b></p>	Yes <input type="checkbox"/>  No <input type="checkbox"/> 	Answer 58 Skip to next method
	58	Did the NFE obtain price or rate <b>quotations from an adequate number</b> of qualified sources (at least 3 or more)?	Yes <input type="checkbox"/> No <input type="checkbox"/> 	The procurement does not comply with federal requirements
Sealed Bids	59	<p><b>Sealed bids</b> § 200.320(c)</p> <p><b>Note:</b> Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.</p>	Yes <input type="checkbox"/>  No <input type="checkbox"/> 	Answer 60-71 Skip to next method
	60	Are <b>all</b> of the following conditions to use sealed bidding present? § 200.320(c)(1)	Yes <input type="checkbox"/>  No <input type="checkbox"/> 	Check if <b>all</b> answers between 61 and 63 are “Yes” If you answer “No” to any of the questions between 61 and 63, the procurement does not comply with federal requirements
	61	Is a complete, adequate, and realistic specification or purchase description is available?	Yes <input type="checkbox"/> No <input type="checkbox"/> 	The procurement does not comply with federal requirements
	62	Are two or more responsible bidders willing and able to compete effectively for the business?	Yes <input type="checkbox"/> No <input type="checkbox"/> 	The procurement does not comply with federal requirements
	63	Does the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price?	Yes <input type="checkbox"/> No <input type="checkbox"/> 	The procurement does not comply with federal requirements
	64	If sealed bids are used, the following requirements apply: § 200.320(c)(2)		

<b>Sealed Bids</b>	65	Did the NFE solicit bids from an adequate number_of known suppliers, providing them sufficient response time prior to the date set for opening the bids?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
	66	If the NFE is a local or tribal government, was the invitation for bids publicly advertised?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements
	67	Did the invitation for bids include any specifications and pertinent attachments, and define the items or services in order for the bidder to properly respond?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
	68	Did the NFE open all bids at the time and place prescribed in the invitation for bids?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
	69	For <b>local and tribal governments</b> , were the bids opened publicly?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements
	70	Did the NFE award a firm fixed price contract award in writing to the lowest responsive and responsible bidder?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
	71	If any bids were rejected, was there a sound documented reason supporting the rejection?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements
<b>Competitive Proposals</b>	72	<b>Procurement by competitive proposals § 200.320(d)</b>  <b>Note:</b> The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids.	Yes <input type="checkbox"/> No <input type="checkbox"/>	Answer 73-76 Skip to next method

Competitive Proposals	73	Did the NFE publicize the Requests for Proposals (RFPs) and identify all evaluation factors and their relative importance?	Yes <input type="checkbox"/> No <input type="checkbox"/>	The procurement does not comply with federal requirements
	74	Did the NFE solicit proposals from an adequate number of qualified sources?	Yes <input type="checkbox"/> No <input type="checkbox"/>	The procurement does not comply with federal requirements
	75	Did the NFE have a written method for conducting technical evaluations of the proposals received and for selecting recipients?	Yes <input type="checkbox"/> No <input type="checkbox"/>	The procurement does not comply with federal requirements
	76	Did the NFE award the contract to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered?	Yes <input type="checkbox"/> No <input type="checkbox"/>	The procurement does not comply with federal requirements
	77	<p><b>Note regarding architectural/engineering (A/E) professional services:</b> The NFE may use competitive proposal procedures for qualifications-based procurement of A/E professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. <b>The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms that are a potential source to perform the proposed effort.</b></p>		
Noncompetitive Proposals	78	<p><b>Noncompetitive proposals</b> § 200.320(f)</p> <p><b>Note:</b> Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one (or an improperly limited number of) source(s).</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Answer 79-83
	79	If using a noncompetitive proposal method, do <b>one or more of the following circumstances apply?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Check if <b>one or more of</b> answers to 80-83 are "Yes" If you answer "No" or "N/A" to 79-82, the procurement does not comply with federal requirements

Non-Competitive Proposals	80	The item is available only from a single source	Yes <input type="checkbox"/>	
			No <input type="checkbox"/>	
			N/A <input type="checkbox"/>	
	81	The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>		
		N/A <input type="checkbox"/>		
82	The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity	Yes <input type="checkbox"/>		
		No <input type="checkbox"/>		
		N/A <input type="checkbox"/>		
83	After solicitation of a number of sources, competition is determined inadequate	Yes <input type="checkbox"/>		
		No <input type="checkbox"/>		
		N/A <input type="checkbox"/>		
Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms (Not Required for Micro-Purchases)				
Affirmative Steps	84	Has the NFE taken the <b>following affirmative steps</b> to assure that minority businesses, women's business enterprises, and labor surplus area firms are used <b>when possible?</b> § 200.321	Yes <input type="checkbox"/>	
			No <input type="checkbox"/>	The procurement does not comply with federal requirements
			N/A <input type="checkbox"/>	Not required for procurements under \$10,000. (Document)
85	Placing qualified small and minority businesses and women's business enterprises on solicitation lists?	Yes <input type="checkbox"/>		
		No <input type="checkbox"/>		The procurement does not comply with federal requirements
		N/A <input type="checkbox"/>		(Document)

