

JEFFREY D. STERN, Ph.D.  
State Coordinator

CURTIS C. BROWN  
Chief Deputy State Coordinator/  
Chief Diversity and Inclusion Officer



JOHN NORTHON  
Deputy State Coordinator – Disaster Services

ANDRES ALVAREZ  
Deputy State Coordinator – Mission Support

## COMMONWEALTH OF VIRGINIA

### Department of Emergency Management

9711 Farrar Court, Suite 200  
North Chesterfield, Virginia 23236  
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

June 3, 2020

Ms. Mary Bunting  
City Manager  
City of Hampton  
22 Lincoln Street  
Hampton, VA 23669

RE: City of Hampton – Generator Quick Connects 5% Initiative Project  
FEMA-4401-DR-VA-004

Dear Ms. Bunting:

I am pleased to notify you that the Federal Emergency Management Agency (FEMA) has approved the project titled "City of Hampton – Generator Quick Connects 5% Initiative Project." The funds have been obligated through the Hazard Mitigation Grant Program. Attached you will find the grant award package. Please read all documents carefully prior to initiating your project. As funded, the federal share is 75 percent of the total project costs.

Your project cannot begin until the authorized agent has signed the grant award package. No reimbursements will be made until the award package is signed and received by the Virginia Department of Emergency Management. Please sign the attached grant agreement and scan and email it to Debbie Messmer, state hazard mitigation officer. Congratulations on the approval of this project. If you have questions regarding this award or the implementation of your project, please contact Debbie Messmer at (804) 267-7732 or by e-mail at [debbie.messmer@vdem.virginia.gov](mailto:debbie.messmer@vdem.virginia.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Curtis C. Brown".

Curtis C. Brown  
Alternate Governor's Authorized Representative

Enclosures

CCB/RSC/djm

JEFFREY D. STERN, Ph.D.  
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# COMMONWEALTH OF VIRGINIA

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### **Hazard Mitigation Grant Program**

Grant Agreement  
FEMA-DR-4401-VA-004

This Agreement is made as of this 3rd day of April 2020 by and between the Virginia Department of Emergency Management, hereinafter called "VDEM," and the City of Hampton herein after called the "Sub-grantee." The DUNS number for the City of Hampton is **66019902**.

The parties to this Agreement, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

(1) GENERAL PROVISIONS:

This Agreement is a sub-grant award of federal funds from VDEM to the sub-grantee. VDEM has received a grant from the Department of Homeland Security Federal Emergency Management Agency Hazard Mitigation Grant Program, Catalog of Federal Domestic Assistance Number 97.039. The sub-grantee shall implement the project as set forth in the grant Agreement documents. These documents consist of:

- (1) Executed Grant Agreement;
- (2) Scope of Services, Attachment A;
- (3) Project Budget, Attachment B;
- (4) Milestone Table, Attachment C; and
- (5) Grant Assistance Agreements and VDEM-FEMA General Terms and Conditions and Assurances; Attachment D.

**State agencies acting as the sub-grantee shall report all federal funds received as part of this Agreement as federal pass-thru funds on their agency's Schedule of Federal Assistance.**

Nothing in this Agreement shall be construed as authority for either party to make commitments, which will bind the other party beyond the Scope of Work contained herein. Furthermore, the sub-grantee shall assign, sublet, or subcontract any work related to this Agreement or any interest it may have herein with full compliance with federal and state procurement regulations. The schedule of service set forth in the Scope of Work and Milestone Table shall be deemed to have been consented to, as required by the preceding sentence, upon the execution of this Agreement by VDEM.

(2) SCOPE OF SERVICES:

The sub-grantee shall provide the service to VDEM set forth and summarized in the Scope of Work (Attachment A) and Milestone Table (Attachment C). All deliverables shall conform to accepted standards and practices. If there is any change in the original scope of work, a formal request must be made to VDEM for review and approval prior to implementing the change. These attachments are consistent with the original VDEM-FEMA (Federal Emergency Management Agency) grant project application. The sub-grantee shall provide VDEM with quarterly reports and a final report on the progress of work set forth in the Scope of Work. The quarterly reports and final report shall contain the following components: (1) a narrative describing in detail the progress of the sub-grantee in fulfilling the provisions of the Scope of Works; (2) Reimbursement Requests as needed that itemize the expenses incurred by the sub-grantee, including separate columns for the federal, state, and the sub-grantee's matching contribution to the total cost of services as reflected in the Project Budget-Attachment B; and (3) the schedule of specific project tasks with target completion dates and actual completion dates (Milestone Table – Attachment C). The first quarterly report is due to VDEM at the end of the first complete quarter following the award of the grant.

