



Homeland Security
and Emergency Services



FEMA

DR 4480-NY Coronavirus (COVID-19) Pandemic: Public Assistance Programmatic Deadlines

FEMA Policy #104-22-0002

https://www.fema.gov/sites/default/files/documents/fema_COVID-19-public-assistance-programmatic-deadlines-policy.pdf

September 19, 2022

Background

- Due to the unique and protracted nature of the COVID-19 pandemic, FEMA issued guidance establishing important programmatic deadlines specifically for COVID-19 declarations under the Public Assistance (PA) Program.
- Except where stated specifically in this and other COVID-19 specific policies, PA is subject to the requirements of Version 3.1 of the Public Assistance Program and Policy Guide (PAPPG V.3.1).
- At this time, the Incident Period for DR-4480 remains open.

Purpose

The COVID-19 Programmatic Deadline Policy establishes:

- The deadline for submitting Requests for Public Assistance (RPAs): July 1, 2022.
- The period for which FEMA will reimburse 100% of eligible costs: January 20, 2020 through July 1, 2022.
- The period for which FEMA will reimburse 90% of eligible costs: July 2, 2022 through Project Completion Date (TBD).
- The deadline for submitting projects eligible for 100% federal share.
- Deadlines for submitting projects for closeout.

Applicants are required to submit separate projects for the 100% cost share period and the 90% cost share period for Category B Work spanning both cost share periods.

Purpose

The COVID-19 Programmatic Deadline Policy also reiterates FEMA's position that:

- Applicants must comply with non-discrimination and equity requirements.
- Overlapping sources of funds will not be considered a duplication of benefits for COVID-19 declarations unless they are paying for the exact same cost item as PA funding...in which case the applicant must notify DHSES and FEMA and the PA funding will be reduced.

Request for Public Assistance (RPA) Deadline



Request for Public Assistance (RPA) Deadline

- The RPA is the Applicant's first step in applying for PA funding.
- Approval of an RPA signifies that FEMA has determined the Applicant may be eligible for PA funding.
- After the Applicant's RPA is approved, it must submit Streamlined Project Applications (SPAs) for work and costs related to the COVID-19 response in order to receive funding.
- The deadline to submit RPAs for COVID-19 declarations expired on **July 1, 2022**.
- FEMA has limited authority to consider late RPA submissions for extenuating circumstances beyond the Recipient's or Applicant's control.

Streamlined Project Application (SPA) Deadline



Deadline to Submit Streamlined Project Applications (SPAs)

- For COVID-19 declarations, FEMA is utilizing the Streamlined Project Application (SPA) in lieu of the typical Damage Inventory list to identify and report COVID-19 activities. Therefore, the deadline to identify and report damage is the same as the Project Application deadline for COVID-19 declarations.
- For all Cat B work performed **through July 1, 2022**, SPAs must be submitted to FEMA on or before **December 31, 2022**. DHSES strongly recommends that applicants submit these SPAs in Grants Portal no later than **October 31, 2022** so staff can help applicants ensure the project has appropriate supporting documentation.
- For Cat B work performed after July 1, 2022, no deadline for SPA submission has been established yet, but DHSES strongly recommends that applicants develop these projects as soon as they are aware that they will be incurring such costs.

Deadline For Work Performed Through July 1, 2022

- In order to ensure timely submission of properly documented SPAs to FEMA, **Applicants should submit their SPAs in Grants Portal for Recipient Project Review no later than October 31, 2022. Sooner is better.**
- SPAs must be sufficiently documented in Grants Portal for FEMA eligibility review by December 31, 2022. Having the SPA in Grants Portal by October 31, 2022 gives DHSES staff an opportunity to help applicants identify any potential documentation issues before the December deadline.
- For purposes of the December 31, 2022 deadline, SPAs are deemed “submitted” when they reach the **“PDMG Application Review”** process step in Grants Portal.

