

STATE OF NEBRASKA UPDATED GUIDANCE
For
Local Government Requests for Reimbursement for COVID-19 Related Expenses
Dated: July 2, 2020
Supersedes Initial Guidance Issued on June 23, 2020

I. FEMA Public Assistance Requests

The Governor has directed the FEMA Public Assistance Program as the primary source for state and local entities to recoup costs associated with the response to the COVID-19 pandemic. The US Treasury issued guidance on June 24, 2020, in the form of a FAQ document verifying the Coronavirus Relief Funds are permitted to be used as a source for the state's cost share. In addition, the Federal Emergency Management Agency issued a Fact Sheet on July 1, 2020, confirming the cost share issue.

Eligible Units of Local Government – those entities normally eligible for participating in the Public Assistance program as defined in the FEMA Public Assistance Program and Policy Guide, Version 3.1 (available for review at FEMA.gov).

FEMA guidance indicates the following items would qualify:

- Personal protective equipment
- Sanitizing products
- Necessary medical supplies and equipment
- Temporary emergency staffing and overtime costs for staff that is substantially dedicated to the mitigation or response to the Covid-19 Public Health Emergency

All eligible Local Public Entities for Public Assistance shall submit request reimbursement for eligible costs through FEMA under the Category B – Emergency Protective measures. **Eligible entities who do not submit project worksheets for FEMA Public Assistance will not be eligible for reimbursement of costs from the Cares Act Coronavirus Relief Fund.** Eligible entities should submit a Request for Public Assistance (RPA) on FEMA's Grant's Portal if one has not been submitted previously for DR 4521.

Applicant briefings are being scheduled to allow eligible applicants to submit project requests. The Nebraska Emergency Management Agency will continue to notify entities regarding the dates and times for the virtual applicant briefing sessions.

FEMA will require Public Assistance projects to be submitted through the Grants Portal. The State of Nebraska can allow Deloitte access to the Grants Portal which would then permit them to review the projects prior to submission to the FEMA Consolidated Resource Center (CRC).

Once the project and costs are deemed to be eligible by FEMA, the project will be obligated/awarded by FEMA. Deloitte and State Accounting are working through the requirements that would permit the State of Nebraska to process payment of both the FEMA 75% cost share and the 25% cost share from the CRF simultaneously.

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Eligible entities may submit subsequent requests for Public Assistance as they incur additional costs related to COVID19 activities.

For Counties, Cities and Villages, and Public Utilities, Coronavirus Relief Funds will be used to meet the 25% cost share requirement for FEMA Public Assistance projects. For those expenses not deemed eligible for FEMA Public Assistance reimbursement, a process will be established by Deloitte to determine eligibility for CARES Act Coronavirus Relief Fund reimbursement.

NEMA continues to work with Deloitte to establish a website or portal for all other cost reimbursement issues to be addressed. The goal is to have the website (coronavirus.nebraska.gov) operational on July 15, 2020. Deloitte is working to develop forms or templates which can be used to submit project costs not eligible under the FEMA Public Assistance Program for consideration under the Coronavirus Relief Fund. Additional guidance specific to the Coronavirus Relief Fund will be forthcoming.

II. Nebraska COVID-19 Local Government Response Assistance Program

In accordance with earlier directives issued by the Governor \$100 million has been allocated for reimbursements to local governments for direct expenses incurred in response to the COVID-19 emergency. The State of Nebraska has entered in to a contract with Deloitte and Touche (Deloitte) to manage the process to request reimbursement and process payments.

Eligible Units of Local Government:

- Counties
- Cities, and Villages
- Utility Districts

Necessary Expenditures Include:

- Acquisition and Distribution of
 - o Personal Protective Equipment;
 - o Sanitizing Products;
 - o Testing Equipment;
 - o Ventilators;
 - o Other necessary COVID-19 Medical Supplies and Equipment;
- Temporary Isolation or Quarantine Sites;
 - o Other related necessary expenditures;
- Medical Transportation;
- Expenses for Sanitizing Public Areas and other Public Facilities; and
- Temporary Emergency Staffing and over-time costs for staff that is substantially dedicated to the mitigation or response to the COVID-19 Public Health Emergency; and
- Payroll costs for public health and public safety employees for services

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dedicated to mitigating or responding to the COVID-19 public health emergency. No presumption permitted.

- Equipment used for the conduct of meetings by telephonic or electronic means.

Limitations and Requirements:

Any funds provided pursuant to this program **cannot be used as a revenue replacement** for lower than expected tax or other revenue collections.

Douglas County and local political subdivisions, excluding the City of Omaha, within Douglas County are ineligible to receive reimbursement pursuant to this program. Since Douglas County has received their own direct allocation of Coronavirus Relief Funds, those entities should contact Douglas County.

In accordance with earlier guidance County Governments were required to open the County Courthouse and County Offices for business on a non-appointment basis prior to June 15, 2020 in order to receive funds. Appointments are permitted for services that normally require an appointment or to provide better service times for customers, but appointments may not be the sole means to obtain services. Customers may be encouraged to wear face coverings, but may not be refused service for failure to do so. Counties may otherwise require adherence to minimum social distancing guidelines and follow procedures for disinfecting common areas as established in the Directed Health Measure for that county.

Individual county offices may be closed if any employee within that office has been exposed or tested positive.

County board chairs may control traffic flow by limiting public access to certain proscribed entry and exit points.