Affirmative Steps	86	Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
			N/A <input checked="" type="checkbox"/>	No potential sources (Document)	
	87	Dividing total requirements, <b>when economically feasible</b> , into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
			N/A <input checked="" type="checkbox"/>	Not economically feasible (Document)	
	88	Establishing delivery schedules, <b>where the requirement permits</b> , which encourage participation by small and minority businesses, and women's business enterprises?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
			N/A <input checked="" type="checkbox"/>	The requirement does not permit (Document)	
89	Using the services and assistance, <b>as appropriate</b> , of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements	
		N/A <input checked="" type="checkbox"/>	Not appropriate (Document)		
90	Requiring the prime contractor, <b>if subcontracts are to be let</b> , to take the affirmative steps listed above?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements	
		N/A <input checked="" type="checkbox"/>	No subcontractors will be let (Document)		
<b>Contract Cost and Price</b>					
Cost or Price Analysis	91	If the <b>contract amount</b> (including contract modifications) exceeds <b>\$250,000</b> , did the NFE perform a cost or price analysis? § 200.323(a)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
			N/A <input type="checkbox"/>		
	92	Did the NFE <b>negotiate profit</b> as a separate element of the price for each contract in <i>which there is no price competition and, in all cases, where cost analysis is performed?</i> § 200.323(b)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The procurement does not comply with federal requirements
			N/A <input type="checkbox"/>		

CPPC Contract	93	Is the contract a “cost plus a percentage of cost” or “percentage of construction cost” contract?	Yes <input type="checkbox"/> No <input type="checkbox"/>	This form of contract is <b>prohibited</b> under the Federal procurement standards
	<b>Bonding Requirements for Construction or Facility Improvement Contracts Exceeding \$250,000</b>			
Bonding Requirements	94	<b>Note: For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold (i.e., \$250,000), the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected.</b>		
	95	If such a determination (see above) has not been made, does the procurement include the following?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements
	96	A <b>bid guarantee</b> from each bidder equivalent to <b>five percent of the bid price</b> ?  The “ <b>bid guarantee</b> ” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements
	97	A <b>performance bond</b> on the part of the contractor for <b>100 percent of the contract price</b> ?  A “ <b>performance bond</b> ” is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements
	98-	A <b>payment bond</b> on the part of the contractor for <b>100 percent of the contract price</b> ?  A “ <b>payment bond</b> ” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	The procurement does not comply with federal requirements

# Fact Sheet

## Procurement Under Grants Conducted Under Exigent or Emergency Circumstances

The Federal Emergency Management Agency (FEMA) provides financial assistance to states, territories, tribes, local governments, nonprofits, institutions of higher education, and other non-Federal entities. All FEMA grant programs are subject to the Federal procurement standards found at 2 C.F.R. §§ 200.317 – 200.326. Recognizing that FEMA’s recipients and subrecipients may face exigencies or emergencies when carrying out a FEMA award, this Fact Sheet provides key information to consider when utilizing contracted resources under exigent or emergency circumstances.

### What Rules Apply to State Entities?

States are required to follow their own procurement procedures as well as the Federal requirements for procurement of recovered materials and inclusion of required contract provisions per 2 C.F.R. §§ 200.317, 200.322, and 200.326.

For purposes of the Federal procurement requirements, states are defined as the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, and any agency or instrumentality thereof except for local governments. Tribal governments are not considered to be states when applying Federal procurement standards required by 2 C.F.R. Part 200.

### What Rules Apply to Non-State Entities?

For all other types of entities, referred to as “non-state entities” in this Fact Sheet, Federal regulations (2 C.F.R. Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) establish requirements for the exigency or emergency exception that permits the use of noncompetitive procurements, frequently referred to as “sole-source contracting.” This exception and associated procurement requirements are discussed further below. In general, it will be fact-specific and entity-specific as to when exigent or emergency circumstances necessitate the use of noncompetitive procurements. The answers to the frequently asked questions below provide additional guidance on the acceptable use of noncompetitive proposals under exigent or emergency circumstances, which is described in regulation at 2 C.F.R. § 200.320(f)(2).

It is essential that all non-state entities understand that both FEMA and the U.S. Department of Homeland Security’s Office of Inspector General (OIG) closely review procurement actions and contract selections, with a particular emphasis on noncompetitive procurement actions, to evaluate compliance with Federal requirements. ***Failure to follow Federal contracting and procurement requirements puts non-state entities at risk of not receiving reimbursement or not being able to use FEMA grant funds for otherwise eligible costs.***

### What is the exigency or emergency exception?

Non-state entities must follow the procurement requirements found at 2 C.F.R. §§ 200.317 – 200.326. However, Federal regulations allow for noncompetitive procurements under certain circumstances, including when a non-state entity determines that immediate actions required to address the public exigency or emergency cannot be delayed by a competitive solicitation. This represents an exception to requirements for full and open competition. FEMA approval is not required for use of noncompetitive

procurements under the emergency or exigency exception; however, the non-state entity must document its justification for using noncompetitive procurements and must still comply with other procurement requirements and ensure that costs are reasonable.

