



Helping Crime Survivors Find Their Justice

Fiscal Year 2023 Tribal Victim Services Set-Aside Solicitation Webinar Series

Considerations for a Construction Project

Thank you for joining. We will begin shortly.

Technical Overview

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Welcome



LeBretia White
Tribal Division Director
Office for Victims of Crime



Presenter



Yolanda Curtis Gibson
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Webinar Outline



TVSSA
Construction
Overview



Planning Your
Project



Budget
Considerations



FAQs

Polling Question

What is your role at your Tribe or organization?

- A. Victim Services Manager/Director/Staff
- B. Construction Manager/Director/Staff
- C. Tribal Administrator (or similar leadership)
- D. Planning & Economic Development Director/Staff (or similar)
- E. Public Works Director/Staff (or similar)
- F. Other (please specify in the chat)

Overview of TVSSA

- Started in FY 2018
- Funding can be used to support a range of comprehensive services for victims of all crimes and all ages
- Includes construction when it is a reasonable and necessary part of a victim service program

Important Note

Victim services must be the primary purpose for construction projects funded by the TVSSA. Construction projects will be expected to demonstrate they are a reasonable and necessary expense of the victim services program.

Allowable Construction Costs

- Modular and other prefabricated buildings (e.g., mobile homes, trailer homes)
- Site preparation, setup, and installation costs of these buildings
- Major renovations and expansion of existing buildings
- Minor renovations or remodeling
- Sidewalks, parking areas, driveways, access roads, etc. necessary to provide access to the victim services facility



Unallowable Costs

- **Purchasing real property** (land or existing buildings affixed to land)
- **“Stick build” or “ground up” construction** (unless it is more cost effective than a modular or other prefabricated building.)

Polling Question

What kind of construction or renovation project does your Tribe plan to do using TVSSA funds?

- A. Purchase, set-up, and installation of a modular building, mobile/manufactured home, trailer, or other prefabricated building
- B. Major renovation or expansion of an existing building
- C. Minor renovation of an existing building
- D. Other (please specify in the chat)
- E. I'm not sure



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Planning Your Construction/Renovation Project and Preparing Your Documents

NEPA Requirements

- All construction/renovation projects are required to comply with the National Environmental Policy Act (NEPA).
- NEPA requires federal agencies to consider the effects that a proposed action (including awarding grants) may have on the environment and any related social and economic effects.
- OVC has hired a contractor to work with you to ensure your project complies with NEPA and any related environmental laws.

Timeline for Construction-Renovation Projects

You are strongly advised to select a project period of at least 3 years.

This includes the time needed for environmental review under NEPA (~1 year), procurement and other processes, and construction.

Completion of the NEPA environmental review process is required **BEFORE** you can begin construction/renovation activities.

Preparing for Application Submission

- Have conversations with the right people and include them in the submission process when possible (e.g., Tribal Construction Manager, Tribal Administrator, Planning and Economic Development Department, Public Works)
- Secure internal approvals **BEFORE** you submit your application (e.g., approval from your Tribal Council regarding where your modular building will be placed or what building you will renovate).

Required: Construction and Renovation Efforts Questionnaire

Office for Victims of Crime
FY 2023 Tribal Victim Services Set-Aside Program
Construction and Renovation Efforts Questionnaire

Instructions: Please complete this questionnaire if you are using OVC grant funds for any type of renovation, remodeling, expansion, or construction project, including the purchase and installation of modular buildings, mobile homes, trailer homes, or other prefabricated structures. Please be as thorough as possible in your responses. The information provided will help OVC understand the full scope of your construction, renovation, or expansion project. The information provided is also important in helping OVC determine the level of construction training and technical assistance and National Environmental Policy Act (NEPA) compliance support needed for your project.

Applicant/Grantee Name:

Project Title:

Application or Award # (if known):



- Required for any projects proposing renovation or construction (no matter the scale), this includes modular and other prefabricated buildings
- Please be as thorough in your responses as possible

You can find the TVSSA Construction-Renovation Questionnaire at <https://ovc.ojp.gov/funding/fy-2023-tvssa-construction-renovation-questionnaire.pdf>.