Deadline For Amending Expedited Projects

- Applicants who have Expedited Projects obligated must amend those projects by **December 31, 2022** by submitting an SPA as an amendment to define all work activities through July 1, 2022, along with an updated cost estimate.
- If the Expedited Project included a timeframe beyond July 1, 2022, and funding is still justifiably needed, FEMA will work with the Applicant to ensure continuance of expedited funding.



SPA Deadline – Time Extensions

- FEMA may extend the deadline **when the request is justified based on extenuating circumstances beyond the Recipient's or Applicant's control.**
- The following are examples of circumstances that may justify a time extension:
 - If an Applicant's RPA was not approved by October 2022.
 - When the respective Applicant has insufficient personnel due to active incident response activities on non-COVID-19 declarations.
 - When the respective Applicant has an overwhelming quantity of Project Applications for which the deadline applies.

SPA Deadline For Work Performed On Or After July 2, 2022

- Applicants must submit separate SPAs to FEMA for Cat B work performed on or after July 2, 2022.
- FEMA has not established a deadline for identifying and reporting emergency work activities performed on or after July 2, 2022. FEMA will notify Applicants no less than 30 days prior to establishing such a deadline.
- Applicants are encouraged to enter their SPAs for work performed on or after July 2, 2022 as soon as they are aware of having incurred such costs.

Deadlines for RPA and Project Submission

Type	Deadline for Applicant to submit in Grants Portal	Deadline for submission to FEMA
Request for Public Assistance (RPA)	July 1, 2022	July 1, 2022
Projects for Cat B work performed from January 20, 2020 through July 1, 2022	October 31, 2022	December 31, 2022
Amendments to Expedited Projects for Cat B work performed from January 20, 2020 through July 1, 2022	October 31, 2022	December 31, 2022
Projects for Cat B work performed after July 1, 2022	TBD	TBD
Project for Cat Z Management Costs incurred from January 20, 2020 through 180 days after last Cat B work completion date or deadline (whichever is sooner)	Varies by Applicant	Varies by Applicant



Cost Share Considerations

Cost Share Considerations – 100% funding

The table below outlines how FEMA determines whether specific costs are considered eligible under the 100% cost share period:

Cost Type	FEMA application of 100% cost share
Employee Labor	Costs for hours worked through July 1, 2022
Purchased Supplies	Costs to purchase supplies used through July 1, 2022. FEMA only provides PA funding for the purchase of supplies projected to be used in the next 60 days. Any supplies purchased for a 60-day timeframe are eligible for 100% federal funding only if the items were used or distributed for use by July 1, 2022.
Purchased Equipment	Costs to purchase equipment that the Applicant used by July 1, 2022, and the cost for usage through July 1, 2022
Leased Equipment and Facilities	Lease costs prior to July 2, 2022. FEMA may calculate the cost based on a proration of time (e.g., if a facility is leased for six months and the 100% federal cost share expired 45 days after the start of the lease, FEMA applies the increased federal cost share to the cost to lease the facility for 45 days). FEMA only provides funding for storage that is necessary to store 60 days of PPE and other necessary supplies
Contract Costs	Costs for work performed prior to July 2, 2022. If costs cannot be distinguished by date performed, FEMA may prorate costs based on the percentage of work performed prior to the deadline versus the percentage of work remaining. However, to the greatest extent possible, Applicants should work with contractors to delineate dates associated with work.

Cost Share Considerations – 90% funding

- FEMA will apply the 90% federal cost share to funding for all eligible costs for work performed and items used on or after July 2, 2022. This includes supplies purchased but not used or distributed for use until on or after July 2, 2022
- The Applicant must delineate costs for work performed and items used prior to July 2, 2022, from costs for work performed and items used on or after July 2, 2022.
- Applicants may use donated resources to offset the non-federal share of its eligible Projects. Even if the Applicant used donated resources prior to July 2, 2022, it may use the value of those donated resources to offset the 10% local cost share for eligible work performed on or after July 2, 2022.