When referring to procurement activity, FEMA defines both exigency and emergency as situations that demand immediate aid or action. The difference between the two is that:

- In the case of an **exigency**, there is 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.
- In the case of an **emergency**, a threat to life, public health or safety, or improved property requires immediate action to alleviate the threat.

While emergency conditions generally are short-lived, exigent circumstances can exist for a period of weeks or months.

**Exigency Example:** A tornado impacts a city in June and causes widespread and catastrophic damage, including damage to a city school. The city wants to repair the school and have it ready for use by the beginning of the school year in September. The city estimates, based on past experience, that awarding a contract using a sealed bidding process would require at least 90 days, and the city’s engineer estimates that the repair work would last another 60 days. This would extend the project beyond the beginning of the school year. Rather than conducting a sealed bidding process, the city—in compliance with state and local law—wants to sole source with a contractor it has contracted with previously. The city can demonstrate that this constitutes an “exigent circumstance” because use of a sealed bidding process would cause an unacceptable delay and thus procurement by noncompetitive methods was necessary based on the particular situation.

**Emergency Example #1 (Disaster Grants):** Severe weather impacts a city and causes widespread and catastrophic damage, including loss of life, widespread flooding, loss of power, damage to public and private structures, and millions of cubic yards of debris across the city, leaving almost the entire jurisdiction inaccessible. The city needs to begin debris removal activities immediately to restore access to the community, support search and rescue operations, power restoration, and address health and safety concerns. Under these circumstances, the city may find it necessary to award noncompetitive contracts to address threats to life, property, and public health.

**Emergency Example #2 (Non-Disaster Grants):** The weather in a city has been below freezing for the past 2 weeks, causing a pipe in the city’s emergency operations center to burst and flood the first floor. This flood destroyed half of the city’s radios that its emergency workers use to communicate with police and fire personnel. The city documented and demonstrated that it needed to replace these radios right away to avert an immediate threat to life, safety, or property as the city needed a full supply of radios in order to respond to emergencies. Under these circumstances, the city may find it necessary to award noncompetitive contracts to address threats to life, property, and public health.

### **When does the exigency or emergency exception apply and for how long?**

Use of the public exigency or emergency exception *is only permissible during the actual exigent or emergency circumstances*. Exigency or emergency circumstances will vary for each incident, making it difficult to determine in advance or assign a particular time frame when noncompetitive procurements may be warranted. Exigent or emergency circumstances may exist for two days, two weeks, two months, or even longer in some cases. Non-state entities must ensure that work performed under the noncompetitively procured contracts is specifically related to the exigent or emergency circumstance in

effect at the time of procurement. Importantly, because the exception to competitive procurement is available only while the exigent or emergency circumstances exist, non-state entities should, upon awarding a noncompetitive contract, immediately begin the process of competitively procuring similar goods and services in order to transition to the competitively procured contracts as soon as the exigent or emergency circumstances cease to exist.

FEMA may review a non-state entity's justification that exigent or emergency circumstances warrant an exception to competitive procurement. If the agency determines that exigent or emergency circumstances did not exist or did not preclude a non-state entity from adhering to competitive procurement requirements, FEMA may disallow all or part of the non-state entity's cost related to the contract or take other actions permitted by statute and regulation. (*See* 2 C.F.R. § 200.338).

### **What documentation is required to support the use of the exigency or emergency exception?**

While FEMA approval is not required for a non-state entity to use noncompetitive procurement proposals under the emergency or exigency exception, non-state entities must document and provide justification for the use of the exigent or emergency exception. A list of elements that non-state entities may wish to include as part of their written justifications can be found at the end of this Fact Sheet. The justification must be included in the non-state entity's records for each FEMA award, subaward, or project.

### **Do any Federal procurement requirements apply if a non-state entity is sole-sourcing a contract under exigent or emergency circumstances?**

Yes, non-state entities must comply with the following requirements even when exigent or emergency circumstances exist:

- Contracts must include the required contract clauses (2 C.F.R. § 200.326 & Appendix II) (also applicable to states).
- Contracts exceeding the Federal simplified acquisition threshold must include the Federal bonding requirements if the contract is for construction or facility improvement (2 C.F.R. § 200.325).
- Contracts must be awarded to a responsible contractor (2 C.F.R. § 200.318(h)).
- The non-state entity must complete a cost or price analysis to determine that the cost or price of the contract is fair and reasonable if the contract exceeds or is expected to exceed the Federal simplified acquisition threshold (2 C.F.R. § 200.323(a) and (b)).
- The use of cost-plus-percentage-of-cost contracting is prohibited (2 C.F.R. § 200.323(c)).
- Use of time and materials contracts must comply with 2 C.F.R. § 200.318(j).
- The non-state entity must follow documentation, oversight, and conflict of interest requirements among other general procurement requirements in 2 C.F.R. § 200.318. If a conflict of interest is unavoidable due to the exigent/emergency circumstances, the non-state entity must explain that in the procurement documentation.