<u>Reporting Period</u>	<u>Report Due to VDEM</u>
January 1 – March 31	no later than April 15
April 1 – June 30	no later than July 15
July 1 – September 30	no later than October 15
October 1 – December 31	no later than January 15

(3) TIME OF PERFORMANCE:

The services of the sub-grantee shall begin on the date of sub-grantee's signature of this document and terminate on **10-15-2022**, unless otherwise altered through provisions of this Agreement or extended by written authorization of VDEM. Requests for time of performance extension must be received in writing by VDEM within 75 days of termination date with reasons for requested time of performance extension and a revised Milestone Table – Attachment C. All time limits stated are of essence of this Agreement. All funds must be obligated no later than the project completion date. The final request for reimbursement must be received no later than 60 days after the completion date for the project.

(4) COMPENSATION:

The total project award from VDEM is **\$129,088** provided through the Hazard Mitigation Grant Program, Disaster 4401, Hurricane Florence. FEMA shall provide funds for the project identified in the Scope of Work (Attachment A) totaling **\$92,206**. FEMA shall also provide funds for sub-recipient management costs in the amount of **\$6,147**. VDEM shall provide funds for the project identified in the Scope of Work (Attachment A) totaling **\$24,588**. The sub-grantee agrees to provide a match in the amount of **\$6,147**. The sub-grantee is aware of and shall comply with cost-sharing requirements of federal and state mitigation grant assistance; specifically that federal assistance is limited to 75 percent of eligible expenditures, state assistance (as reimbursed through the Virginia Department of Emergency Management) is limited to 20 percent of eligible costs, and the sub-grantee shall provide from the sub-grantee's funds 5 percent of eligible costs. The non-federal funds must be from a non-federal funding source and can be completely fulfilled by in-kind services as long as financial records document them as such.

VDEM shall release the grant award to the sub-grantee on a cost-reimbursement basis upon receipt and approval of the sub-grantee's quarterly and final reports and deliverables as required by this Agreement or at other times agreed to by VDEM. Any cost overruns incurred by the sub-grantee during the time of performance shall be the responsibility of the sub-grantee. The sub-grantee shall spend the funds according to the specified categories of the contract budget. The sub-grantee shall use mitigation grant funds solely

for the purposes for which these funds are provided and as approved by FEMA and VDEM. General policies for determining allowable costs are established in 2 Code of Federal Regulations (CFR), Part 200, subpart E (included in Attachment D) and the appropriate OMB circulars that identify cost principles for different kinds of organizations. Minor shifts of the funds among categories by the sub-grantee, not to exceed 10 percent of any budget line item are permissible, but in no case can the total expenditures exceed the amount provided by this contract. Shifts in funds exceeding 10 percent among budget line items must be approved in writing by VDEM.

(5) ASSISTANCE:

VDEM agrees upon request of the sub-grantee to furnish, or otherwise make available to the sub-grantee, copies of existing non-proprietary materials in the possession of VDEM that are reasonably related to the subject matter of this Agreement and are necessary to the sub-grantee for completion of its performance under this Agreement. VDEM Recovery and Resilience Division staff will provide technical support to the sub-grantee and make periodic site visits to monitor progress.

(6) ACKNOWLEDGEMENTS:

The role of the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) must be clearly stated in all press releases, news articles, and request for proposals, bid solicitations and other documents describing this project, whether funded in whole or part.

Acknowledgement of financial assistance, with VDEM and FEMA logos, must be printed on all reports, studies, web sites, and other products (including map products) supported, in whole or in part, by this award or any sub-award. The sub-grantee is responsible for contacting VDEM staff in adequate time to obtain the logo in camera-ready or digital form. The final draft must be approved by VDEM staff prior to production. The acknowledgement should read as follows:

*This report was funded by the Federal Emergency Management Agency through the Virginia Department of Emergency Management, via Grant Agreement Number FEMA-DR-4401-VA-004 for \$129,088.*

(7) CREATION OF INTELLECTUAL PROPERTY:

To the extent that the copyright to any copyrightable material created pursuant to this Agreement is owned by the sub-grantee and/or the sub-grantee is empowered to license its use, VDEM agrees to grant to the sub-grantee, and hereby does grant to the sub-grantee, a license to use the materials so owned for public, not-for-profit purpose within the territory of the Commonwealth and shall execute and deliver such further documents as the Commonwealth may reasonably request for the purpose of acknowledging or implementing such license.

