U.S. Department of Homeland Security
Region II
Jacob K. Javits Federal Office Building
26 Federal Plaza
New York, New York 10278-0002

FEMA

July 28, 2021

Ms. Anne Bink
Alternate Governor's Authorized Representative
New York State Division of Homeland Security & Emergency Services
1220 Washington Avenue
Building 7A, Suite 710
Albany, New York 12242

RE: FEMA-4472-DR-NY
Hazard Mitigation Grant Program (HMGP)
HMGP Project# 4472-0001
Sub-recipient: Montgomery County
Project Title: Montgomery County Multi-Jurisdictional
Multi-Hazard Mitigation Plan (HMP) Update
Sub-grant Approval Letter

Dear Ms. Bink:

The Federal Emergency Management Agency (FEMA) has completed review of the New York State Division of Homeland Security and Emergency Services (DHSES) Recipient submission of the above referenced Hazard Mitigation Grant Program (HMGP) sub-grant application, including additional documentation received from Montgomery County (Sub-recipient).

This sub-grant application meets HMGP eligibility criteria and is hereby approved. This approval is contingent upon the fulfillment of all conditions identified by FEMA and itemized within this correspondence and the enclosed Conditions of Approval (COA).

The approved scope of work is for the Hazard Mitigation Multijurisdictional Multi-Hazard Mitigation Plan Update as identified within the Sub-recipient's sub-grant application.

Funding will be made available in an amount not to exceed total project costs of $80,000 with a federal share of $60,000 and a local matching share of $20,000. Subrecipient management cost will also be made available for an amount not to exceed a total cost of $4,000. The necessary costs of requesting, obtaining, and administering Federal disaster sub-grants will only be covered by an allowance as defined in 2 C.F.R Part 200.

The Period of Performance (POP) for HMGP FEMA-4472-DR-NY has been set as June 17, 2024. Recipients are responsible for establishing sub-grant milestones to ensure that all approved activities are completed by the end of the grant POP.

Any change or modification of the approved sub-grant budget and/or scope of work must be submitted to FEMA for approval prior to implementation. Implementation of any modifications to the approved scope of work prior to receipt of FEMA Region II's approval would jeopardize grant reimbursement.

Once funding has been obligated, in accordance with 44 C.F.R. 206.438 (d), the Governor's Authorized Representative is required to submit a claim to FEMA Region II for reimbursement of allowable costs prior to the drawing down of those funds. These submitted claims must also certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure complies with the provisions of the FEMA-State Agreement.

Quarterly progress reports are required in accordance with 44 C.F.R. 206.438(c). These reports should reflect the status and completion date for the project being funded. Any problems or circumstances affecting the completion date, scope of work, project cost, or which could be expected to result in noncompliance with the approved grant conditions are to be described in these quarterly progress reports. Requests for additional project time extensions would only be considered in instances where there are accurate quarterly status reports.

We suggest that your office immediately notify Montgomery County regarding our approval and meet with the Sub-recipient to review each of the required project conditions. This would also afford your office the opportunity to establish a follow-up schedule/expectation of project implementation, quarterly reports information, and fiscal documentation requirements.

Should you have any questions or require additional information, please contact Sharon Edwards, Hazard Mitigation Assistance Branch Chief at (212) 680-3633.

Sincerely,

MICHAEL F MORIARTY

Digitally signed by MICHAEL F MORIARTY
Date: 2021.07.28 08:20:56 -04'00'

Michael F. Moriarty
Director
Mitigation Division

Cc: Ms. Marlene D. White, State Hazard Mitigation Officer

Enclosures: Conditions of Approval (COA)

CONDITIONS OF APPROVAL
Hazard Mitigation Grant Program (HMGP)
HMGP Project: 4472-0001
Montgomery County
Multi-Jurisdictional Multi-Hazard Mitigation Plan (HMP) Update

FEMA Region II approval is contingent upon fulfillment of all the following conditions:

1. *Approved Scope of Work*

Program approval is granted for the Hazard Mitigation Multijurisdictional Multi-Hazard Mitigation Plan Update as identified within the Sub-recipient's sub-grant application.

2. *Scope of Work Changes*

In accordance with 2 CFR Section 200.308, pass-through entities must obtain FEMA's prior approval whenever there is a proposed scope of work (SOW) change. Requests for changes to the SOW after award are permissible if they are consistent with the intent of the program. Requests must be made in writing and demonstrate the need for the scope change. The request also should include a revised scope, schedule, and budget. Any SOW changes are subject to all programmatic requirements, including EHP review requirements. All approvals will be at FEMA's discretion.

3. *Other Regulatory Requirements*

As part of our approval, the Sub-recipient is required to adhere to all applicable Federal regulations including the following: 2 CFR 200: Uniform administrative requirements, cost principles, and audit requirement for federal award and 44 CFR: Subchapter D – Disaster Assistance (Part 201-Mitigation Planning, section 201.6 Local mitigation plans).

4. *Project Completion Schedule*

The Period of Performance (POP) for HMGP FEMA-4472-DR-NY has been established as June 17, 2024 for this declaration. DHSES must administer this sub-grant within the grant program POP.

5. *Period of Performance Extensions*

In order for the sub-recipient to be considered for a period of performance extension, NYDHSES must submit a formal written request to the Regional Administrator no later than sixty (60) days prior to the expiration of the period of performance and must include a justification for the extension. This justification is a written explanation of the reason or reasons for the delay; an outline of remaining funds available to support the extended performance period; and a description of performance measures necessary to complete the project within the requested extended period of performance. Other information required with this request includes: a revised budget information form (regardless of whether or not there are changes to the budget); copies of any contracts entered into by sub-recipient with vendors; percentage of work completed and a description of all work completed. Extensions may not be considered for projects that are a result of delays in project initiation and implementation.

6. *Reporting Requirements*

Once funding has been obligated, in accordance with 44 C.F.R. 206.438 (d), the Governor's Authorized Representative is required to submit a claim to FEMA Region II for reimbursement of allowable costs prior to the drawing down of those funds. These submitted claims must also certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure complies with the provisions of the FEMA-State Agreement.

Quarterly progress reports are required in accordance with 44 C.F.R. 206.438 (c). These reports should reflect the status and completion date for the project being funded. Any problems or circumstances affecting the completion date, scope of work, project cost, or which could be expected to result in noncompliance with the approved grant conditions are to be described in these quarterly progress reports. Requests for additional project time extensions would only be considered in instances where the Sub-recipient has provided the Recipient with accurate quarterly status reports.

7. *Closeout*

As required by 44 CFR 206,438(d), the Recipient will submit a letter signed by the Governor's Representative or equivalent certifying that:

- The report costs were incurred in the performance of eligible work.
- The approved work was completed, and the mitigation measure follows the provisions of the FEMA-STATE Agreement.
- Each sub-grant has been completed in compliance with the approved SOW.
- Actual expenditures have been documented and are consistent with the SF-424A or SF-424C.
- All program income has been deducted from total project costs as specified in 2 CFR Part 200.80.
- All project work was performed in accordance with all required and applicable building codes as modified or protected by the approved project. (If applicable)
- For new or updated hazard mitigation plans, a final copy of the FEMA-approved and community-adopted plan has been submitted to FEMA. (If applicable)
- The activity is consistent with 44 CFR Part 201 and 206.