Project Completion Certification (P-4) and Closeout



The Significance of Project Closeout Deadlines

- Timely completion of the project and submission of the project to FEMA for closeout is a condition of the grant.
- Failure to comply may result in *deobligation* of the project and require the Applicant to *return any funding received* on the project to DHSES.
- DHSES is required to return deobligated funding to FEMA.

Terminology

Project Completion Certification (P-4) Form: FEMA form generated and provided to an Applicant when a project is obligated. Applicants complete and sign the P-4 Form and return it to the Disaster Assistance Manager as soon as the project is complete.

Projected Completion Date: the date you anticipate completing the physical work on your project (does not include gathering documentation for closeout).

Actual Completion Date: The date you actually complete the physical work on your project (does not include gathering documentation for closeout). Report this date on your P-4 Form to when you certify project completion.

Period of Performance (POP): Approved deadline for completing work on your project. All eligible costs for your project must be incurred by the POP date.

Closeout Deadlines: There is a deadline for the applicant to submit all supporting documentation to DHSES to close a project. There is a separate deadline for DHSES to forward that documentation with its recommendation to FEMA.

Certification and Closeout Deadlines

Applicants submit closeouts to DHSES. DHSES staff review the submissions and develop our recommendations for submission to FEMA.

For all Cat B Projects – Large and Small:

- Applicant completes, signs and submits the P-4 Form to the Disaster Assistance Manager (DAM) within 7 days after completing the project. This triggers the DHSES closeout review process.
- Applicant provides all required backup documentation to support the project closeout to DHSES within 90 days of the project's Actual Completion Date or Obligation Date, whichever is later.
- DHSES reviews the project closeout documentation and submits its recommendation to FEMA within 180 days of the project's Actual Completion Date or Obligation Date, whichever is later.



Certification and Closeout Deadlines

Time Extensions

FEMA may extend project closeout deadlines when the request is justified based on extenuating circumstances beyond the Recipient's or Subrecipient's control. Examples include:

- Projects with open and active correspondence pending that is related to the scope or cost of the Project.
- When the respective Subrecipient or Recipient has insufficient personnel available to process Project closeout and documentation reviews due to active incident response activities.
- When the respective Subrecipient or Recipient has a significant amount of Project closeouts due simultaneously.

Management Costs (Cat Z Projects)



Management Cost - Deadlines

Recipients and Subrecipients may claim management costs incurred up to 180 days after either the Actual Completion Date or the approved Period of Performance for the Applicant's last Category B Project, whichever is sooner.

FEMA may extend deadlines up to two years from the end of the incident period, not to exceed the deadline for the prime award period of performance. The following are examples of extenuating circumstances that may justify a time extension:

- When the respective Subrecipient or Recipient has Projects with open and active correspondence pending that is related to the scope or cost of the Project;
- When the respective Subrecipient or Recipient has insufficient personnel available to process Project closeout and documentation reviews due to active incident response activities; or
- When the respective Subrecipient or Recipient has a significant number of open Projects.

The New \$1,000,000 Large Project Threshold



\$1M Large Project Threshold

- FEMA has increased the Large Project Threshold to one million dollars (\$1,000,000).
- This increased threshold applies to projects **where no funding has been obligated as of August 3, 2022 in any federal disaster declared on or after March 13, 2020.**
- If a project has already been obligated as a large or small project under the prior threshold, it will maintain its designation as a large or small project.
- FEMA held webinars on this threshold change last week. You can find a recording of that presentation on YouTube by searching for “Amendment to the public Assistance Large Project Threshold”. FEMA will also be posting the video and slides in the Resources section of Grants Portal.
- For the present, DHSES will continue to pay applicants the federal share on small projects at obligation, consistent with past practice. However, the change in threshold may present a change in the risk associated with applicants who do not successfully complete a small project. DHSES will monitor this risk and evaluate whether modification to our small project payment process may be warranted.



Questions?