### **What if the non-state entity wants to use a pre-awarded or pre-existing contract in an exigency or emergency and that contract does not comply with the Federal procurement requirements?**

If a pre-awarded or pre-existing contract is not in compliance with the Federal procurement requirements (e.g., the contract was not fully and openly competed (*see* 2 C.F.R. §§ 200.319, 200.320), the six affirmative socioeconomic contracting steps were not completed (2 C.F.R. § 200.321), there is a conflict of interest involved (2 C.F.R. § 200.318)), it may still be possible to use the contract for the duration of the exigency or emergency. FEMA recommends that non-state entities review the list of procurement requirements above and take actions to modify pre-awarded or pre-existing contracts where applicable. In addition, non-state entities must prepare the appropriate documentation to justify the use

of a noncompetitively procured contract.

**Can non-state entities use time and materials (T&M) contracts in an exigency or emergency?**

Yes, but only under certain circumstances. FEMA advises against the use of T&M contracts and generally limits the use of these contracts to a short time period where the scope or duration of the work is unclear. T&M contracts do not incentivize contractors to control costs or maximize labor efficiency. FEMA may reimburse costs incurred under a T&M contract only if all of the following apply:

- No other contract was suitable;
- The contract has a ceiling price that the contractor exceeds at its own risk; and
- The non-state entity can demonstrate it provided a high degree of oversight to obtain reasonable assurance that the contractor used efficient methods and effective cost controls.

**Can a non-state entity award cost-plus-a-percentage-of-cost contracts or contracts with a percentage-of-construction-cost method in an exigency or emergency?**

No. This prohibition applies to all work, regardless of the circumstances (2 C.F.R. § 200.323(d)).

**Can non-state entities use *piggyback* contracts in an exigency or emergency?**

Piggyback contracting occurs when one entity with an existing contract assigns some or all of its contractual rights to another entity that was not previously party to the contract. Generally, FEMA discourages piggyback contracts because the original contract pertains to the needs of the original entity with a specific scope of work for that entity. While there may be circumstances when piggybacking is permissible, in almost all instances, the scope of work would need to be changed to include the needs of a non-state entity, and changes to the scope of work are generally not permitted as there is not likely to be full and open competition for the expanded scope of work. However, during emergency and exigency circumstances, non-state entities may be able to piggyback another entity's contract and expand the scope of a contract for the period of the emergency or exigency circumstance.

Note that a non-state entity may choose to enter into a separate contract with the same contractor as another entity, using the same terms and conditions as in that other entity's contract, with only a change in the scope of work and the associated costs. However, this is sole-source contracting rather than piggyback contracting, and it must meet the requirements for noncompetitive procurement under exigency or emergency circumstances as described elsewhere in this Fact Sheet.

***If a non-state entity is contemplating the use of piggyback contracting, it should contact its state or territory liaison, or the applicable FEMA Program Office to request FEMA assistance with contract review. For assistance with FEMA contact information, the entity should contact the Centralized Scheduling and Information Desk (CSID) help line at (800) 368-6498 or [askcsid@fema.dhs.gov](mailto:askcsid@fema.dhs.gov). CSID hours of operation are from 9 a.m. to 5 p.m. ET, Monday through Friday.***

**Can states use time and materials (T&M) or cost-plus-percentage-of-cost (CPPC) contracts in an exigency or emergency?**

While the Federal procurement rules do not prohibit the use of T&M contracts and CPPC contracts by states, FEMA discourages states from using these contracts because they generally lack provisions that control costs and maximize efficiency in performing work. FEMA and the OIG closely scrutinize these types of contracts for cost reasonableness.

Although T&M contracts are discouraged, there may be instances where T&M contracts are appropriate in the short term for activities such as debris removal, emergency power restoration, or other immediate actions required to address emergency health and safety threats under a Public Assistance award. States

entering into T&M contracts are encouraged to include language in the contract that specifies a ceiling price and limits the duration of the contract to a short time period, thus providing the state time to develop a scope of work and transition to the more competitive procurement procedures.

As a reminder, 2 C.F.R. § 200.317 requires states to follow: (1) the same policies and procedures they use for procurements using non-Federal funds; (2) 2 C.F.R. § 200.322 (procurement of recovered materials); and (3) 2 C.F.R. § 200.326 (required contract provisions). These requirements apply regardless of whether exigency or emergency circumstances exist. States must ensure that they are also in compliance with the cost principles in 2 C.F.R. §§ 200.400 – 200.474, including ensuring that costs are reasonable, as defined in 2 C.F.R. § 200.404.

### **Additional Information and Resources**

Non-state entities should consult as soon as possible with all appropriate parties, including their own legal counsel, to review their procurement policies, actions, and contracts and compare them to the Federal procurement requirements. Non-state entities also should contact their state or territory liaisons, or applicable FEMA Program Office to request assistance with any procurement activity concerns. For assistance with FEMA contact information, the entity should contact the Centralized Scheduling and Information Desk (CSID) help line at (800) 368-6498 or [askcsid@fema.dhs.gov](mailto:askcsid@fema.dhs.gov). CSID hours of operation are from 9 a.m. to 5 p.m. ET, Monday through Friday.

