

APPROVED

**FEMA/WVDHSEM CRISIS SITUATION
FUNDING ASSISTANCE RESOLUTION**

WHEREAS, pursuant to Chapter 31, Article 15 A, Section 5 of the Code of West Virginia 1931, as amended (the “Act”), the West Virginia Infrastructure and Jobs Development Council (the “Council”) is required to review a preliminary application form and provide recommendations for any project sponsor applying for any funding assistance from any State of West Virginia (the “State”) infrastructure agency;

WHEREAS, communities in the State are, from time to time, affected by severe flooding, fire and other recognized disasters and are, from time to time, awarded grants to repair all or a portion of damaged water and sewer systems from the United States Federal Emergency Management Administration (“FEMA”) to cover a portion of the costs but which grants require a local match (“Local Match”);

WHEREAS, in certain instances the Local Match is provided by the West Virginia Department of Homeland Security and Emergency Management (“WVDHSEM”) from funds appropriated by the West Virginia Legislature (“Legislature”);

WHEREAS, FEMA grant awards for recent disasters may not have received a WVDHSEM Local Match;

WHEREAS, FEMA/WVDHSEM identifies each community affected (the “Project Sponsor”) and the scope of the work (the “Project”) requested as a result of either a major or minor disaster declaration (“Eligible Costs”);

WHEREAS, some activities connected to the completion of the Project are not or may be determined by FEMA not to be Eligible Costs (“Ineligible Costs”);

WHEREAS, WVDHSEM advances FEMA grant proceeds during construction but withholds approximately 25% until the Project is complete and the Project records have been audited;

WHEREAS, Project Sponsors may request grants or temporary funding assistance from the Council to cover (1) the Local Match, (2) the amount of the FEMA grant held back by WVDHSEM, and/or (3) to pay the Ineligible Cost necessary to complete the Project;

WHEREAS, the standard Council application process and technical review are redundant for Projects previously reviewed and awarded funding by FEMA and WVDHSEM;

WHEREAS, it is in the best interest of the State and the communities affected by federally or state declared disasters to streamline the funding process and provide crisis situation funding to cover the Local Match, Ineligible Costs and temporary funding assistance for the withholding amounts.

NOW THEREFORE be it resolved by the West Virginia Infrastructure and Jobs Development Council as follows:

1. A Project Sponsor may apply for crisis situation funding assistance to cover the Local Match, Ineligible Costs and/or the FEMA/WVDHSEM held back portion for a Project awarded funding by FEMA/WVDHSEM for a federally or state declared disaster on the FEMA/WVDHSEM application form, the initial form of which is attached hereto as Exhibit A and incorporated herein by reference. If the Legislature appropriates funds to WVDHSEM to cover the FEMA grant match requirements, WVDHSEM shall reimburse the Council for funds advanced to the Project Sponsor.

2. The Council may, upon review of the application, authorize the West Virginia Water Development Authority (“WDA”) to provide a grant to the Project Sponsor to cover the Local Match.

3. The Council may, upon review of the application, authorize the WDA to provide a grant to the Project Sponsor to cover the Ineligible Costs of the Project.

4. The Council may, upon review of the application, authorize the WDA to provide temporary funding assistance in the form a reimbursable grant to cover the withholding amount of a FEMA/WVDHSEM grant. Upon the receipt of the final FEMA/WVDHSEM reimbursement following the completion and final review of the Project, the Project Sponsor shall return the reimbursable grant amount to the WDA for benefit of the Infrastructure Fund.

5. Standard MHI guidelines for making grant awards will not be applicable to FEMA Project requests.

6. Prior to entering into any grant agreement or reimbursable grant agreement authorized by the Council, the WDA shall have received the Project Sponsor’s Verification Form required for all State funding grants pursuant to Chapter 12, Article 4, Section 14 of the Code of West Virginia, 1931, as amended and the Project Sponsor shall comply with all requirements of said Section.

7. This resolution shall be effective immediately upon adoption.

Adopted _____ February 5 _____, 2020.

Secretary

EXHIBIT A
WEST VIRGINIA INFRASTRUCTURE AND JOBS DEVELOPMENT COUNCIL
FEMA/WVDHSEM CRISIS SITUATION FUNDING ASSISTANCE FORM

1. Project Sponsor (full legal name): _____

2. Project Sponsor address: _____

Phone: _____ Email: _____
3. State Emergency/Major Disaster Declaration Number: _____
4. Project Sponsor FEIN: _____
5. Project Sponsor's Consulting Engineer with contact information: _____

6. Please attach 5G Documentation.
7. Amount of FEMA/WVDHSEM Award: _____
8. Please attach FEMA/WVDHSEM Award/Grant Document.
9. Description of Project: _____

10. Crisis Situation Funding Assistance Requested: _____

11. Please attach Project Budget/Schedule B.

[PROJECT SPONSOR]

By _____
Authorized Representative

Date