

AFTER A DISASTER, WHAT PNPS NEED TO KNOW ABOUT . . .

GETTING HELP

Emergencies and/or disasters can devastate communities and those businesses, organizations and infrastructures that support them. When disaster damages exceed specific thresholds, the President may declare the event an emergency and/or major disaster. This declaration opens the door to Federal assistance for response and recovery measures, including those that help **PNP entities providing critical or essential governmental – type services** impacted by a disaster.



Assistance may be available through several Federal programs. This brochure focuses on the **assistance available** through the **FEMA PA Program**.

PA is provided through a grant to the State (Recipient), administered by the Florida Division of Emergency Management (FDEM) and **subgranted to eligible Applicants** for eligible work as defined under the PA Program.

If you are a PNP providing critical or essential governmental-type services, and your organization incurred damages as a result of a **Presidentially Declared disaster**, FDEM encourages you to **apply for assistance** through the FEMA PA Program.

APPLICATION PROCESS

To be considered for assistance, your organization must **submit** a Request for Public Assistance (**RPA**) to FEMA through FDEM:

- **All PNP Applicants**
 - » PNP Facility Questionnaire (FEMA Form 90-121) available at www.fema.gov/medialibrary/assets/documents/10579.
 - » A current 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 it is a non-revenue producing, nonprofit entity organized or doing business under State law
 - » If the Applicant owns the facility, **proof of ownership**
 - » If the Applicant leases the facility, **proof of legal responsibility** to repair the incident-related damage
 - » List of **services provided** in the facility and when and to whom
- **Membership Organization**
 - » Who is allowed membership
 - » What fees are charged
 - » Policy regarding waiving memberships
- **Education/School**
 - » Proof that the school is **accredited** or **recognized** by the Florida Department of Education
- **Child Care Facility**
 - » Proof that the Florida Department of Children and Family Services, Florida Department of Human Services, or similar agency, recognizes it as a **licensed** child care facility
- **Mixed-Use Facility**
 - » Proof of the established **purpose of the facility** with documentation such as:
 - ◇ Pre-disaster charter, bylaws, and amendments
 - ◇ Calendar of activities



An RPA must be submitted to FEMA within **30 days** after **Presidential-declaration designation** of the area where the damage occurred, unless extended.

PNP ELIGIBILITY

To be eligible for PA funding, a PNP must meet the following requirements:

- Must own or operate facilities that are open to the general public, and that provide critical or essential governmental-type services.
- Be a tax-exempt nonprofit. Documentation to support your tax-exempt status must include an Effective Ruling Letter from the Internal Revenue Service (IRS) granting tax-exemption under 501(c), (d) or (e) of the Internal Revenue Code of 1954. [44 CFR 206.221(f)(1)] OR provide documentation from the State that your organization is non-revenue-producing or a nonprofit entity organized or doing business under State law. [44 CFR 206.221(f)]

CRITICAL ELIGIBLE SERVICES

Critical services PNPs provide the following services essential to a community's viability. [44 CFR 206.221(e)]

EDUCATION

- **Primary** or **secondary** education as determined under State law and provided in a **day** or **residential** school, including **parochial schools**, OR
- **Higher-education** institutions that meet all of the following criteria:
 - » Admit students or persons having a high school diploma or equivalent;
 - » Are legally authorized to provide education beyond a secondary level;
 - » Award a bachelor's degree or a 2-year degree that is acceptable as full credit toward a bachelor's degree or provides at least a 1-year training program to prepare students for gainful employment in a recognized occupation; and
 - » Are accredited by a nationally recognized agency or association (as determined by the Secretary of Education).
- Educational facilities that meet the above criteria are eligible without regard to their **religious character** or use for **religious instruction**

UTILITY

- Communications transmission and switching, and distribution of telecommunications traffic
- Electric power generation, transmission, and distribution.
- Irrigation to provide water for drinking water supply, fire suppression, or electricity generation
- Sewer and wastewater collection, transmission, and treatment
- Water treatment, transmission, and distribution by a water company supplying municipal water