A copyright notice shall be placed in an appropriate location on any copyrightable material being distributed or published. Such notice shall include (1) either the symbol "©", the word "Copyright", or the abbreviation "Copr."; (2) the year of first publication; and (3) the name of the copyright owner (the Commonwealth of Virginia). This information shall be followed by the words, "all rights reserved."

(8) STRUCTURAL MITIGATION REQUIREMENTS:

Specific requirements must be adhered to for structural mitigation projects such as structural relocation, property acquisition and demolition, and structural retrofitting or improvement as detailed in Attachment D. These requirements can include deed restrictions, operation and maintenance plans, and insurance requirements, as dictated by the specific grant and project requirements.

(9) BREACH AND TERMINATION:

In the event of breach by the sub-grantee of this Agreement, VDEM shall provide written notice to the sub-grantee specifying the manner in which the Agreement has been breached. If a notice of breach is given and the sub-grantee has not substantially corrected the breach within 60 days of receipt of the written notice, VDEM shall have the right to terminate the Agreement. The sub-grantee shall be paid for no service rendered or expense incurred after receipt of the notice of termination, except such fees and expenses incurred prior to the effective date of termination that are necessary for curtailment of its work under the Agreement. Termination of this Agreement can occur as an effect of one of two results: First, as a result of the proper completion and closeout of this project. Second, termination may occur as a result of *Termination for Convenience* or other termination as allowed or required by 2 CFR 200.339 for projects which cannot be completed as described in the FEMA-approved grant project application and the Scope of Services – Attachment, herein. Communication of this decision and information related to the project termination will be provided to the sub-grantee in coordination with FEMA through registered mail.

IN WITNESS THEREOF the parties have caused this Agreement to be executed by the following duly authorized officials:

**Sub-grantee:**

**Grantor:**

**City of Hampton**

**Virginia Department of Emergency Management**

By:

By:

\_\_\_\_\_



\_\_\_\_\_

Date:

Date: June 3, 2020

\_\_\_\_\_  
Authorized Sub-grantee Signatory

\_\_\_\_\_  
Deputy State Coordinating Officer

**Project Sponsor: City of Hampton**

**Project Title: Generator Quick Connects 5% Initiative Project**

**Project Description from HMGP application:**

The City will procure manual transfer switches following local, state, and federal procurement processes and have a contractor install the transfer switches once all required permits are received. Attached documentation provides a detailed scope of work.

These quick connects will be installed at five (5) of the most vulnerable Pump Stations #'s: 14, 34, 36, 43, and 136 which service approximately 5,267 residential connections, 94 commercial/medical connections and 19 heavy manufacturing connections. The remaining 5 Pump Stations will be substitution pump stations.

Location	Address	Status
Pump Station 14	501 East Pembroke Avenue	Included
Pump Station 34	4 Hampshire Drive	Included
Pump Station 36	301 Apollo Drive	Included
Pump Station 43	475 Fort Worth Street	Included
Pump Station 136	131 Fairmont Drive	Included
Pump Station 30	901 North 1st Street	Substitution
Pump Station 103	2518 58th Street	Substitution
Pump Station 123	21 Riverdale Drive	Substitution
Pump Station 145	119 Westview Drive	Substitution
Pump Station 153	416 Marcella Road	Substitution

**Project Awarded Budget – Funding Source HMGP:**

Federal Project Funds	\$92,206
Sub-Recipient Management Costs	\$6,147
State Project Funds	\$24,588
Local Project Funds	\$6,147
<b>Total Project Funds</b>	<b>\$129,088</b>

**Project Budget from VDEM-FEMA HMGP application:**

<b>ACTIVITY</b>	<b>NUMBER</b>	<b>COST</b>	<b>TOTAL COST</b>
Labor and Materials to Prepare Site	5	\$10,000 per unit	\$50,000
Labor and Materials for Connection Box	5	\$1,608 per unit	\$8,040
Labor and Materials for Manual Transfer Switch Installation	5	\$11,000 per unit	\$55,000
Engineering Designs	1	Lump Sum	\$9,901
<b>TOTAL COSTS</b>			<b>\$122,941</b>