Construction and Renovation Efforts Questionnaire—Additional Documentation

- In addition to the questionnaire, plan to submit the following documents to support your construction-renovation project:
 - Preliminary site plans and designs
 - Project delivery plans
 - Documentation of building inspections (for renovation/expansion projects)
 - Price estimates (especially important if you are justifying that a stick build is more cost-effective than a modular building)

DOJ Modular Building Requirements

- DOJ has a modular building requirements guide to help ensure your structure lasts at least 20 years.
- You can find this document at:
<https://www.justice.gov/file/1449326/download>
- Review and consider the requirements as you are researching prices and developing your budget.
- After your grant is awarded, the OVC-funded construction contractor will assist you with ensuring your plans meet these requirements.

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U.S. Department of Justice
Bureau of Justice Assistance (BJA)
Office for Victims of Crime (OVC)

Permanent Modular Facilities
Minimum Construction Requirements and Recommendations
(20 to 30-year facility life)

BJA and OVC Permanent Foundation Requirements:

The following Permanent Modular/Manufactured Home Facility "Requirements" shall supersede HUD and Tribe preferred codes and requirements:

1. Soils testing and geotechnical foundation recommendations are required.
2. A Professional Licensed Structural Engineer shall design all Permanent Foundation Systems.
3. A Permanent Foundation System shall use reinforced concrete piers and/or crawl space structural steel column supports and shall be welded/bolted to both the concrete pier(s) and Modular steel frame(s).
4. The Modular structure and foundation shall be designed to meet specific site location and code for dead/live load, wind, and seismic conditions.
5. *As a minimum, the modular/manufactured structure shall be permanently supported on reinforced*



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Budget Considerations for Your Construction Project

Project Management Cost Considerations



- ✓ Inflation costs in the years following your grant application (estimated 5-12% each year)
- ✓ Hiring a Tribal Construction Manager
- ✓ Architectural and engineering design costs
- ✓ Geotechnical testing and reports
- ✓ Site boundary surveys and topographic maps
- ✓ Special code materials, construction inspections, and testing
- ✓ Contingency funds for modifications or additions to the original scope
- ✓ TERO fees; other Tribal fees or taxes
- ✓ Costs associated with winter construction and winter shutdowns

Project Site Cost Considerations

- ✓ The proximity of the site location to wetlands (and costs for regrading or site filling that might result)
- ✓ Mitigation measures for site drainage problems
- ✓ Offsite or onsite utility and connection locations
- ✓ Materials used for surface roads and parking (gravel vs. asphalt vs. concrete)





Project Building Cost Considerations

- ✓ Hazardous materials and site clean up for existing buildings
- ✓ Fire protection (water sprinklers, water source/storage, alarm systems)
- ✓ Costs associated with permanent, reinforced foundations, foundation frost depth
- ✓ Privacy and confidentiality concerns (e.g., soundproofing costs) and building security
- ✓ Communications and low-voltage wiring
- ✓ Differences in roofing costs depending on materials used (asphalt shingles vs. standing seam metal)
- ✓ Costs unique to projects in remote areas (e.g., what happens if you don't get the minimum bids required, costs associated with a construction workforce that must travel in to do the work)
- ✓ Interior and exterior ADA requirements
- ✓ Building furniture, equipment, appliances, and backup generators

OJP Budget Categories

Expenses for your project will be budgeted under the **construction, procurement contracts, or other items categories**, depending on the expense.

Modular buildings, mobile/manufactured homes, trailer homes, etc., must go under **construction** and not equipment as instructed in previous years.

When in doubt about where to categorize an expense for your construction project, put it in the **construction category**.



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Construction FAQs

We are interested in the construction component; can funds be used to build a domestic violence shelter [or temporary shelter to serve victims of other crimes]?

