

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR



ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Honorable Mayor William "Bill" Edwards & City Council Members

FROM: Odie Donald II 
City Manager

DATE: October 20, 2020

SUBJECT: Acceptance of FEMA Public Assistance Award for COVID-19 Pandemic

Background

At the onset of the COVID-19 Pandemic emergency declaration, the federal government released the FEMA Public Assistant Grant as a funding opportunity for municipalities to receive reimbursement for items that were purchased in response to and/or mitigate from the pandemic. In May 2020, the Finance Department, through the Grants Administrator, submitted an application for reimbursement for goods and services that were acquired between March 1, 2020 - April 10, 2020. The goods and services included in this reimbursement are separate from all other reimbursement requests. All other expenditures are being tracked separately and there is no duplication of items requested for reimbursement across federal funding sources.

On October 9, 2020, the city received notification that FEMA has granted the request in the amount of:

Total Project Eligible Amount: \$137,520.08
Total Federal Share: \$103,140.06 (75%)
Total Local Share: \$34,380.02 (25%)

Recommendation

Request Council approval to accept the award in the amount of \$103,140.06 and allow the City Manager to sign the sub-recipient agreement.

Should you need further information regarding this correspondence, please contact Frank Milazi at frank.milazi@cityofsouthfultonga.gov.

RECIPIENT-SUBRECIPIENT AGREEMENT

On March 29, 2020, the President declared that a major disaster exists in the State of Georgia. This declaration was based on Georgia Disaster COVID-19 where the incident period began on January 20, 2020. This document is the Recipient-Subrecipient Agreement for the Public Assistance Program for the presidential declaration designated FEMA-4501- DR-GA, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 100-707, 42 USC 5121 et seq. ("The Act"), in accordance with 44 CFR 206.44.

Under this Agreement, the interests and responsibilities of the Recipient, hereinafter referred to as the State, will be executed by the Georgia Emergency Management Agency/ Homeland Security (GEMA/HS). The individual designated to represent the State is **Mr. Homer Bryson**, Governor's Authorized Representative. The Subrecipient's Authorized Representative whose signature appears on page 3 of this agreement will execute the interests and responsibilities of the Subrecipient.

1. The following Appendices are attached and made a part of this Agreement.

Appendix A Assurances-Construction Programs, Standard Form 424D

Appendix B Financial Assistance

Appendix C Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion, Lower Tier Transactions

Appendix D Certification for Contracts, Grants, Loans, and Cooperative Agreements

Appendix E Guidance for Implementation of Section 406 Hazard Mitigation

Appendix F Designation of Applicant's Agent

Appendix G Federal Funding Accountability and Transparency Act Certification Form

2. Consistent with the requirement that federal assistance be supplemental, any federal funds provided under the Act for Public Assistance will be limited to **75 percent** of total eligible costs, or as otherwise indicated pursuant to federal program incentives provided under the Public Assistance Program. ***The remaining 25% non-federal cost share of eligible costs is the responsibility of the Subrecipient and may be covered by CARES Act funds .***
3. No federal or state assistance under the Act and this Agreement shall be approved unless the damages resulted from COVID-19 that took place between January 20,2020 and until a designated end date has been identified. All requests for designations of areas and types of assistance under the Act must be made within 30 days from the end date of the incident period unless an extension is authorized under 44 CFR 206.36.
4. Federal assistance under the Act and this Agreement shall be limited to State of Georgia.

5. If the Subrecipient violates any of the conditions of disaster relief assistance under the Act, this Agreement, or applicable federal and state regulations; the State shall notify the Subrecipient that additional financial assistance for the project in which the violation occurred will be withheld until such violation has been corrected to the satisfaction of the State. In addition, the State may also withhold all or any portion of financial assistance which has been or is to be made available to the Subrecipient for other disaster relief projects under the Act, this or other agreements, and applicable federal and state regulations until adequate corrective action is taken.
6. The Subrecipient agrees that federal or state officials and auditors, or their duly authorized representatives may conduct required audits and examinations. The Subrecipient further agrees that they shall have access to any books, documents, papers and records of any recipients of federal or state disaster assistance and of any persons or entities which perform any activity which is reimbursed to any extent with federal or state disaster assistance funds distributed under the authority of the Act and this Agreement.
7. No elected or appointed official or employee of the Subrecipient shall be admitted to any share or part of this Agreement, or to any benefit to arise thereupon; provided, however, that this provision shall not be construed to extend to any contract made with a corporation for its general benefit.
8. The Subrecipient will establish and maintain an active program of nondiscrimination in disaster assistance as outlined in implementing regulations. This program will encompass all Subrecipient actions pursuant to this Agreement.
9. The Subrecipient agrees that emergency work projects (Category B) will be completed six months from the end of the incident period. Completion dates may be extended upon justification by the Subrecipient and approval by the Governor's Authorized Representative.
10. Quarterly reports are required for large projects. The first quarterly report will cover the period **July 1, 2020 – September 30, 2020**. Reports will be submitted to the Governor's Authorized Representative no later than 10 working days following the end of the reporting period.
12. There shall be no changes to this Agreement unless mutually agreed upon by both parties to the Agreement.