Sub-Recipient Management Costs	1	Lump Sum	\$6,147
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Attachment C  
FEMA-DR-4401-VA-004  
Project Milestone Table

<b>ACTIVITY</b>	<b>DAYS TO COMPLETE</b>
Grant Implementation/Kick-Off Meeting	90
Obtain and approve design/engineering plans	180
Write and issue requests for bids	90
Review bids/issue purchase order	60
Procure manual transfer switches and other parts	90
Install manual transfer switches and complete electrical work	405
Conduct final inspections	90
Closeout project with VDEM	90
TOTAL DAYS TO COMPLETE THIS PROJECT	<b>1,095 Days</b>



Attachment D  
Administrative Requirements and Guidance

**Federal Administration and Guidance Documents:**

1. 2 CFR Part 200 Cost Principles for State, Local, Indian Tribal Governments
2. CATEX documentation (where required)
3. Structural Mitigation Project Requirements (where required)
4. Current Hazard Mitigation Assistance (HMA) Guidelines
5. FEMA Award Package

**Federal Emergency Management Agency (FEMA) Contact:**

John Schmierer  
FEMA Region III  
One Independence Mall, 6<sup>th</sup> Floor  
615 Chestnut Street  
Philadelphia, PA 19106-4404

**Hazard Mitigation Assistance**

**Non-Supplanting Certification**

I certify that any funds awarded under Hazard Mitigation Assistance grants will be used to supplement existing funds for programs activities, and will not replace (supplant) non-federal funds.

**Designated Agent**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Agency

U.S. Department of Homeland  
Security  
Region III  
One Independence Mall, Sixth Floor  
615 Chestnut Street  
Philadelphia, PA 19106-4404



**FEMA**

**April 3, 2020**

Jeffrey D. Stern, Ph. D.  
State Coordinator  
Virginia Department of Emergency Management  
9711 Farrar Court  
Richmond, Virginia 23236-3713

**Re: Project Approval  
Hazard Mitigation Grant Program (HMGP)  
FEMA-4401-DR-VA-004**

Dear Dr. Stern:

I am pleased to inform you that the project application, City of Hampton Generator Quick Connects 5% Initiative Project, submitted under FEMA-DR-4401-VA-004, has been approved. This project proposes to install emergency generator quick connects on 10 water pumping stations in the City of Hampton.

The total amount obligated for this project is \$122,941, with a Federal share of \$92,206, and a non-federal share of \$30,735. This amount should be available in the SMARTLINK system. In addition, the amount of \$6,147 is available for Sub-Recipient management costs.

In implementing this project, VDEM, as the recipient, shall ensure that the City of Hampton, the sub-recipient, complies with the FEMA-State Agreement for DR-4401 and all applicable laws, assurances and guidance. The applicant must also satisfy all requirements identified in the enclosed Record of Environmental Consideration (REC).

The Period of Performance for this project ends on October 15, 2022. Please provide our office with a quarterly report thirty days after the end of each Federal fiscal year quarter.

If you have any questions concerning this project, please contact John Schmierer, FEMA Region III Mitigation Project Officer at (267) 319-6322.

Sincerely,  
for

A handwritten signature in black ink, appearing to read "April Cummings".

April Cummings  
Mitigation Division Director

FEMA-4401-DR-VA-004  
Page 2

Enclosure

cc: Debbie Messmer, State Hazard Mitigation Officer  
Regeane Frederique, Grants Division Director

14:18:11

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4401-DR-VA-004

Title: Hampton Generator Quick Connects

## NEPA DETERMINATION

Non Compliant Flag: No                      EA Draft Date:                      EA Final Date:  
EA Public Notice Date:                      EA Fonsi                      Level: CATEX  
EIS Notice of Intent                      EIS ROD Date:

**Comment** Project is for quick connects installed on ten (10) pumping stations:  
501 Pembroke Ave. Hampton, VA, 23669  
901 N. 1st St., Hampton, VA 23669  
416 Marcella Rd., Hampton, VA, 23669  
301 Apollo Drive, Hampton, VA, 23669  
4 Hampshire Dr., Hampton, Va, 23669  
2518 58th St., Hampton, VA, 23669  
474 Fort Worth St. Hampton, VA, 23669  
21 Riverdale Dr., Hampton, VA, 23669  
22- A Fairmont Dr. Hampton, VA, 23669  
119 West View Dr. Hampton, VA, 23669 - cneal12 - 01/15/2020 14:11:50 GMT

## CATEX CATEGORIES

Catex Category Code	Description	Selected
*n7	(*n7) Federal Assistance for Structure and Facility Upgrades. Federal assistance for the reconstruction, elevation, retrofitting, upgrading to current codes and standards, and improvements of pre-existing facilities in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use. This category does not include actions within or affecting streams or stream banks or actions seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified).	Yes

## EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

## ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	

14:18:11

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4401-DR-VA-004

Title: Hampton Generator Quick Connects

Environmental Law/ Executive Order	Status	Description	Comment
Coastal Zone Management Act (CZMA)	Completed	Project is located in a coastal zone area and/or affects the coastal zone	Virginia does not require consistency review for federal assistance activities only for direct federal activities. - cneal12 - 01/15/2020 16:51:27 GMT Please disregard previous comment. Per the Virginia Department of Environmental Quality, FEMA federal assistance activities are not subject to consistency review. - cneal12 - 01/23/2020 20:08:55 GMT
	Completed	State administering agency does not require consistency review - Review concluded	
Executive Order 11988 - Floodplains	Completed	Located in floodplain or effects on floodplain/flood levels	Per flood insurance rate map (FIRM) panel 5155270019H 05/16/2016, project is located in Zone A (VE) 100 year floodplain. Project is for installation of ten (10) quick connectors at pumping stations. Which is not likely to affect floodplain values. - cneal12 - 01/15/2020 15:56:59 GMT Please disregard previous comments. Portions of this project are located within the floodplain. Floodplain avoidance by relocating the facility or abandoning its use is not a practicable alternative, and the No-Action alternative would not maintain social and economic resources for the community. Project will not, on both a long-term or short-term basis, adversely impact base flood levels, floodplain functions, resources, or characteristics. - cneal12 - 01/23/2020 20:10:13 GMT
	Completed	No adverse effect on floodplain and not adversely affected by the floodplain - Review concluded	
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	No listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action - Review concluded	Project is within previously disturbed area(s) and has been determined to have no direct or indirect effects on listed species and/or critical habitats. - cneal12 - 01/15/2020 17:01:00 GMT Please disregard previous statement. There will be no effect to listed species because the scope

14:18:11

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4401-DR-VA-004

Title: Hampton Generator Quick Connects

Environmental Law/ Executive Order	Status	Description	Comment
			of work is alterations of mechanical equipment and will occur entirely within established pump stations. - cneal12 - 01/15/2020 20:57:15 GMT
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments) - Review concluded	2016 Virginia Programmatic Agreement, Allowance I.D. Several sites are located within districts or buildings determined ineligible for listing in the VDHR at an earlier date. (East Pembroke Avenue (501 Pembroke Ave)--Pumping Station 12 (DHR ID #144-5010); 1st Street Pump (901 N. 1st Street)--Buckroe Beach Historic District (DHR ID #144-5300); 58th Pump Station (2518 58th Street) and Fairmount (22-A Fairmount Drive)--Big Bethel Battlefield (DHR ID #114-5297)). - kwiles - 01/22/2020 16:54:39 GMTDisregard previous comment: 2016 Virginia Programmatic Agreement, Allowance I.D. Several sites are located within districts or buildings determined ineligible for listing in the NRHP by the VDHR at an earlier date. (East Pembroke Avenue (501 Pembroke Ave)--Pumping Station 12 (DHR ID #144-5010); 1st Street Pump (901 N. 1st Street)--Buckroe Beach Historic District (DHR ID #144-5300); 58th Pump Station (2518 58th Street) and Fairmount (22-A Fairmount Drive)--Big Bethel Battlefield (DHR ID #114-5297)). - kwiles - 01/22/2020 16:54:39 GMT - kwiles - 01/22/2020 16:55:17 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

**Project** HMGP-4401-DR-VA-004

**Title:** Hampton Generator Quick Connects

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**CONDITIONS**

**Standard Conditions:**

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.