Agenda Item #: 3X - 1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

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Meeting Date: January 7, 2020		[X]	Consent]]	Regular		
		[]	Ordinance	[]	Public Hearing		
Department:	Department of	Public Sa	ıfety					
Submitted By:	Department of Public Safety							
Submitted For:	Public Safety A	dministra	ation					
				===	===			

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Federally Funded Modification Z0596-9 to the Sub Grant Agreement Z0596 with the State of Florida, Division of Emergency Management (FDEM) to authorize the reimbursement of eligible Hurricane Irma project expenditures.

Summary: On September 4, 2017, the President of the United States issued a major disaster declaration designated "FEMA-4337-DR-FL" for the State of Florida as a result of Hurricane Irma authorizing Public Assistance funding for eligible Florida counties. Public Assistance is a federal grant (CFDA #97.036) to aid state and local governments in returning a disaster area to pre-disaster conditions. To date, there were 17 projects submitted for reimbursement of eligible project expenditures through the Original Agreement Z0596 and modifications 1 through 8. For the remaining eight (8) outstanding projects, FDEM will no longer require individual modifications for the reimbursement of eligible project expenditures; instead, modification Z0596-9 incorporates the remaining eight (8) projects. This modification will avoid unnecessary delays in the reimbursement process. Payment of a specified portion of the nonfederal share is contingent upon future State appropriations. As of August 23, 2019, FEMA will contribute 90% of federal funds for all categories of Public Assistance for Hurricane Irma except for Category B, which is 100% covered by FEMA. The State of Florida will contribute 5% share of the qualified actual expenditures incurred, leaving he County responsible for absorbing the remaining 5%. R2019-0458 gave authority to the County Administrator, or designee, to execute these modifications on behalf of the Board of County Commissioners. Countywide (LDC)

Background and Justification: The Governor of the State of Florida issued a State declaration of emergency on Monday, September 4, 2017. On Wednesday, September 6, 2017, Palm Beach County issued a local state of emergency. The County's Emergency Operation Center was activated to a Level 1 full activation as of 7:00 a.m. on Friday, September 8, 2017. The National Hurricane Center forecasted Hurricane Irma would be very near the east coast of Florida. County offices were closed on Thursday, September 7, 2017, at 3:00 p.m. and reopened on Thursday, September 14, 2017. The severity of the damage loss in other counties across the State resulted in Hurricane Irma disaster declaration FEMA-4337-DR-FL which authorized the Federal Emergency Management Agency to make available federal funds for disaster relief activities. Three (3) projects were submitted on the original Sub Grant Agreement (Z0596) that went to the Board of County Commissioners (BCC) on April 2, 2019 (R2019-0458). On October 8, 2019, another 14 projects were submitted (R2019-1555 through R2019-1562) through an amendment to Z0596.

Attachments:

1. Federally Funded Sub Grant Modification Z0596-9

2. FDEM Memo Hurricane Irma Amendment Changes

Recommended By:	Sepola	12/6/19
•	Department Director	Date
Approved By:		12/11/19
	Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2020	<u>2021</u>	2022	<u>2032</u>	<u>2024</u>
Capital Expenditures Operating Costs External Revenues Program Income (County)	(\$551,041.52)				
In-Kind Match (County) Net Fiscal Impact	*(\$551,041.52)				
# ADDITIONAL FTE POSITIONS (Cumulative) Is Item Included In Current Does this item include the	0 Budget? Yes use of federal funds	? Yes <u>X</u>	No	0	0
Budget Account No: Exp Rev	: Fund Departi : Fund Departr	nent Unit nent Unit	Objec RevS	rc	
* The \$551,041.52 represapproved on Oct. 8, reimbursement due to \$21,497,733.85. Of this portion while \$3,069,785 Agency (FEMA), the graunanticipated expenditur passing of Hurricane Irrincurred and be received the grantee, on a reimb 12.5% of the qualifying a the remaining 12.5%, hor for all categories of Publi	sents an increase in a 2019 (R-2019-1555) the County for e amount, \$18,427,94 a.63 is the state's shape antor, will fund 75% res associated with ina. FEMA funding of from the State of Floursement basis. Typictual expenditures leave wever, on August 23, c Assistance at 90% of the county of the state of Floursement basis.	through R-2 ligible project 48.22 represe re. The Feder of an estimate ncurred costs will be calcula rida, Division of bically, the State aving the Count 2019, FEMA of total eligible	from previous 2019-1562). expenditure the federal Emergence \$43 million as the directed on actual Emergency ate of Floridaty responsible authorized the	At this time es amount to eral cost share y Management on in qualifying at result of the al expenditures y Management will contribute e for absorbing	e, o e ont g e e s t, e
A. OFMB Fiscal and/or Cor OFMB AT (12/2)	•	Ano	s: ract Adminis	stration	9119
B. Legal Sufficiency: Assistant County Attor	2 BBA	•	299/12/		
C. Other Department Revie	ew:				
OFMB Department Dir	ector				

This summary is not to be used as a basis for payment.