Detailed procurement and contracting information is available on the FEMA website at [www.fema.gov/procurement-disaster-assistance-team](http://www.fema.gov/procurement-disaster-assistance-team). While the guidance available at that website is specifically applicable to FEMA's Public Assistance Program, it is a useful resource for FEMA's other grant programs as the procurement requirements in 2 C.F.R. Part 200 apply to all of FEMA's grant programs. The current Code of Federal Regulations referenced in this guidance can be accessed at [www.eCFR.gov](http://www.eCFR.gov). The annual Code of Federal Regulations is available at <https://www.govinfo.gov/app/collection/cfr>, and the applicable regulations will be the ones in place at the time FEMA issued the declaration or made the award.

## Suggested Elements for Noncompetitive Procurement Justification

1. Identify which of the four circumstances listed in 2 C.F.R. § 200.320(f) justify a noncompetitive procurement:
  - (1) The item is available only from a single source;
  - (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
  - (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
  - (4) After solicitation of a number of sources, competition is determined inadequate.
2. Provide a brief description of the product or service being procured, including the expected amount of the procurement.
3. Explain why a noncompetitive procurement is necessary. If utilizing the exigency/emergency exception, the justification should explain the nature of the public exigency or emergency, including specific conditions and circumstances that clearly illustrate why procurement other than through noncompetitive proposals would cause unacceptable delay in addressing the public exigency or emergency. (Failure to plan for transition to competitive procurement cannot be the basis for continued use of noncompetitive procurement based on public exigency or emergency).
4. State how long the noncompetitively procured contract will be used for the defined scope of work and the impact on that scope of work should the noncompetitively procured contract not be available for that amount of time (e.g., how long do you anticipate the exigency or emergency circumstances will continue; how long will it take to identify your requirements and award a contract that complies with all procurement requirements; or how long would it take another contractor to reach the same level of competence).
5. Describe the specific steps taken to determine that full and open competition could not have been used, or was not used, for the scope of work (e.g., research conducted to determine that there were limited qualified resources available that could meet the contract provisions).
6. Describe any known conflicts of interest and any efforts that were made to identify possible conflicts of interest before the noncompetitive procurement occurred. If no efforts were made, explain why. If a conflict of interest is unavoidable, such as due to exigent/emergency circumstances, explain how it was unavoidable and any steps taken to address the impact of that conflict of interest.
7. Include any other information justifying the use of noncompetitive procurement in the specific instance.

*NOTE: A separate justification is required for each instance of noncompetitive procurement.*



## PUBLIC ASSISTANCE: REASONABLE COST EVALUATION

The Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program provides supplemental assistance to States, Territories, Tribes, and local governmental entities, as well as certain private nonprofit (PNP) organizations (hereinafter referred to as Applicants). FEMA's *Public Assistance Program and Policy Guide* (<http://www.fema.gov/public-assistance-policy-and-guidance>) provides comprehensive information regarding assistance that FEMA can provide and the requirements that Applicants must follow in order to receive the assistance. This Job Aid supersedes FEMA's *Public Assistance Alternative Procedures Pilot Program Validation of Subgrantee-Provided Cost Estimates Job Aid*, dated May 20, 2013. It provides uniform guidance to FEMA personnel on evaluating cost reasonableness for Federal funds expended by non-Federal entities, also referred to as Applicants in this guidance, under the PA Program in accordance with Title 2 Code of Federal Regulations (CFR) § 200.404, and for disasters declared prior to December 26, 2014, in accordance with 44 CFR part 13 and the Office of Management and Budget (OMB) Circular A-87. This Job Aid includes a checklist in Appendix A: *Validation of Applicant-Provided Cost Estimates*, which FEMA staff must use to review and validate cost estimates submitted to FEMA for Permanent Work.

### **Applicability**

This guidance applies to any assessment of cost reasonableness undertaken by FEMA for relevant work completed under a PA grant award or subaward. It provides general information to guide FEMA personnel in evaluating whether costs are reasonable including when necessary as the result of a financial review such as closeout or administrative appeals, Department of Homeland Security Office of the Inspector General (DHS OIG) audits, single audits under 2 CFR part 200, and Improper Payments Elimination and Recovery Act audits.

Cost eligibility is a basic component of PA Program eligibility, and in order for a cost to be considered allowable, it must be necessary and reasonable to accomplish the work properly and efficiently.<sup>1</sup> FEMA evaluates cost reasonableness for all projects. In addition, the determination of cost reasonableness is also instructive with regard to grant non-compliance enforcement remedies. Generally, FEMA considers an Applicant's force account labor, equipment, and materials costs as reasonable provided the costs are consistent with the entity's policies including, but not limited to, pay rates, labor policies, and cost schedules utilized during its normal operations. Contract costs are generally considered reasonable when the Applicant adheres to full and open competition under applicable Federal procurement under grant requirements, and the scope of services or work in the contract and level of effort is consistent with respect to the eligible scope of work. For these situations, FEMA staff are not required to perform a detailed cost reasonableness analysis.

