

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: September 19, 2023 [X] Consent [] Regular
[] Ordinance [] Public Hearing

Department: Department of Public Safety
Submitted By: Department of Public Safety
Submitted For: Division of Emergency Management

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the delegation of authority to the County Administrator or designee to sign the Participation Request Form for the Florida Recovery Obligation Calculation (F-ROC) Program and all future documents necessary for continued membership in the F-ROC Program.

Summary: The F-ROC program is an initiative, sponsored by the Florida Division of Emergency Management (FDEM), which assist Public Assistance Applicants in identifying risk in their organization and develops a clean action plan that will abate those risks, while standardizing and streamlining the Public Assistance Process. F-ROC is a voluntary program developed to help Public Assistance Applicants leverage technology, improve processes and ensure that recovery dollars are flowing to affected communities as quickly as possible with the least amount of financial risk. The Participation Request Form was just received from FDEM and must be submitted by September 30, 2023; therefore, delegated authority to the County Administrator is needed in order to submit the form on time. No County funds are required for participation in the F-ROC program. Countywide (DB)

Background and Justification: Pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended (Stafford Act), Title 42 of the United States Code (U.S.C.) § 5121 et seq, authorizes the Federal Emergency Management Agency (FEMA) to provide assistance via the Public Assistance Program. Palm Beach County has been the recipient of Public Assistance Program funding as a result of 11 declared disasters over the past twenty years. Participants opting-in to the F-ROC program would complete training, complete a Participant Request Form, and submit information into the Disaster Readiness Assessment System for scoring and abatement plans.

Attachments:

- 1) Participant Request Form Florida Recovery Obligation Calculation (F-ROC) Program

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Recommended By: [Signature] Department Director 8/23/23 Date

Approved By: [Signature] Assistant County Administrator 9/5/23 Date

met

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Personal Services	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Capital Expenditures	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	<u>0*</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

ADDITIONAL FTE

POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
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Is Item Included In Current Budget? Yes _____ No _____
 Does this item include the use of federal funds? Yes _____ No _____

Budget Account Exp No: Fund _____ Dept. _____ Unit _____ Obj. _____ Prog. _____
 Rev No: Fund _____ Dept. _____ Unit _____ Rev. _____ Prog. _____


B. Recommended Sources of Funds/Summary of Fiscal Impact:

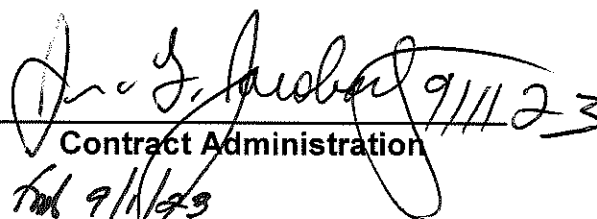
*There is no additional fiscal impact. FEMA funding will be calculated on actual expenditures incurred. However, participation in the program and the County's score directly corresponds to the percent of the eligible obligated amount that will be disperse upon obligation of the project. The remainder will be receive after validation of all supporting documentation is complete.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 8/24/23
 mE 8/23/23 OFMB 8/24

 9/11/23
 Contract Administration
 Tol 9/11/23

B. Legal Sufficiency:

 9/4/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

**PARTICIPATION REQUEST FORM
FLORIDA RECOVERY OBLIGATION CALCULATION (F-ROC) PROGRAM**

Palm Beach County (hereinafter referred to as the "Applicant"), requests to participate in the Florida Recovery Obligation Calculation (F-ROC) program. The F-ROC program is an initiative, sponsored by the Florida Division of Emergency Management (hereinafter referred to as the "Division"), that assists Applicants in identifying risk in their organization and develops a clear action plan that will abate those risks, while standardizing and streamlining the Public Assistance process.

Applicant's name:	Palm Beach County
Applicant's unique entity identifier:	XL2DNFMPCR44
Applicant's FEIN:	59-6000785
Applicant's Address:	20 S. Military Trail, West Palm Beach, FL 33415

(1) DEFINITIONS

1. **Disaster Readiness Assessment (DRA):** The Disaster Readiness Assessment is a questionnaire completed prior to a disaster that evaluates the Applicant's risk of deobligations in the Public Assistance program.
2. **Post Disaster Questionnaire (PDQ):** The Post Disaster Questionnaire is completed after each Federally declared event to gather Applicant specific information regarding training and utilization of forms.
3. **Expedited Projects:** Applicants may submit Expedited Projects to FEMA if they have an immediate need for funding to continue life-saving emergency protective measures. If approved, the Applicant will be awarded 50% of the Federal portion of the FEMA-confirmed project cost based on initial documentation.
4. **Obligated:** FEMA obligates funding once a project meets Stafford Act eligibility requirements.
5. **Deobligated:** FEMA deobligates funding if previously obligated costs have been determined to be ineligible under the Public Assistance program.
6. **Emergency Management Accreditation Program (EMAP):** A voluntary standards, assessment, and accreditation process for disaster preparedness programs.

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(2) CONTACT

Applicant Point of Contact:	Mary Blakeney
Telephone:	(561) 712-6400
Email:	mblakene@pbcgov.org

Division Point of Contact:	Recovery Bureau
Telephone:	(850) 815-4400
Email:	F-ROC@em.myflorida.com

- a. In the event that different representatives or addresses are designated by either party after submittal of this Participation Request Form, a notice of the name, address and email of the new representative will be provided to the other party in writing via letter or electronic email.