MEDICAL

- Emergency medical care (diagnosis or treatment of mental or physical injury or disease) provided in:
 - » Clinics
 - » Facilities that provide in-patient care for convalescent or chronic disease patients
 - » Hospices and nursing homes
 - » Hospitals and related facilities, including:
 - ◊ Central service facilities operated in connection with hospitals
 - ◊ Extended-care facilities
 - ◊ Facilities related to programs for home-health services
 - ◊ Laboratories
 - ◊ Self-care units
 - ◊ Storage, administration, and record areas
 - » Long-term care facilities
 - » Outpatient facilities
 - » Rehabilitation centers that provide medical care

EMERGENCY SERVICES

- Ambulance
- Fire protection
- Rescue

**Administrative and support buildings essential to the operation of PNP critical services are eligible facilities.*

ELIGIBLE EMERGENCY + PERMANENT WORK CATEGORIES

A	Debris Removal
B	Emergency Protective Measures
C	Roads + Bridges
D	Water Control Facilities
E	Buildings + Contents + Equipment
F	Utilities
G	Parks + Recreational + other

NON-CRITICAL - OTHER ESSENTIAL ELIGIBLE SERVICES

Non-critical PNPs provide other essential governmental – type services to the community. [44 CFR 206.221(e)(7)]

Community centers established and primarily used for the purpose of offering the following services (or similar) to the **community at large**:

- Art services authorized by a State, Territorial, Tribal, or local government, including, but not limited to:
 - » Arts administration
 - » Art classes
 - » Management of public arts festivals
 - » Performing arts classes
- Educational enrichment activities that are not vocational, academic, or professional training; examples include **hobby** or **at-home** pursuits, such as:
 - » Car care
 - » Ceramics
 - » Gardening
 - » Personal financial and tax planning
 - » Sewing
 - » Stamp and coin collecting
- Multi-purpose arts programming
- Senior citizen projects, rehabilitation programs, community clean-up projects, blood drives, local government meetings, and similar activities
- Services and activities intended to serve a specific **group of individuals** (e.g., women, African Americans, or teenagers) provided the facility is otherwise available to the public on a **non-discriminatory** basis
- Social activities to pursue items of mutual interest or concern, such as:
 - » Community board meetings
 - » Neighborhood barbecues
 - » Various social functions of community groups
 - » Youth and senior citizen group meetings
- Youth and senior citizen group meetings
- Activities of community centers that serve the **general public**

Facilities that **do not** provide **medical care**, but do provide:

- Alcohol and drug treatment
- Assisted living
- Custodial care, even if the **facility is not open** to the general public (including essential administration and support facilities)
- Rehabilitation
- Child care
- Day care for individuals with **disabilities** or access and functional needs (for example, those with Alzheimer's disease, autism, muscular dystrophy)
- Food assistance programs
- Health and safety services
- Homeless shelters
- Houses of worship

- Libraries
- Low-income housing (as defined by Federal, State, Territorial, Tribal, or local law or regulation)
- Museums:
 - » Constructed, manufactured, or converted with a primary purpose of **preserving** and **exhibiting** a documented collection of artistic, historic, scientific, or other objects
 - » Buildings, associated facilities, fixed facilities, and equipment primarily used for the preservation or exhibition of the collection, including:
 - ◊ Permanent infrastructure, such as walkways and driveways of outdoor **museum-type** exhibition areas
 - ◊ **Historic buildings**, such as barns and other outbuildings, intended for the preservation and exhibition of historical artifacts within a defined area
 - ◊ Permanent facilities and equipment that are part of **arboretums** and **botanical gardens**
 - ◊ Infrastructure, such as utilities, and administrative facilities necessary for support
 - » The grounds at museums and historic sites are **not eligible**.
 - » Open natural areas/features or entities that promote the preservation/conservation of such areas are **not eligible**.
- Residential and other services for battered spouses
- Residential services for individuals with disabilities
- Senior citizen centers
- Shelter workshops that create products using the skills of individuals with disabilities
- Zoos
- Performing arts centers with a primary purpose of producing, facilitating, or presenting **live performances**, including:
 - » Construction of production materials
 - » Creation of artistic works or productions
 - » Design
 - » Professional training
 - » Public education
 - » Rehearsals
- Public **broadcasting** that monitors, receives, and distributes communication from the Emergency Alert System

**With the exception of custodial care facilities and museums, administrative and support buildings essential to the operation of PNP non-critical services are NOT eligible facilities.*

COST

WORK

APPLICANT, FACILITY, SERVICES

To be eligible, a PNP must own or operate a facility that provides an eligible service.