---

<sup>1</sup> 2 CFR § 200.403

**Reasonable Costs – General Information**

**Definition<sup>2</sup>**

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.

**Factors to Consider in Determining Reasonable Costs<sup>3</sup>**

FEMA considers many factors in evaluating whether costs are reasonable, including:

Factor	Example
Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the Applicant or the proper and efficient performance of the Federal award	The appropriate skill level and/or level of effort to complete the required activity
The restraints or requirements imposed by such factors as: sound business practices; arm’s length bargaining; Federal, Tribal, State, local, and other laws and regulations; and terms and conditions of the Federal award	Whether the Applicant participated in ethical business practices, ensuring parties to a transaction are independent of each other, without familiar ties or shared interests and on equal footing without one party having control of the other
Market prices for comparable goods or services for the geographic area, particularly in the context of post-disaster conditions, which may cause shortages of skilled labor, building materials, and energy sources	When escalated costs are due to shortages, FEMA considers whether the Applicant’s work continued beyond the period of shortages and whether there was an opportunity for the Recipient/Subrecipient to obtain more reasonable pricing
Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the Applicant, its employees, its students or membership, the public at large, and the Federal Government	Were there emergency or exigent circumstances?
Whether the Applicant significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the Federal award’s cost	Did the Applicant comply with procurement requirements?

FEMA also considers project-specific complexities that may affect costs, such as: environmental or historic issues; remote access or location; provision of a unique service with few providers; and elements requiring an extraordinary level of effort.

<sup>2</sup> 2 CFR § 200.404; OMB Circular A-87

<sup>3</sup> Id.

### **Process to Determine Reasonable Costs**

In conducting a reasonable cost analysis, FEMA will perform a preliminary review of the documentation to assess the complexity of the project and expertise required to complete the analysis. If specialized expertise is required, FEMA will utilize a subject matter expert with the appropriate specialized skills, knowledge, experience, or capability in the appropriate field such as engineering, architecture, or cost estimating.

FEMA, in consultation with the subject matter experts as necessary, will then determine the appropriate methodology or methodologies to assess reasonable costs. This assessment will be based on several factors, such as the circumstances surrounding the event, availability of materials, project type, complexity, sole sourcing, best construction practices, codes and standards, and other relevant information available at the time of evaluation. This may require requesting additional information from the Applicant. If the Applicant does not provide supporting documentation, FEMA will inform the Applicant of the determination to deobligate funding or to deny obligation of funding, as applicable, and the Applicant may appeal the determination and provide necessary information at that time.

If the costs determined reasonable are lower than actual costs for the subaward, FEMA's Office of Chief Counsel (OCC) may also review the findings, where warranted. An example of where engagement with OCC may be necessary is determining if an Applicant's contract evaluation (resulting in award to higher bidder) was performed correctly. While PA costing specialists have the qualifications to determine reasonable costs, OCC has contracting and procurement qualifications and PA should engage OCC in such an evaluation whenever uncertain contract award selection questions arise.

FEMA will record the results of the reasonable cost analysis in the appropriate award file or Grants Management System.

### **Methodology to Determine Reasonable Costs**

The method(s) used to evaluate costs will depend on the type of project and the resources and information available. The first step in any evaluation of reasonable costs is to verify that all items of work included in the cost are eligible. If an item is not eligible based on the approved scope of work, FEMA will remove the associated cost from the estimate. FEMA will then notify the Recipient and Subrecipient accordingly if ineligible items have been removed. FEMA then evaluates whether costs for the approved scope of work are comparable to relevant current market prices for similar goods or services using the best information available for the project, which may include any of the following resources.

#### **1. Validation of Recipient or Subrecipient's Cost or Price Analysis**

Per 2 CFR § 200.323(a), non-State Applicants must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold, including contract modifications. The method and degree of analysis depends on the facts surrounding the particular procurement situation, but as a starting point, the non-State Applicant must make independent estimates before receiving bids or proposals. While State entities are not required by 2 CFR § 200.323(a) to conduct a cost or price analysis, it is advisable that they do so in completing their procurements.

*"FEMA's mission is helping people before, during, and after disasters."*

When an Applicant provides a cost or price analysis, FEMA will review the analysis as part of its evaluation of reasonable costs. For example, this may be useful in evaluating reasonableness when price competition is lacking or when the selection was non-compliant with the applicable procurement under grant requirements even though there may have been price competition.

If the Applicant does not submit a cost or price analysis (because not required to do one in the case of State entities, or because it did not do one as required in the case of non-State entities) and price competition was lacking or its selection was non-compliant with the applicable procurement under grant requirements, then FEMA should identify the elements that would otherwise have been a part of a cost or price analysis (for more information, see the detailed resources available from FEMA's Procurement Disaster Assistance Team here: <https://www.fema.gov/procurement-disaster-assistance-team>). FEMA may request that the Applicant provide this information in order to evaluate reasonable costs.

The cost or price analysis is one component of documentation that an Applicant may use to support that its costs are reasonable. FEMA may use the methodologies described below to evaluate costs both in conjunction with, and in the absence of, this information, as appropriate.

