

September 21, 2017

TO THE ADMINISTRATOR ADDRESSED:

Subject: Procurement Guidance for Schools Affected by Hurricane Harvey

In an effort to provide guidance to school districts and charter schools on the procurement process with the Federal Emergency Management Agency (FEMA), we have put together information that will assist schools in the initial steps that should be taken for seeking FEMA assistance. Schools should work with their legal counsel and finance managers as the Public Assistance Program begins.

FEMA is in Texas, by invitation, to provide resources and prepare grants related to recovery from the effects of Hurricane Harvey. The Texas Division of Emergency Management (TDEM), a part of the Texas Department of Public Safety, administers FEMA grants and monitors the awards until they are closed out.

NOTE: Documents and forms referenced in this letter can be found on the Texas Education Agency website at: http://tea.texas.gov/Procurement_Guidance_FEMA_TDEM/.

Applicant Briefings

As a first step, school districts and charter schools should participate in an Applicant Briefing offered by TDEM. These briefings were scheduled in the declared counties to provide program guidelines and specific information related to the grant. Briefings are also available on-line thru WebEx. (WebEx access information in link).

Request for Public Assistance

If your school district or charter school is in a jurisdiction included in the presidential disaster declaration and is eligible for FEMA Public Assistance, submit a Request for Public Assistance (RPA) form (in link). Completed forms should be mailed to: tdemrecovery.rpa@dps.texas.gov

TDEM Recovery will review the RPA for completion and submit it to FEMA. Applicant eligibility will be determined by FEMA, and approved applicants will be entered in to their new grants portal system. An email notification will be sent to the point of contact listed in the RPA application. Each school will then be assigned a point of contact for both TDEM and FEMA that will remain with the school for the duration of the program. TDEM has committed to payments within 10 days after a school submits its completed paperwork through the Expedited Process. (The Expedited Project Worksheets Process for Categories A and B in link).

School Insurance

Schools districts and charter schools should work with their insurance providers to determine what coverage they have and document how those insurance funds are spent.

FEMA Public Assistance

Due to the severity and magnitude of the damage resulting from Hurricane Harvey in certain areas of the state, the President authorized an adjustment to the cost share for Federal funds provided under the Stafford Act:

- FEMA cost share for **debris removal** under **Category A** is 90% Federal Cost Share
- FEMA cost share for **emergency protective services** under **Category B** is 100% reimbursement until September 22, 2017, at which point it will revert to 90/10 reimbursement.

FEMA and TDEM have received requests to extend this deadline and are considering options for an extension. When a decision has been made regarding this requested extension, we will inform you.

FEMA cost share for **Categories C-G** will be available for 90% Federal Cost Share:

- Category C: Roads and Bridges
- Category D: Water Control Facilities
- Category E: Buildings and Equipment
- Category F: Utilities
- Category G: Parks, Recreational, Other

Due to the wide-scale impacts in the declared disaster counties, FEMA has determined this to be an “exigent and emergency” situation and is allowing local governments to use non-competitively procured (sole-sourced) contracts for debris removal (Category A) and emergency protective services (Category B) until **October 10, 2017**. In the link to the TEA website, you will find a document entitled, “FEMA Exigent and Emergency Conditions.” This is a FEMA memo and a list of frequently asked questions that provides details related to non-competitively procured contracts.

Use of Portable Buildings

If the Applicant provides essential community services at a facility that is unsafe, inaccessible, or destroyed, as a result of the incident, temporary relocation of these services to another facility constitutes eligible work under Public Assistance programs. Guidelines on Temporary Relocation of Essential Services and information on an Environmental and Historic Preservation (EHP) review that FEMA conducts, before an Applicant temporarily relocates essential services as eligible work under the Public Assistance program, can be found through the link to the TEA website.

Use of Schools as Shelters

Agreements and documentation are critical when schools are used as shelters. It is important that a school district or charter school obtain an agreement from the state or local government official that the shelter was designated for the housing of disaster survivors. If this agreement was not in

place prior to the event, the terms of the agreement can be documented and signed within 30 days of the presidential declaration to be recognized for reimbursement. FEMA determines the eligible costs based on the contractual agreement. The school must ensure that the agreement includes reimbursement for repairing damage, if it is the Applicant's legal responsibility based on the agreement. If the restoration of the facility is not in the agreement, FEMA will not cover restoration-related expenses. The better records that are kept for the shelter operations, the better a school district or charter school will be supported for maximum reimbursement. (Additional Information on shelters can be found thru the link to the TEA website).

Rebuild Texas

You will be receiving additional information soon from Governor Abbott's Commission to Rebuild Texas, which will oversee the rebuilding of Texas schools, roads, bridges and government buildings damaged or destroyed by Hurricane Harvey.

Additional Information

FEMA Public Assistance Program and Policy Guide: <https://www.fema.gov/media-library/assets/documents/111781>

DPS Public Assistance (PA) program: <https://grants.dps.texas.gov/site/PA.cfm>

FEMA Hotline for questions: 1-855-336-2003

For questions or assistance, please contact: Candace Stoltz
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