

REQUEST FOR INFORMATION

FEDERAL EMERGENCY MANAGEMENT AGENCY

Sara Hartley

BRIC FY22

Sidney Meadows Drainage Improvements Project

2/9/2024

FEMA has completed initial review for the above mentioned subapplication. At this time, this application does not meet program minimum eligibility requirements, and there are items that need clarification or resolution. Please submit the requested revisions no later than 3/11/2024. If MTDES has any questions or concerns regarding this RFI we would be happy to provide assistance. Please feel free to contact Stephany Peltekov with any questions, thank you.

GENERAL CRITERIA

ISSUE	What is the issue? Describe what is missing or incorrect.
ACTIONS	Provide details as to what needs to be corrected/revised or submitted.
REGULATIONS	<i>Cite regulations that stipulate the need for this information.</i>

SCOPE OF WORK/TECHNICAL FEASIBILITY

ISSUE	<ol style="list-style-type: none">1. The project schedule does not match the line items within the cost estimate.2. The applicant and subapplicant must provide sufficient detail for the construction and project construction line items in your schedule, so that FEMA can determine whether the proposed activities can be accomplished within the period of performance.3. Milestones such as project design completion, contracting, implementation, and final inspection are also missing from the project schedule.
ACTIONS	<ol style="list-style-type: none">1. Please ensure that the project schedule matches the cost estimate.2. Provide more detail and broken-down activities for the construction and project construction line items in the schedule. Listed on page 12 of the application.3. Consider adding milestones such as project design completion, contracting, implementation, and final inspection to the schedule.
REGULATIONS	2015 HMA Guidance Part IV H.1 Required Components; 2023 HMA Guidance Part 6 C.2 Schedule

BUDGET/COST ESTIMATE

ISSUE	<ol style="list-style-type: none">1. Pre-award costs were identified as construction (Asphalt Restoration). According to FEMA guidance, construction cannot be a pre-award cost. Has this activity already occurred? If so, it would be deemed ineligible. If not, this can be moved to a regular budget line item.
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	<ol style="list-style-type: none"> 2. This project must comply with the Build America, Buy America Act. This means that: All iron and steel items used in covered projects must be produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. <ol style="list-style-type: none"> a. All manufactured products used in covered projects must be produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55% of the total cost of all components of the manufactured product. b. All construction materials used in covered projects must be manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.
ACTIONS	<ol style="list-style-type: none"> 1. Please advise on pre-award costs. 2. A suggested option is perhaps submitting a “Public Interest Waiver” as the most appropriate approach for the Sidney Meadows Drainage Improvements Project. Please ensure a waiver has been approved prior to contracting with a vendor for completion of this project and/or include language specific to BABAA requirements in the updated vendor contract. <ol style="list-style-type: none"> a. FEMA will provide additional assistance should a waiver be requested.
REGULATIONS	<ol style="list-style-type: none"> 1. 2015 HMA Guidance Part IV F.2 2. Build America, Buy America Act Frequently Asked Questions (FAQs) FEMA.gov; General Applicability of Build America, Buy America Act Provisions as Applied to Recipients and Subrecipients of FEMA Federal Financial Assistance Programs for Infrastructure
ENVIRONMENTAL & HISTORIC PRESERVATION (EHP)	
ISSUE	<ol style="list-style-type: none"> 1. Will tree removal occur as part of project implementation? 2. The application indicates a wetland delineation will be completed prior to construction.
ACTIONS	<ol style="list-style-type: none"> 1. If so, how many trees and where are their approximate locations? 2. If this has been conducted, please provide the wetland report and any applicable Corps 404 permitting.
REGULATIONS	D. Clean Water Act, Rivers and Harbors Act, and EO 11990 (Protection of Wetlands) J. Other EHP Laws or Issues
PROJECT SPECIFIC (PLANNING, ELEVATION, ETC.)	
ISSUE	<i>What is the issue? Describe what is missing or incorrect.</i>
ACTIONS	<i>Provide details as to what needs to be corrected/revised or submitted.</i>
REGULATIONS	<i>Cite regulations that stipulate the need for this information.</i>

RFI TIMELINES	
Informal – First Request	The Project Officer requests additional information from the Applicant . If the requested information is not received within 30 calendar days from the date of the request, FEMA will consider the application to be incomplete and not approvable. Unless the HMA program is competitive, FEMA may provide technical assistance if requested to help the Applicant respond to the RFI and set a new timeframe for the Applicant response. We may encourage phasing the project if it is feasible to do so.
Informal – Second Request	The Hazard Mitigation Branch Chief requests additional information from the Applicant . If the requested information is not received within 14 calendar days from the date of the request, FEMA will consider the application to be incomplete and not approvable. FEMA may provide technical assistance if requested, unless the HMA program is competitive. We will attempt to coordinate with FEMA, Recipient, and Applicant staff should meet to resolve any open items within the allotted timeframe, if necessary.
Formal	In a formal letter, the Division Director requests additional information and documents previous requests in letter to the State Director . If the requested information is not received within 30 calendar days from the date of the request, FEMA will consider the application to be incomplete and not approvable.
Formal	If the RFI is not answered in specified timeframe, the Regional Administrator will communicate last and final RFI to State Director with 30-day turnaround.
Final	If RFI is not answered, the project will be denied.