	Tax-exempt	Non-Profit	Generally Open to the Public	Immediately Eligible for Emergency Work	Immediately Eligible for Permanent Work	Must Apply First to SBA to be Considered for FEMA PA Permanent Work Funding	50+% of Functional Space OR Time Used for Eligible Activities
Critical Services PNP							
Non-critical Services PNP							

PNP INELIGIBLE SERVICES

COMMUNITY CENTER SERVICES

- **Training individuals** to pursue the same activities as full-time paying careers (for example, vocational, academic, or professional training)
- Meetings or activities for only a brief period, or at **irregular** intervals

EDUCATION

- Athletic, vocational, academic training, or similar activities
- Political education

OTHER COMMUNITY SERVICES

- Advocacy or lobbying groups **not directly** providing health services
- Cemeteries
- Conferences
- Day care services **not included** in previous table of eligible services
- Irrigation solely for agricultural purposes [44 CFR 206.221(e)(3)]
- Job counseling
- **Property owner** associations with facilities such as roads and recreational facilities (except those facilities that could be classified as utilities or emergency facilities)
- **Public housing**, other than low-income housing
- Recreation
- **Parking** not in direct support of eligible facility

REMEMBER, FEMA PA IS A **REIMBURSEMENT PROGRAM**.

ALL PNP GRANTS ARE **REDUCED** BY INSURANCE PROCEEDS
+ **MAY BE REDUCED** BY OTHER GRANTS RECEIVED.

IF YOU ARE A **NON-CRITICAL PNP**, YOUR FEMA PA GRANT AMOUNT IS
ADJUSTED IN ACCORDANCE WITH THE TERMS OF YOUR SBA LOAN.

RELATIONSHIP OF PNPS + SBA

CRITICAL SERVICES PNPS

Critical services PNPs do **NOT** have to apply to SBA for loans to be **eligible** for FEMA PA.

FACILITY USAGE ANALYSIS

When a request is made for PA funding, damages to the facility are considered as follows:

MIXED-USE FACILITY

- Provide **both** eligible and ineligible services.
- More than **50%** of facility functional space must be **dedicated** to eligible uses for the facility to be eligible for assistance.
 - » If the eligible space meets the **50%** threshold, PA funding is in **direct proportion** to the percentage of space dedicated to eligible use.
 - » Common spaces (lobbies, rest rooms, closets, elevators, stairs, hallways, etc.) are not included in calculating the proportion of eligible use.
 - » Repairs must be made to the **entire facility**. The balance of costs to repair damages or replace a facility are **not funded** by FEMA.
- When space is not dedicated to specific activities, or is used for eligible and ineligible purposes, primary use is determined by the **amount of time** used for eligible services.
- Eligible PNP irrigation and broadcasting facilities are **exempt** from primary use requirements.

MULTIPLE FACILITIES OR SINGLE FACILITY WITH MULTIPLE BUILDINGS

- Each building evaluated **independently**, even if all are located on the same grounds.
- Buildings part of a **complex** that includes outdoor facilities are not evaluated separately from the rest of the complex.