Agreed:

By: 

 Homer Bryson Governor's
 Authorized Representative
 4/17/2020

 Date

By: _____
 Authorized Subrecipient Official Signature

 Date

 Authorized Subrecipient Official Printed
 or Typed Name

 Agency/Entity Printed or Typed Name

Appendix A

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 01/31/2019

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

Appendix A

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED
City of South Fulton	

Appendix A

OMB Number: 4040-0007
Expiration Date: 01/31/2019

ASSURANCES - NON-CONSTRUCTION PROGRAMS

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As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
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Appendix A

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
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13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL <div style="background-color: yellow; height: 30px; width: 100%;"></div>	TITLE <div style="background-color: yellow; height: 20px; width: 100%;"></div>
APPLICANT ORGANIZATION <div style="background-color: yellow; padding: 5px; text-align: center;">City of South Fulton</div>	DATE SUBMITTED <div style="background-color: yellow; height: 20px; width: 100%;"></div>

Appendix B
Financial Assistance

1. General. The state shall make necessary funding available for disaster assistance within the limits of funds provided by FEMA pursuant to the major declaration designated FEMA-4501-DR-GA.
2. Documentation. The Subrecipient will maintain a list of locations where its records, including the original documentation supporting each claim, may be audited. These records shall be retained for a period of not less than three years from the date of the final applicant closeout.
3. Audit. **Audits of Subrecipients receiving assistance under the Act and this Agreement shall be conducted in accordance with the requirements of the Single Audit Act of 1984 (PL 98-502), The Super Circular 2 C.F.R. Part 200, OMB Circulars A-128 and A-110 as well as related FEMA and state regulations and instructions. Subrecipients will ensure that appropriate corrective action is taken within three months after receipt of the audit in instances of noncompliance.**
4. Payments.
 - A. General:
 - (1) Small projects are defined as those with an estimated cost over \$3,300. Large projects are defined as those with an estimated cost of \$131,100 or greater.
 - (2) GEMA/HS will provide funds to the Subrecipient in the form of initial payments, progress payments, and final payments for approved project applications. The State hereby establishes, and the Subrecipient agrees to the terms and conditions listed below in paragraphs 4A (3) through (8), 4B, 4C, and 4D, which shall govern all funds used to make these payments.
 - (3) The Subrecipient Official responsible for the custody of the funds shall be a bonded official or, if other than a bonded official, assurances of satisfactory surety shall be provided.
 - (4) The Subrecipient will pay contractors, vendors, suppliers, etc.
 - (5) The Subrecipient shall maintain records that identify adequately the source and application of federal and/or state disaster assistance funds along with accounting records that are supported by adequate documentation.
 - (6) The funds shall be used solely for disaster relief projects approved by GEMA/HS and FEMA.

- (7) The Subrecipient shall establish and maintain accounting records, which will be subject to state or federal audit, containing the following;
 - (a) The amount and date of each disaster assistance payment to the Subrecipient.
 - (b) The amount of funds provided to each contractor, vendor, supplier, etc., including the check number, amount, date, invoice number, and individual payee.
- (8) Subrecipient reports of cash disbursements will be made as required by GEMA/HS.