(3) TERMS AND CONDITIONS

Upon the Applicant submitting, via electronic mail to F-ROC@em.myflorida.com, the signed Participation Request Form for the F-ROC program and completing the mandatory Opt-In training course, the Applicant will receive the minimum/baseline score of 20% for work completed projects and work to be completed projects.

- a. Pursuant to this Participation Request Form, the initial opt-in will be for two (2) years and will only cover large, non-expedited, Category A (Debris Removal) and Category B (Emergency Protective Measures) projects. Annual renewal of this Participation Request Form will begin in January of the year in which the form is set to expire.
- b. To complete the participation process and receive the 20% baseline, the Applicant must:
- i. Complete the Opt-In training course with a score of 100%; and,
 - ii. Submit the signed Participation Request Form.
- c. If an Applicant wishes to increase their score, they can do so by completing the optional items listed below:
- i. Complete the Disaster Readiness Assessment (DRA) and applicable abatement activities.
 - ii. Complete the Post Disaster Questionnaire (PDQ).
 - iii. Utilize the Division's standardized F-ROC forms.
 - iv. Training (excluding the Opt-in and Leadership courses).
- d. This Participation Request Form will not apply to any Expedited Projects.
- e. The deadline to opt-in to the initial term of the F-ROC program, is September 30, 2023.

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- f. The implementation of the F-ROC program does not guarantee funding for Applicants. Funding will remain dependent upon obligation by FEMA and the Applicant will be liable for repayment (See (7) REPAYMENTS) upon deobligation by FEMA of any dispersed funds.
- g. If the Applicant seeks to "opt-out" of F-ROC, the Applicant must make a request to that effect in writing to the Division, on their letter head and duly signed by an authorized representative of the Applicant.
- h. The deadline to complete the DRA, pursuant to this Participation Request Form, is December 31, 2023.
- i. The deadline to complete any abatement activities shall be March 31st of the calendar year after the Participation Request Form or renewal has been executed.
- j. The Applicant shall have sixty (60) days from the date their County is designated under the disaster declaration to complete the applicable PDQ. The PDQ must be completed in order to access additional points and increase the locked-in score. If the Applicant requests an extension on completing the PDQ, such an extension request must be made prior to the obligation of funds for it to impact the Applicant's score and therefore, reflect upon the obligation attaching thereto.
- k. The Applicant and the Division will identify the key Points of Contact (POC) respectively.
- l. The Division reserves the right to remove an Applicant from the program. Furthermore, if the Division has reason to believe that the Applicant is engaged in fraud, waste, abuse, or noncompliance of State and/or Federal laws, the Division may impose a one (1) year prohibition upon the Applicant from participation in the program.
- m. The Applicant's failure to complete the criteria set forth in this Participation Request Form shall result in a default to the traditional method of dispersing obligated Public Assistance funds; Meaning, the Division will consider failure to complete the requirements as the Applicant voluntarily "opting-out" of the program.
- n. The Participation Request Form duration shall be two (2) years with annual "opt-in" renewals.

(4) PERIOD OF PERFORMANCE

This Participation Request Form survives and remains in effect after termination, for the herein referenced State and Federal audit requirements and the referenced required records retention periods. Work may only be performed during the timeframes established and approved by the State and/or FEMA for each Category of Work type.

(5) FUNDING

- a. Participation in the F-ROC program does not guarantee funding and is dependent upon FEMA's obligation.
- b. By signing and returning the Participation Request Form for F-ROC, Applicants have the potential to

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FLORIDA RECOVERY OBLIGATION CALCULATION (F-ROC) PROGRAM**

receive a score up to 80%. This score is made up of three components:

1. 20% Baseline score for signing and returning the Request Form.
 2. Up to a 40% score for completing the DRA.
 3. Up to a 20% score for completing the PDQ.
- c. Applicants who have received EMAP accreditation will receive an additional 5%.
- d. The Applicant's score directly corresponds to the percent of the eligible obligated amount that will be dispersed to the Applicant upon obligation of the Public Assistance project. After validation of all supporting documentation is complete, the Applicant will receive the remainder of the validated, obligated amount.
- e. If the Applicant has any open receivables with the Division, those receivables must be satisfied before any disbursements are made through the F-ROC program.

(6) PAYMENT

- a. The payment method used by the Division is either a Cost Reimbursement or an Advance Payment. Advance payments will be governed by chapter 216, Florida Statutes.
- b. The Division's Grant Manager, as required by section 215.971(2)(c), Florida Statutes, shall reconcile and verify all funds received against all funds expended during the agreement period and produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the Applicant.

(7) REPAYMENTS

- a. Refunds or repayments of obligated funds may be paid to the Division via offset with another obligated Public Assistance project, check or a payment plan, as approved by the Department of Financial Services.
- b. All refund or repayments due to the Division under this Agreement are to be made payable to the order of "Florida Division of Emergency Management" and must include the invoice number and the applicable Disaster and Project number(s) that are the subject of the invoice, and be mailed directly to the following address:

Florida Division of Emergency Management Cashier
2555 Shumard Oak Boulevard
Tallahassee FL 32399-2100

This Participation Request Form shall terminate upon the expiration date of May 31, 2025, unless the Applicant renews annually. The Division reserves the right to remove an Applicant from the program. The Division and Applicant agree that all records will be maintained until the conclusion of all applicable record retention

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periods.

IN WITNESS WHEREOF, the Applicant hereto has executed this Participation Request Form.

Applicant: Palm Beach County

By: _____
(Signature)

Name: Mary Blakeney

Title: Director, Division of Emergency Management

Date: _____