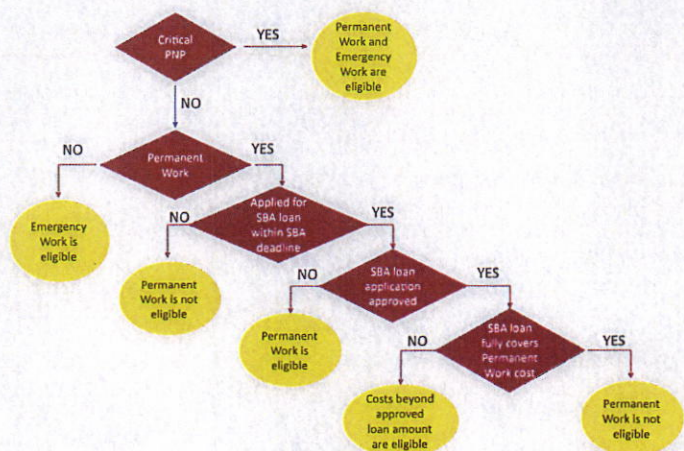
NON-CRITICAL – OTHER ESSENTIAL SERVICES PNPS

To be considered for FEMA PA, non-critical PNP facilities requesting reimbursement for Permanent Work costs **MUST** first apply for a disaster loan from the **SBA**. [To learn more, visit SBA.gov/loanprograms]

If your PNP is **denied** a loan through SBA **OR** if the loan and/or other funding resources do not fully cover eligible damages, your **PNP is eligible** for assistance through the FEMA PA Program.

You should **apply to both SBA and FEMA concurrently** to ensure you meet all deadlines for applications to both programs.

SBA LOAN OUTCOMES



IT IS YOUR RESPONSIBILITY TO KNOW + UNDERSTAND + COMPLY WITH ALL APPLICABLE FEDERAL LAWS.

PROCUREMENT

Procurement is the process of **acquiring** (buying, purchasing, renting/leasing or otherwise obtaining) goods and services. Procurement transactions **must** comply with the following Federal Standards:

- Provide full and open **competition**; [2 CFR 200.319(a)]
- Conduct all necessary affirmative steps to ensure the use of minority businesses, women's business enterprises, and labor surplus area firms when possible; [2 CFR 200.321]
- Exclude contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals from competing for such procurements to ensure **objective** contractor performance and eliminate **unfair** competitive advantage; [2 CFR 200.319(a)]
- Maintain **written** standards of conduct covering conflicts of interest and governing the performance of employees who engage in the selection, award, and administration of contracts; and [2 CFR 200.318(c)(1)]
- Maintain records **sufficient** enough to detail the history of the procurement. These records will include, but are not limited to:
 - » Rationale for the method of procurement;
 - » Selection of contract type;
 - » Contractor selection or rejection;
 - » The basis for the contract price. [2 CFR 200.318(i)]

There are five (5) methods of procurement accepted by FEMA:

- Micro-purchases;
- Small purchase procedure;
- Sealed bid (formal advertising);
- Competitive proposal; and [2 CFR 200.320]
- Non-competitive proposals in limited situations. [2 CFR 200.320(f)]

There may also be State and local rules that apply. It is **YOUR** responsibility to comply with all that apply.

IMPORTANT TO KNOW . . .

- In the event of a Presidentially Declared disaster, FDEM conducts **Applicant Briefings** + coordinates **Recovery Scoping Meetings** that provide an overview of the FEMA PA Program.
- Important deadlines:
 - » The deadline for submitting an RPA is **30** days after a Presidential declaration designation is made.
 - » You have **60** days from the Recovery Scoping Meeting to identify + report damages.

- Prepare a list of sites **damaged** + mark them on a county road or city map.
- Gather **copies** of insurance policies + other important documents on damaged structures.
- Before + after **pictures** are important to support damage assessments.
- Be prepared to share information about **historic structures** that might be damaged + projects that may have a potential impact on the environment.
- Those applying for FEMA PA funding should be aware that there is a non-Federal or local cost share up to **25%** of eligible project costs. There are exceptions. Certain circumstances the local cost share may be **10%** or even **0%**.
- FEMA PA is a cost reimbursement program. FDEM reimburses funds to a Subrecipient – now an Applicant – in accordance with its procedures. Timelines for **payment vary** depending upon a variety of circumstances.
- Anyone may obtain information about the FEMA PA Program at *fema.gov*. Once on the FEMA web page, click on Navigation. Then, search Public Assistance.