B. Small Projects:

- (1) GEMA/HS will make advance payment of the full project amount (100%) to the Subrecipient on the basis of the approved federal estimate contained in the Project Worksheet (PW), FEMA Form 90-91, for all small projects.
- (2) Overruns and underruns on all small projects will be totaled upon completion of all small projects. If there is a net underrun, the difference need not be returned by the Subrecipient to the state. However, the Subrecipient must spend the funds generated by project underruns on projects which contribute to the general welfare of its constituents, i.e., for the public benefit.
- (3) Claims for net overruns will be supported by appropriate documentation. If an overrun is claimed, documentation on all small projects must be submitted for review by GEMA/HS and FEMA to determine if payment of the overrun is justified.
- (4) Failure to complete a project according to the defined scope of work, in partial or in its entirety, will require that the federal and state payments be refunded.
- (5) It is essential that significant potential overruns or underruns on individual projects be brought to the attention of GEMA/HS as soon as they become apparent so that the project can be reviewed and/or reinspected to determine if a revised PW is necessary.
- (6) Final inspection of small projects will be conducted in accordance with current procedures. Documentation to support all small projects must be kept for possible review and/or audit for three years following project completion.

C. Large Projects:

- (1) Generally, advance payments will not be made for large projects. Advance payments may be authorized on a case-by-case basis upon request and justification by the Subrecipient.
 - a. Any advance payment made under this Agreement is subject to 2 C.F.R. §200.305 and, as applicable, [State Statutes]. All advances are required to be held in an interest bearing account unless otherwise governed by program specific waiver. If an advance payment is requested, the budget data on which the request is based and a justification statement shall be submitted along with this agreement at the time of execution by completing [Payment Request]. The request will specify the amount of advance payment needed and provide an explanation of the necessity for and proposed use of these funds. Any advance funds not expended within the first ninety (90) days of the contract term must be returned to [Finance] within thirty (30) days, along with any interest earned on the advance. No advance shall be accepted for processing if a reimbursement has been paid prior to the submittal of a request for advanced payment. After the initial advance, if any, payment shall be made on a reimbursement basis as needed.
- (2) Payments will normally be made based upon progress and requests for reimbursement of documented expenditures of the Subrecipient. Ten percent of each large PW will be retained by GEMA/HS and subject to final inspection, review and approval by GEMA/HS and FEMA.
- (3) Upon completion of each large project, the Subrecipient shall request a final inspection by GEMA/HS.
- (4) After the final inspection has been approved by FEMA, obligated funds will be processed for payment. Any deobligated funds must be refunded to GEMA/HS as required.

D. Repayments:

Any project funds provided to the Subrecipient, with the exception of small project underruns, which are:

- (1) in excess of current needs, or,
- (2) in excess of amounts approved by GEMA/HS or FEMA, or,
- (3) found by audit or investigation to be owing to the state or FEMA, shall be refunded by check drawn payable to the State of Georgia-Office of Planning and Budget. Repayment shall be made to the State within 10 working days after the Subrecipient becomes aware of such excess funds or funds due the State. If the Subrecipient fails to pay the State such funds within 10 working days, then the Subrecipient shall pay interest at a rate established by FEMA. If immediate repayment is not possible, then a

reasonable repayment schedule with interest charged on the unpaid balance will be submitted to the State for approval. In the event that repayment is not made within four months or in accordance with an approved payment schedule, the GAR shall take appropriate measures as provided by state law to collect or otherwise dispose of the debt.

APPENDIX C

Federal Emergency Management Agency

Certification Regarding
Debarment, Suspension, Ineligibility, and Voluntary Exclusion
Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 44 CFR Part 17. The regulations were published in the May 26, 1988 Federal Register. Copies of the regulation are available from the appropriate FEMA Regional Office.

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in the certification, such prospective participant shall attach an explanation to this proposal.

APPENDIX D

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The Applicant's Agent, as part of this agreement, certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
3. The undersigned shall require that the language of the certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

APPENDIX E

GUIDANCE FOR IMPLEMENTATION OF SECTION 406 HAZARD MITIGATION

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, provides FEMA the authority to fund the restoration of eligible facilities that have sustained damage due to a Presidentially declared disaster. Within the enabling act, Section 406 also contains a provision for the consideration of funding additional measures, not required by applicable codes and standards, that will enhance a facility's ability to resist similar damage in future events.

In providing discretionary authority for the addition of hazard mitigation to permanent work restoration, Congress recognized that, during the repair of damaged components of facilities, there would be a unique opportunity to attempt to prevent recurrence of similar damage from future, similar disaster events. Such measures are additional to compliance with adopted codes and standards, although such compliance could be considered a form of mitigation.