MODIFICATION # __Z0596-9 TO SUBGRANT AGREEMENT BETWEEN THE DIVISION OF EMERGENCY MANAGEMENT AND PALM BEACH COUNTY

This Modification is made and entered into by and between the State of Florid	a,
Division of Emergency Management ("the Division") and	
Palm Beach County	

("Sub-Recipient"), to modify Contract Number $\frac{Z0596}{}$, which began on $\frac{2017/09/04}{}$ ("the Original Agreement").

WHEREAS, the Division and the Sub-Recipient have entered into the Original Agreement, pursuant to which the Division has provided a Subgrant to Sub-Recipient under the Public Assistance Program, including the payment of the original amount of the first obligated project worksheet; and,

WHEREAS, when the Sub-Recipient desires to request funds from subsequently obligated project worksheets, the Sub-Recipient must modify the Original Agreement to include the additional funding; and,

WHEREAS, these Subgrant Agreement Modifications are performed through a fully executed Amendment to the Original Agreement; and,

WHEREAS, these Modifications unnecessarily delay the reimbursement process; and,

WHEREAS, the Subgrant Agreements executed for Hurricane Irma (DR4337), are the only Subgrant Agreements that require these Subgrant Agreement Modifications.

NOW THEREFORE, in order to improve efficiency while keeping in compliance with State and Federal regulations the parties, in consideration of the mutual promises contained herein, agree as follows:

- 1. This Modification shall be the final amendment to the Original Agreement executed by the Sub-Recipient and the Division.
- 2. All subsequent project worksheets and project worksheet versions shall be incorporated into the Original Agreement upon obligation.
- **3.** The Scope of Work, Attachment A to the Original Agreement, will continue to be updated to reflect Federal funding obligated and will continue to be incorporated herein by reference.
- **4.** All previous provisions of the Original Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby amended to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.
- **5.** Section (C)(6), *Modifications*, of the Original Agreement, shall be amended to only read as,
 - "Either party may request modification of the provisions of this Agreement. Changes which are agreed upon shall be valid only when in writing, signed by each of the parties, and attached to the original of this Agreement."
- 6. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

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In WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set

APPROVED AS TO FORM AND LEGAL SHIFFLE ENCY

COUNTY ATTORNEY

Attachment A

Budget and Project List

Budget:

The Budget of this Agreement is initially determined by the amount of any Project Worksheet(s) (PW) that the Federal Emergency Management Administration (FEMA) has obligated for a Sub-Recipient at the time of execution. Subsequent PWs or revisions thereof will increase or decrease the Budget of this Agreement. The PW(s) that have been obligated are:

DR-4337	Sub-Recipi	nt: Palm Beacl	h County					
PW Cat Project Title	Federal S	hare Fed %	State Share	State %	Local Share Local	I Total Eligible Amount	POP Start Date	POP End Date
\$2596 D Flashboard Riser and Irrigation pump- ROADS &	\$16	,682.63,75.00%	\$2,780.4	112.50%	\$2,780.43 12.50	\$22,243.50	9/04/2017	3/10/2019
3089 F Completed ISS Work	\$16	,559.25 75.00%	\$2,759.8	312.50%	\$2,759.87 12.50	\$22,079.00	9/04/2017	3/10/2019
3442 E Category E PBCFR Completed Projects	\$14	,304.88 75.00%	\$2,384.1	5 12.50%	\$2,384.14 12.50	\$19,073.17	9/04/2017	3/10/2019
3534 F ISS Repair of Communications Systems Standard	\$13	,040.98 75.00%	\$21,840.10	12.50%	\$21,840.16 12.50	\$174,721.30	9/04/2017	3/10/2019
3878 G South Jupiter Dune Shore Protection- ERM	\$19	,603.25 75.00%	\$31,933.8	312.50%	\$31,933.87 12.50	\$255,471.00	9/04/2017	3/10/2019
4068 G Juno Beach Shore Protection Project-ERM	\$17,226	,560.25 75.00%	\$2,871,093.3	312.50%	\$2,871,093.37,12.50	% \$22,968,747.00	9/04/2017	3/10/2019
4139 G Pahokee Airport Completed Lane	\$5	,714.76,75.00%	\$952.40	512.50%	\$952.46 12.50	\$7,619.68	9/04/2017	3/10/2019
4406 G ACC Main Facility/Animal Facility PUBLIC SAFETY	\$17	,755.10 75.00%	\$2,959.19	12.50%	\$2,959.18 12.50	\$23,673.47	9/04/2017	3/10/2019
4675 F FDO Communication Work Completed	\$18	,937.4 [[75.00%]	\$3,156.24	12.50%	\$3,156.23 12.50	% \$25,249.88	9/04/2017	3/10/2019
4927 E Parks Category E Standard	\$9	,754.44 75.00%	\$1,625.74	1 12.50%	\$1,625.74 12.50	% \$13,005.92	9/04/2017	3/10/2019
5144 E Airport Buildings and Equipment	\$131	,274.69 75.00%	\$21,879.13	212.50%	\$21,879.11112.50	% \$175,032.92	9/04/2017	3/10/2019
1514% C ROADS & BRIDGES-Engineering Category C Damages	\$72	,076.60 75.00%	\$12,012.7	712.50%	\$12,012.76 12.50	% \$96,102.13	9/04/2017	3/10/2019
5806 E Multiple Building Damage- FDO	\$31	,129.91 75.00%	\$5,188.32	12.50%	\$5,188.32 12.50	% \$41,506.55	9/04/2017	3/10/2019
6044 É FDO Standard Lane work-Palm Beach County	\$70	913.53 75.00%	\$11,818.92	112.50%	\$11,818.92,12.50	% \$94,551.37	9/04/2017	3/10/2019
6535 C Intersection Rebuilds and Street Sign Damage fo	\$436	701.7475.00%	\$72,783.63	12.50%	\$72,783.62 12.50	\$582,268.99	9/04/2017	3/10/2019
6869 A County Wide Debris Removal 10/18-12/16 80%	\$36	,938.80 80.00%	\$4,617.3	10.00%	\$4,617.35 10.00	% \$46,173.50	9/04/2017	3/10/2018
T	otal: \$18,427	948.22	\$3,069,785.63	3	\$3,069,785.53	\$24,567,519.38		



DIVISION OF EMERGENCY MANAGEMENT

pmc

Ron DeSantis Governor Jared Moskowitz Director

MEMORANDUM

TO:

Staff

FROM:

Bureau Chief of Recovery

DATE:

August 9, 2019

SUBJECT:

Hurricane Irma Amendment Changes

Effective August 9, 2019, the Bureau of Recovery will implement changes regarding Hurricane Irma DR-4337 Subgrant Agreement Amendments. Moving forward, the Division will only require a Final Amendment to the original Subgrant Agreement between the Subrecipient and the Florida Division of Emergency Management (Division).

The Final Amendment will eliminate future Amendments for subsequent Irma Projects and Project Versions by incorporating these projects in the original Subgrant Agreement. Attachment A of the original Agreement will continue to be updated to reflect new Project funding obligated to the Subrecipient.

The purpose of these changes is to eliminate unnecessary delay in the reimbursement process and to decrease the administrative burden for the Subrecipient, as some Subrecipients are approaching thirty (30) plus executed Amendments for Hurricane Irma. Prior to this change, Subrecipients who did not have an Amendment, or the original Subgrant Agreement tied to a newly obligated Project(s) were required to sign a new Amendment and wait for the Amendment routing process to be completed prior to receiving funds.

Under these changes, the payment process will become more streamlined, allowing Subrecipients to receive Project funding quicker. Newly obligated Small Projects that have completed the Accuracy Review in FloridaPA.org (FLPA) will be eligible for payment immediately. For Large Projects, Subrecipients will now be able to enter a Request for Reimbursement (RFR) for completed Project work as soon as the Project has completed the Accuracy Review in FLPA.

Subrecipients who currently have unexecuted Amendments will only be required to sign the Final Amendment which will be provided to the Subrecipient by the assigned Grant Manager.

For any Amendment that has been recently returned to the Division for execution, the Division will complete the routing process and provide the Subrecipient with the Final Amendment for signature.

Enclosure.

Attachment 1: Final Amendment to Original Subgrant Agreement DR 4337

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