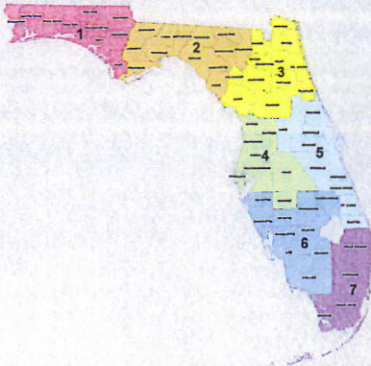
THINGS TO REMEMBER

- **Houses of Worship (HOWs)** owned or operated by PNP organizations are **now eligible** Applicants for financial assistance through FEMA's PA Program if:
 - » Their facilities suffered damage from an emergency or a major disaster declared on or after **August 23, 2017**; or
 - » They had applications pending with FEMA for damage suffered in an emergency or major disaster declared prior to August 23, 2017, that as of **January 1, 2018**, have not been resolved.
- As a PNP, you could **donate resources** (equipment, supplies, materials, or labor) to assist with response activities and enable other Applicants to use the value of your donated resources to **offset** their non-Federal share of eligible Emergency Work projects and Direct Federal Assistance (DFA). [44 CFR 206.208; 2 CFR 200.434]

ACRONYMS

CFR	Code of Federal Regulations
DCFS	Florida Department of Children and Family Services
FLDOE	Florida Department of Education
FEMA	Federal Emergency Management Agency
FDEM	Florida Division of Emergency Management
IRS	Internal Revenue Service
PA	Public Assistance
PNP	Private nonprofit
RPA	Request for Public Assistance
SBA	Small Business Administration

REGIONAL MAP



REFERENCES

2 CFR 200

[ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)

44 CFR

[ecfr.gov/cgi-bin/text-idx?SID=55b626c34d6c81858c72b0fddaaeff48&mc=true&tpl=/ecfrbrowse/Title44/44chapter1.tpl](https://www.ecfr.gov/cgi-bin/text-idx?SID=55b626c34d6c81858c72b0fddaaeff48&mc=true&tpl=/ecfrbrowse/Title44/44chapter1.tpl)

FDEM - Recovery Publications

<https://www.FloridaDisaster.org/dem/library/recovery-publicationsandguides/>

Internal Revenue Code of 1954

[law.cornell.edu/uscode/text/26](http://www.law.cornell.edu/uscode/text/26)

Florida Public Assistance website (FLPA)

FloridaPA.org

Florida Revised Statute (FRS)

<http://www.leg.state.fl.us/statutes/>

U.S. Small Business Administration

SBA.gov

Public Assistance Program and Policy Guide (PAPPG) - April 2018

https://www.fema.gov/media-library-data/1525468328389-4a038bbe9081cd7dfe7538e7751aa9c/PAPPG_3.1_508_FINAL_5-4-2018.pdf

Stafford Act - February 2018

<https://www.fema.gov/media-library-data/1519395888776-af5f95a1a9237302af7e3fd5b0d07d71/StaffordAct.pdf>

FEMA Public Assistance

https://www.fema.gov/media-library-data/1534520705607-3c8e6422a44db5de4885b516b183b7ce/PublicAssistanceFactSheetJune2017_Updated2018.pdf

FEMA Public Assistance PNP HOW

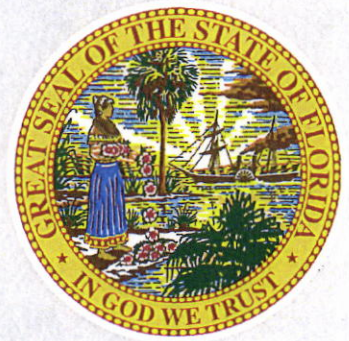
<https://www.fema.gov/media-library-data/1530106133390-1724fb7ed54e5734649453d33d2b9ef1/PublicAssistancePrivateNonprofitHousesofWorshipFactSheetFINAL.pdf>

FEMA RPA Application Form

https://www.fema.gov/media-library-data/1505397829631-758807d2f22ea320a71a74ade429675d/FEMA_Form_009-0-49_RPA_508_FINAL.pdf

NEED HELP?

If you need **assistance** with a **PNP application**; want to **know more** about **PNP funding opportunities**; and be **updated** on **current guidance or announcements**, please visit <https://floridapa.org> **OR** contact the Florida Division of Emergency Management Recovery Bureau at **850-815-4002**.



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