Based on the above, the Federal Emergency Management Agency (FEMA) and the Georgia Emergency Management Agency/Homeland Security (GEMA/HS), as Recipients under the FEMA Public Assistance Grant Program, agree to conduct Public Assistance inspections pursuant to the following provisions:

1. GEMA/HS will make every effort to alert local representatives to the potential for hazard mitigation funding under the Public Assistance program, and FEMA will support this initiative.
2. During inspections, FEMA, State, and local inspectors will explore every opportunity for the provision of hazard mitigation to combine with other costs potentially eligible for public assistance funding.
3. Section 406 Hazard Mitigation funding will only be considered for components of the eligible facilities. Section 406 Hazard Mitigation proposals are not eligible as stand-alone projects: They must be associated with eligible damage reduction.
4. General eligibility criteria for Public Assistance require that an item of work be required as a result of the major disaster event. For this reason, hazard mitigation proposals must be aimed at reducing damages from future similar events.
5. Restoration PWs will incorporate applicable codes and standards when appropriate. Since replacement projects will incorporate compliance with applicable codes and standards, there generally will be no need to mitigate such projects. Mitigation will not be considered for use in alternate projects since the eligible funding will not be used in restoration of a damaged facility.

6. All hazard mitigation proposals submitted pursuant to Section 406 will be evaluated for cost effectiveness (where the benefits of the measure must exceed the costs), technical feasibility, environmental compliance and historical compliance. These proposals will also be evaluated against any other applicable requirements.
7. In order to ensure consideration of potential mitigation opportunities, FEMA inspectors will annotate the level of mitigation included in the PW. Typical conclusions will include: a) mitigation proposal attached to PW; b) mitigation already considered through code compliance and no other opportunities were identified; c) opportunities were explored; but none were identified (PW must include a detailed explanation as to this determination.).
8. Some repairs to a facility are written to incorporate preventative measures that constitute good engineering and common sense. If not required by code, these additional measures are mitigation, and will be so annotated on the PW in the same fashion as other mitigation measures.
9. FEMA Public Assistance in coordination with FEMA Mitigation and GEMA/HS Public Assistance and Mitigation will establish a review team dedicated to the processing of hazard mitigation proposals and review of other PWs to assess the potential for mitigation opportunities. To the extent possible, this team will identify and implement procedures to expedite the review of these proposals and PWs.
10. Measures that are designed to reduce damages from future events that are not linked to an eligible damaged site, and that do not qualify for Section 406 mitigation funding, should be forwarded to the applicant for possible application under the Section 404 mitigation program.

APPENDIX F
DESIGNATION OF APPLICANT'S AGENT
 PUBLIC ASSISTANCE EMGRANTS ACCESS
 Georgia Emergency Management Homeland Security Agency

Organization Name (hereafter named Organization) :
 City of South Fulton

Primary Agent		Secondary Agent	
Agent's Name		Agent's Name	
Kellie Russell		Frank Milazi	
Official Title		Official Title	
Grants Administrator		Chief Financial Officer	
Mailing Address (please provide address where certified mail for reimbursement should be received)		Mailing Address (please provide address where certified mail for reimbursement should be received)	
5440 Fulton County Industrial Blvd, SW		5440 Fulton County Industrial Blvd, SW	
City, State, Zip		City, State, Zip	
Atlanta, GA 30336		Atlanta, GA 30336	
Work Phone	Fax Number	Work Phone	Fax Number
470-809-7745		(404) 852-3750	
E-Mail Address		E-Mail Address	
Kellie.Russell@cityofsouthfultonga.gov		Frank.Milazi@cityofsouthfultonga.gov	
Cellular Phone		Cellular Phone	
404-782-5187			

The above-named agents(s) is/are authorized to represent and act on behalf of the Subrecipient in all dealings with the State of Georgia on all matters pertaining to the management of grants and disaster assistance received from Georgia Emergency Management Agency/Homeland Security and the Federal Emergency Agency as required by the Recipient-Subrecipient Agreement. CFDA Program Number and Program Title: 97.036.