TVSSA funds can be used to purchase, set up, and install modular or other prefabricated buildings to be used as a domestic violence shelter or shelter to serve victims of other crimes.

Traditional new construction (commonly referred to as “stick build” or “from the ground up” construction) is unallowable, except in the rare cases where grantees can show that it is more cost-effective than a modular or other prefabricated building.



Can we use TVSSA funds to purchase a used modular unit?

Technically yes. However, you are strongly advised not to. Depending on the age of the used modular unit, you might have to pay to mitigate issues with lead, asbestos, or other problems typical in older structures. If possible, purchase a new modular unit or prefabricated structure.



Can we buy a property to renovate it?

No, TVSSA funds cannot be used to purchase real property (land or existing buildings affixed to land).

However, if you use Tribal or other non-OVC grant funds to purchase the property, you can use TVSSA funds to renovate it for use as a victim service facility.



The modular building we currently use as a victim services facility is surrounded by mud. Can we use TVSSA funds to construct concrete walkways/sidewalks and parking lots for use by our program staff and clients?



Yes, TVSSA funds can be used for this purpose.

The cost to ship modular buildings to Alaska is extremely high! For Tribes in Alaska that want to use funds for a shelter or other victim service facility, what is our process [to show that a stick build is more cost-effective]?

You should take the time to research your options. Get multiple estimates for modular/prefabricated building costs vs. the cost of “stick build” construction. Submit those estimates with your application. Also, keep in mind that post-award, you will work with an OVC construction TTA provider to review your estimates and explore all options before OVC will approve you to do a “stick build.”



If there is an existing structure on the identified land where a modular would be put, is demolition of the structure allowable?



Yes, demolition is an allowable construction-related expense under TVSSA.

If we are building a new multipurpose building, can we use these funds for a portion of the building construction for adequate space to house our victim services program?

It depends. Please email ovctribalsetaside@ojp.usdoj.gov with your question so we can have a detailed discussion about this project. Please be prepared to answer questions regarding whether the building is traditional new construction (i.e., a “stick build” or “ground up” project) vs. a modular building, whether you already have funding to cover the entire construction project, and whether you plan to use TVSSA funds for areas shared with non-victim services program components.



Are there special rules or reporting requirements for grant-funded construction activity?

Yes, there are a variety of specific rules for grant-funded construction (see 2 C.F.R. 200.311, real property; 200.318-326, procurement; and 200.329, real property reporting), and awards with this activity will have several conditions addressing these. Other cross-cutting laws like the National Environmental Policy Act (NEPA) and the National Historic Preservation Act also apply.

OVC provides TTA support to tribes to aid compliance with these requirements.



The screenshot displays the Code of Federal Regulations (CFR) website interface. At the top, it features the National Archives logo and the text "Code of Federal Regulations" with the tagline "A point in time eCFR system". The page is titled "Title 2" and includes a search bar with the placeholder text "Enter a search term or CFR reference (eg. fishing or 1 CFR 1.1)". Below the search bar, the breadcrumb navigation shows "Title 2 / Subtitle A / Chapter II / Part 200". The main content area is titled "ECFR CONTENT" and lists the following structure:

- ▼ Title 2 Grants and Agreements (Part / Section 1 – 299)
- ▼ Subtitle A Office of Management and Budget Guidance for Grants and Agreements
- ▼ Chapter II Office of Management and Budget Guidance (200 – 299)
- ▼ Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (200.0 – 200.521)

On the left side of the content area, there are links for "Details", "Print", and "Search".

Questions?

- Submit your questions in the Q&A pod on the screen.
- Email OVCTribalsetaside@ojp.usdoj.gov if you have questions about the specifics of your planned construction project and questions about allowable vs. unallowable construction/renovation costs.
- Email the T-VSTTA team for help with the application process at support@t-vstta.org.
- Email TFMC for assistance with the financial pieces of your application, including the budget worksheet and budget narrative at TFMC@OVCTFMC.org.