## **2. Historical Costs and Average Weighted Unit Prices**

FEMA may compare the Applicant's costs to the Applicant's historical costs for a similar scope of work or items. Where an Applicant procures the same or similar supplies or services over a period of time, an Applicant may be able to provide documentation of historical costs to demonstrate comparable costs, adjusted for inflation or other factors as necessary. Other factors may include, but are not limited to, changes in codes and standards, availability of in-kind construction material, quantity, delivery schedules, and the economy. This may not be a flat inflation rate, because some types of work may have a different inflation rate than others. There are tools available to account for differences in inflation rates. FEMA's Cost Estimating Format (CEF) employs a nationally recognized economic inflation factor. An Applicant may provide previous contracts, invoices, or other documentation to demonstrate that its current costs are comparable to historical costs for similar supplies or services.

FEMA may also use weighted average unit pricing and related specifications from the Applicant or the Applicant's respective State or regional agency, such as the Department of Transportation. Average weighted unit prices are comprised of historical bid tabulation average costs and related specifications from competitive bid pricing solicitations respective to the area. These prices are generally inclusive of all factors required to bid public works projects, such as performance bonds, bid bonds, overhead and profit, and general conditions.

## **3. Published Unit Costs: Industry Standard Information Resources**

There are many circumstances where it is appropriate and necessary to use published unit costs to evaluate the reasonableness of a project's costs. For example, where appropriate local data cannot be developed or obtained, industry standard construction cost estimating resources are the recommended sources of information for preparing an estimate against which to evaluate an Applicant's actual costs. This is due to their wide acceptance in the industry and the availability of data for nationwide use. Examples of such sources are RSMeans, BNi Costbooks, Marshall and Swift, and Sweet's Unit Cost Guide. Depending on the complexity of the project, FEMA will utilize an experienced cost estimator or

*"FEMA's mission is helping people before, during, and after disasters."*

other subject matter expert with appropriate technical experience and validate costs using RSMeans (or other cost estimating resources as appropriate) and FEMA's CEF.

A reviewer using this method must ensure that the current cost data publications for the project at issue are used, and if necessary, confirm that the appropriate locality adjustment factor from the cost estimating publication is used.

While industry standard construction cost estimating resources are recommended for use, these publications may not always provide work items that are appropriate or applicable to the construction activities required to complete the project. When industry standard cost data is not appropriate, other sources should be considered, such as local cost data from Other Federal Agencies or other State agencies responsible for construction of similar facilities in or near the locality.

#### **4. Comparable Costs of Other Applicants**

FEMA may also compare the Applicant's costs with a different Applicant with a properly procured contract for a project with a similar scope of work in the same geographic area under similar circumstances. Factors to consider here are: events and a scope of work of comparable magnitude; contracts of a similar nature; and any applicable market factors and/or any other unique circumstances that may impact either of the costs respectively.

#### **5. FEMA Cost Codes**

FEMA maintains a national unit price listing called cost codes and periodically adjusts this listing to conform with geographical and disaster-specific needs. FEMA cost codes may be used when a cost is not found in other published unit costs or if the cost codes are otherwise more applicable than other published costs. FEMA cost codes may be useful for determining reasonableness of force account costs. If using this methodology, a reviewer must check the date of the cost codes to ensure they are applicable to the project at issue. This needs to be considered for both regional and national cost codes, as appropriate.

#### **6. Use of Least-Cost Alternative, or Low Bid**

There may be situations where use of the least-cost alternative, or the low bid, is the appropriate remedy when establishing a reasonable cost for procurements that do not comply with federal grant requirements. However, this determination requires an analysis to understand the context surrounding the project and if there are any extenuating circumstances or mitigating factors demonstrating why the least cost alternative may not be appropriate.

For example, when it is necessary to conduct a reasonable cost analysis for Applicant A's debris removal operation, and Applicant B located in the same or nearby geographic area has a properly procured contract for a similar scope of work, FEMA may compare the projects and associated costs. Applicant B has lower costs for a similar scope of work. Using the least cost alternative option in this situation would be to determine that Applicant B's lower costs are the only reasonable costs and to apply those to Applicant A's project. While this may ultimately be the correct remedy, this determination is premature without evaluating whether Applicant A is able to justify its higher costs. For example, Applicant A may be able to demonstrate mitigating factors affecting costs such as the economy of scale of the project (i.e.,

Applicant B's project was similar but larger and therefore costs were negotiated at a lower rate), or longer haul routes in Applicant A's geographic area due to different damage impacts or landfill locations.

When a necessary reasonable cost analysis has been conducted and costs appear high for a project, there are several possible scenarios to determine reasonableness. For example, if an Applicant is able to provide a justification for the increased costs, FEMA employs experts and/or seeks out expert assistance from professionals familiar with evaluating applicable factors to determine whether the higher costs are reasonable based on the Applicant's justification.

Another example is when an Applicant cannot substantiate why a higher bidder was selected based on its selection criteria set forth in its Request for Proposal. In this circumstance if an Applicant's lowest responsible bidder has an appropriate scope of work, the low bid will establish the reasonable costs. However, the determination to use the low bid should be based on an Applicant's ability to demonstrate the reasonableness of its costs based on the circumstances.