Applicant's Federal Employer's Identification Number 82-1374843

Applicant's State Payee Identification Number _____

Dun & Bradstreet (DUNS) Identification Number 081057307

Certifying Official's Signature / Date

APPENDIX G

Federal Funding Accountability and Transparency Act Certification

In order to remain in compliance with The Federal Funding Accountability and Transparency Act of 2006 (FFATA) reporting, please complete Items 1 through 7 (and Items 8, 9 and 10 if applicable), sign and certify by an authorized agent.

Sub-recipient award Number: **DR-4501**

Sub-recipient Name:

CFDA Program Number and Program Title: **97.036 - Disaster Grants - Public Assistance (Presidentially Declared Disasters)**

Sub-award Project Description: **Cat B: Emergency Protective Measures**

1. Sub-recipient DUNS Number 081057307
2. Sub-recipient Name City of South Fulton
3. Sub-recipient DBA Name _____
4. Sub-recipient Address _____
5. If DBA, Sub-recipient Parent DUNS Number _____
6. Sub-award Principle Place of Project Performance _____
7. In the preceding fiscal year, did the sub-recipient receive 80% of its annual gross revenues from the Federal government? **Yes** _____ **No** ^x _____
If **Yes**, continue to question 8. **If No, STOP and certify.** The questionnaire is complete.
8. In the preceding fiscal year, were the sub-recipient's annual gross revenues from the Federal government more than \$25 million annual? **Yes** _____ **No** ^x _____
If **Yes**, continue to question 9. **If No, STOP and certify.** The questionnaire is complete.
9. Does the public have access to the names and total compensation of the sub-recipient's five most highly compensated officers through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? **Yes** ^x _____ **No** _____
If **No**, continue to question 10. **If Yes, STOP and certify.** The questionnaire is complete.
10. Please list the names and compensation of the sub-recipient's five most highly compensated officers **only if question 9 was applicable and answered NO.**

1. _____ \$ _____

2. _____ \$ _____

3. _____ \$ _____

4. _____ \$ _____

5. _____ \$ _____

I certify that to the best of my knowledge all of the information on this form is complete and accurate.

Authorized Signature: _____ **Date:** _____

This section is for use by the Georgia Emergency Management Homeland Security Agency Only.

Sub-recipient Obligation/Agency Name: _____

In accordance with The Federal Funding Accountability and Transparency Act of 2006 (FFATA), this document has been processed in the FFATA Sub-award Reporting System (FSRS) by the undersigned:

Signature _____ Date: _____

Sub-recipient Obligation/Action Date: _____

PA-04-GA-4501-PW-00010(0) <u>P</u>	
Applicant Name:	Application Title:
SOUTH FULTON, CITY OF	137814 - COSF_COVID19Response_Project1
Period of Performance Start:	Period of Performance End:
03-29-2020	09-29-2020

Bundle Reference # (Amendment #)	Date Awarded
PA-04-GA-4501-PW-00010(7)	10-05-2020

Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET					
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA	4501 - DR -GA	137814	121-UDHJB-00	09-28-2020	B
APPLICANT: SOUTH FULTON, CITY OF				WORK COMPLETE AS OF:	
				09-28-2020 : 25 %	
Site 1 of 1					
DAMAGED FACILITY:			COUNTY: Fulton		
Damage # 382500; Emergency Protective Measures (Damage for Project [137814] COSF_COVID19Response_Pro					
LOCATION:				LATITUDE:	LONGITUDE:
PA-04-GA-4501-PW-00010(0): Fulton County, South Fulton, Georgia					
Current Version:					
DAMAGE DESCRIPTION AND DIMENSIONS:					
PA-04-GA-4501-PW-00010(0): The Disaster #4501DR, which occurred between 1/20/2020 and --, caused:					
Damage # 382500; Emergency Protective Measures (Damage for Project [137814] COSF_COVID19Response_Project1)					
During the incident period of 1/20/2020 through [End Date], COVID-19 created an immediate threat to the health and safety of the general public requiring emergency response and protective measures.					
Provided Facility Disinfection for Response to COVID-19 Pandemic at across the City of South Fulton, Georgia from 1/20/2020 to 4/10/2020.					
Provided Technical Assistance for Emergency Management for Response to COVID-19 Pandemic at across the City of South Fulton, Georgia from 1/20/2020 to 4/10/2020.					
Provided Dissemination of information for Response to COVID-19 Pandemic at across the City of South Fulton, Georgia from 1/20/2020 to 4/10/2020.					
Provided Provision of Supplies and Commodities for Response to COVID-19 Pandemic at across the City of South Fulton, Georgia from 1/20/2020 to 4/10/2020.					
Current Version:					
SCOPE OF WORK:					

PA-04-GA-4501-PW-00010(0):
382500 Damage for Project [137814] COSF_COVID19Response_Project1

Work Completed

The applicant utilized materials and contracts to perform emergency protective measures in the way of:

- A. Provided Facility Disinfection – jurisdiction wide
- B. Provided Technical Assistance for emergency management
- C. Provided the Dissemination of Information in order to communicate warnings and guidance for the general public
- D. Provided the Provision, Prepositioning, Movement and distribution of Supplies and Commodities. To include:
 - a. PPE to include
 - i. Medical gloves, masks, face shields, gowns and coveralls
 - b. Sanitizing and Disinfecting Supplies
 - c. Social Distancing Supplies

Work Completed Totals

1. Materials - \$113,128.04
2. Contracts - \$24,392.04

Work Completed Total: \$137,520.08

Project Notes:

1. On March 29, 2020, a Major Disaster Declaration DR-4501 for the State of Georgia. This authorized FEMA funding for emergency protective measures under Stafford Act 403 necessary to respond to the urgent COVID-19 crisis.
2. The supplied cost information was reviewed per applicant supplied documentation and is represented within attachment: 137814 - DR4501GA - Validation Summary - updated.xlsx
3. FEMA will not approve PA funding that duplicates funding or assistance provided by another federal agency, including the U.S. Department of Health and Human Services or Centers for Disease Control and Prevention.
4. FEMA will only reimburse for PPE/medical supplies, equipment and protective measures that is necessary to prevent the spread of infection as directed by public health officials not to exceed the duration of the HHS public health emergency declaration for COVID-19.
5. Work Completed period of performance for this Application appears to be between the timeframe of 03/05/2020 to 05/10/2020.
6. There is a difference cost total awarded in this scope and cost then appears on the streamline application. After review and discussions with the applicant, the applicant has withdrawn all future costs, all force account labor costs and all apparent increased operating costs that were originally submitted for reimbursement. Please see attachments:
 - a. 137814 - DR4501GA - Applicant email for cost withdrawals.msg
 - b. 137814 - DR4501GA - Applicant email for cost withdrawals 9.16.20.msg
 - c. 137814 - DR4501GA - Applicant email for cost withdrawals 9.22.20.msg
7. Streamlined Application listed additional activities performed, however back up documentation only provided costs for the components and activities reflected in the DDD and Scope.
8. Facility disinfection was limited to disinfecting interior surfaces with readily available household products. These measures were performed across the city's jurisdiction. The applicant has provided GPS coordinates of the locations in which these measures have taken place. These GPS coordinates can be found in Section II – Locations within the streamline project application in Grants Manager.
9. Disposition of Purchased Supplies: Applicant must calculate the current fair market value of any unused residual supplies (including materials) that FEMA funded for any of its projects and determine the aggregate total. Applicant must provide the current fair market value if the aggregate total of unused residual supplies is greater than \$5,000. FEMA reduces eligible funding by this amount. See PAPPG V3.1 2018 page 29.

Current Version:



Does the Scope of Work change the pre-disaster conditions at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Special Considerations included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hazard Mitigation proposal included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Is there insurance coverage on this facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
PROJECT COST			
ITEM	CODE	NARRATIVE	COST
		*** Version 0 ***	
		Work Completed	
1	9001	Contract	\$ 24,392.04
2	9009	Material	\$ 113,128.04
			TOTAL COST
			\$ 137,520.08
PREPARED BY Paul Wilson		TITLE PDMG	SIGNATURE
APPLICANT REP. Kellie Russell		TITLE Grants Administrator	SIGNATURE

Report Generated on:	10/08/2020 16:24
Data Captured As Of:	10/08/2020 16:24
Disaster Number:	4501
Bundle:	PA-04-GA-4501-PW-00010
Applicant:	121-UDHJB-00