## **References**

FEMA has developed comprehensive instructional aids and guidance in this area. See the following resources for additional information about reasonable costs.

- [CEF for Large Projects Instructional Guide V2.1 \(September 2009\)](#)
- [Pricing Guide for Recipients and Subrecipients Under the Uniform Rules \(2 CFR Pt. 200\), dated May 1, 2016](#)

## Appendix A

### Validation of Applicant-Provided Cost Estimates

This Appendix provides a checklist that FEMA staff must use to review and validate cost estimates submitted to FEMA for Permanent Work. FEMA staff may also use relevant portions of this checklist for Emergency Work, if necessary. FEMA will include this checklist in the associated subaward file in Grants Manager and EMMIE.

The steps for validating Applicant-provided cost estimates are as follows:

#### 1. Verify that the estimate:

- Is prepared by a licensed Professional Engineer or other estimating professional, such as a licensed architect or certified professional cost estimator<sup>4</sup> who certifies that the estimate was prepared in accordance with industry standards.
- Includes certification that the estimated cost directly corresponds to the repair of the agreed upon damage.
- Is based on unit costs for each component of the SOW and not a lump sum amount.
- Contains a level of detail sufficient for FEMA to validate that all components correspond with the agreed-upon SOW.

#### 2. Review the scope of work and cost estimate to verify that only eligible items are included.

- The scope of work items in the cost estimate are required based on the agreed-upon damage description and dimensions.
- The scope of work included ineligible items, and FEMA has removed the ineligible components from the estimate (documentation detailing the components removed and reason for removal is attached).
- The scope of work included ineligible items, and FEMA is returning the estimate to the Applicant to revise.

#### 3. Determine whether unit costs are from an approved source of industry standard information and whether current cost data publications were used.

There are numerous sources that may be used in the preparation of cost estimates.

- The Applicant used the following appropriate cost estimating resource(s):
  - Industry standard construction cost estimating resource
    - RSMeans
    - XActimate
    - BNi Costbooks

---

<sup>4</sup> In lieu of a license or certification, an individual with professional experience and proficiency in the field of cost estimating may prepare and sign the cost estimate.

- Marshall & Swift
- Sweet's Unit Cost Guide
- Other \_\_\_\_\_
- Local cost data from \_\_\_\_\_
- Contract unit costs from recently completed projects
- Other: \_\_\_\_\_
- FEMA returned the estimate to the Applicant to revise as the Applicant did not use an appropriate cost estimate resource.

**4. Determine the components of unit costs.**

Ensure that the components that make up the unit costs are fully understood. The purpose of this review is to ensure that components of the unit costs are not duplicated elsewhere in the cost estimate.

- The estimate contained sufficient information related to the components of the unit costs:
  - Each unit cost represented a complete and in-place cost that included all labor, equipment, materials, small tools, incidentals, and hauling costs necessary to complete that element of work.
  - Unit costs were analyzed to determine if general contractor overhead and profit were included in the unit costs:
    - Both general contractor and subcontractor overhead and profit are included in the unit costs and these costs are not duplicated elsewhere in the estimate or in the CEF.
    - Overhead and profit are not included in the unit costs.
    - Overhead and profit are duplicated in the estimate.
    - Costs for surveying, construction inspection, and permit compliance fees are not duplicated (i.e., not included within a unit cost and separately in the estimate).
- The estimate did not contain sufficient information related to the components of the unit costs. FEMA requested additional information from the Applicant.

**5. Validate the cost estimate for completeness and reasonableness.**

- The cost of work items are reasonable based on a representative sample.
- FEMA has determined costs for items of work in the estimate to be unreasonable (see attached). Therefore, the estimate was returned to Applicant to revise.
- All items of work included in the cost estimate are eligible.
- FEMA has removed ineligible items of work from the cost estimate (see attached).
- All work activities required to complete the work are quantified with unit costs.
- The cost estimate included lump sum amounts for work activities that need to be adjusted to unit prices. FEMA has returned the estimate to the Applicant for revision.
- The appropriate locality adjustment factor from the cost estimating publication is used for each

line item, as applicable. Where historical costs were used, a locality adjustment was not applied, but cost escalation factors were added.

- The appropriate locality adjustment factor from the cost estimating publication was not used (see attached) or, as historical costs were used, a locality adjustment was inappropriately applied.
- Cost items checked are within 10 percent of the local average weighted unit prices or industry standard construction cost data (based on a review of at least six of the ten largest cost items against local average weighted unit prices or industry standard construction cost data (or there were less than ten cost items and all were reviewed) and based on reviewing at least 25 percent of the remaining cost items against local average weighted unit prices or industry standard construction cost data.
- Cost items checked are not within 10 percent of the local average weighted unit prices or industry standard construction cost data; therefore, the estimate was returned to Applicant to revise.

Date Review Completed \_\_\_\_\_

Date of Information Requests to Applicant \_\_\_\_\_

Name of Reviewer \_\_\_\_\_

Reviewer Signature \_\_\_\_\_