Capture Date: 10/08/2020 16:24				
Federal Emergency Management Agency				
Project Application Grant Report (P.2)				
Disaster: FEMA-4501-DR-GA				
Number of Records: 1				
Applicant ID: 121-UDHJB-00 &nbsp;Bundle # : PA-04-GA-4501-PW-00010(7)		Applicant: SOUTH FULTON, CITY OF		
PW #	Cat	Cost Share	Projected Completion Date	Approved PW Amount (\$)
PA-04-GA-4501-PW-00010(0)	B	N	09-29-2020	137,520.08
Facility Number:	1			
Facility Name:	Damage # 382500; Emergency Protective Measures (Damage for Project [137814] COSF_COVID19Response_Pro			
Location:	Fulton County, South Fulton, Georgia			
Scope of Work:	<p>382500 Damage for Project [137814] COSF_COVID19Response_Project1</p> <p>Work Completed</p> <p>The applicant utilized materials and contracts to perform emergency protective measures in the way of:</p> <ul style="list-style-type: none"> A. Provided Facility Disinfection - jurisdiction wide B. Provided Technical Assistance for emergency management C. Provided the Dissemination of Information in order to communicate warnings and guidance for the general public D. Provided the Provision, Prepositioning, Movement and distribution of Supplies and Commodities. To include: <ul style="list-style-type: none"> a. PPE to include <ul style="list-style-type: none"> i. Medical gloves, masks, face shields, gowns and coveralls b. Sanitizing and Disinfecting Supplies c. Social Distancing Supplies <p style="text-align: center;">Work Completed Totals</p> <ul style="list-style-type: none"> 1. Materials - \$113,128.04 2. Contracts - \$24,392.04 <p>Work Completed Total: \$137,520.08</p> <p>Project Notes:</p> <ul style="list-style-type: none"> 1. On March 29, 2020, a Major Disaster Declaration DR-4501 for the State of Georgia. This authorized FEMA funding for emergency protective measures under Stafford Act 403 necessary to respond to the urgent COVID-19 crisis. 2. The supplied cost information was reviewed per applicant supplied documentation and is represented within attachment: 137814 - DR4501GA - Validation Summary - updated.xlsx 3. FEMA will not approve PA funding that duplicates funding or assistance provided by another federal agency, including the U.S. Department of Health and Human Services or Centers for Disease Control and Prevention. 4. FEMA will only reimburse for PPE/medical supplies, equipment and protective measures that is necessary to prevent the spread of infection as directed by public health officials not to exceed the duration of the HHS public health emergency declaration for COVID-19. 			

Capture Date: 10/08/2020 16:24			
Federal Emergency Management Agency			
Project Application Grant Report (P.2)			
Disaster: FEMA-4501-DR-GA			
Number of Records: 1			
<p>5. Work Completed period of performance for this Application appears to be between the timeframe of 03/05/2020 to 05/10/2020.</p> <p>6. There is a difference cost total awarded in this scope and cost then appears on the streamline application. After review and discussions with the applicant, the applicant has withdrawn all future costs, all force account labor costs and all apparent increased operating costs that were originally submitted for reimbursement. Please see attachments:</p> <ul style="list-style-type: none"> a. 137814 - DR4501GA - Applicant email for cost withdrawals.msg b. 137814 - DR4501GA - Applicant email for cost withdrawals 9.16.20.msg c. 137814 - DR4501GA - Applicant email for cost withdrawals 9.22.20.msg <p>7. Streamlined Application listed additional activities performed, however back up documentation only provided costs for the components and activities reflected in the DDD and Scope.</p> <p>8. Facility disinfection was limited to disinfecting interior surfaces with readily available household products. These measures were performed across the city's jurisdiction. The applicant has provided GPS coordinates of the locations in which these measures have taken place. These GPS coordinates can be found in Section II - Locations within the streamline project application in Grants Manager.</p> <p>9. Disposition of Purchased Supplies: Applicant must calculate the current fair market value of any unused residual supplies (including materials) that FEMA funded for any of its projects and determine the aggregate total. Applicant must provide the current fair market value if the aggregate total of unused residual supplies is greater than \$5,000. FEMA reduces eligible funding by this amount. See PAPPG V3.1 2018 page 29.</p>			
1 PW	PWs (\$)	Subgrantee Admin Exp. (\$)	Total (\$)
Amount Eligible (\$)	137,520.08	0.00	137,520.08
Federal Share (\$)	103,140.06	0.00	103,140.06

Signature: *Frank S. Milazi*

Email: frank.milazi@cityofsouthfultonga.gov

Signature:

Email: ewalker@fincherdenmark.com