

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

Phase 2: Considerations for a Construction Project

May 12, 2023

JANA PFEIFFER: Thank you for joining today's fiscal year 2023 webinar. We are just waiting for the attendance numbers to go up, so it seems that we have some people coming in. Wonderful. Again, thank you for joining today's webinar. We are so glad that you are here. I'm Jenna Pfeiffer from the T-VSTTA program. I'd like to cover a few Zoom housekeeping items with you before we begin.

If you are listening via computer, please select the speakers and the headphones you wish to use. Your microphone and video are not needed and will remain off. You will not be able to start the video or unmute yourself. If you are experiencing any technical issues with this webinar, please let us know in the chat box or in the email, or you could email our technical support using the email address on the screen, support@t-vstta.org.

For awareness, this session will also be recorded. If you haven't already done so, please open the chat feature in your Zoom menu bar and take a moment to share your Tribe or organization and a brief greeting to the group. As we begin, we will be using the polling features throughout today's webinar, and we will hold all Q&As till the end of the webinar. They can be found in your Zoom menu bar. Closed captioning is also available. To enable it, click on the show captions options in your Zoom menu bar. Now I'd like to turn it over to our OVC grant manager, Yolanda Gibson.

YOLANDA GIBSON: Well first, good afternoon, everyone. I am going to turn it over to my supervisor, Ms. LeBretia White. She is OVC's Tribal Division director and she will provide some brief welcome remarks, LeBretia.

LEBRETIA WHITE: Good afternoon. Thank you, Yolanda, as well as Jana. Again, good afternoon, everyone. And I am LeBretia White. As was already shared, the director of our Tribal Division in the Office for Victims of Crime. And I'm delighted to welcome you back to another informative session in the Tribal Victim Services Set-Aside Solicitation Webinar Series.

Today's session will cover considerations for construction projects. As part of OVC's mission is to administer grant award programs that are funded by the Crime Victims Fund. Each year, Congress authorizes OVC to use a portion of the ballots of the Crime Victim Funds to support grant programs for victim services. So, since 2018, this Set-Aside includes funding Tribal victim service grants referred to as Tribal Victim Services Set-Aside or TVSSA. And here at OVC, we have made hundreds of TVSSA awards, which provides victim services to thousands of crime victims and hundreds of Tribal communities. TVSSA grantees are using funds for variety of purposes, such as conducting community needs assessments and strategic planning. Grantees are developing and implementing victim service programs, which are to provide services to domestic violence and sexual assault victims, pay the salaries of victim advocates, run supervised visitation programs to allow children to stay connected to their families.

They're providing civil legal assistance to crime victims dealing with the repercussions of their victimization, purchasing emergency groceries, or paying for a housing or shelter for victims who are without any available shelter or places to live, temporarily supporting them to meet that need. They're amending Tribal codes to include stronger victim protections. Leasing vehicles to transport victims to

appointments. The funding also can be used to hold ceremonies to help victims connect back with their communities. Providing services to family members of missing or murdered indigenous persons, as well as generating awareness for missing and murdered indigenous persons. And most recently we added the option for the funding to support construction projects. And you've joined us today to learn more about what is allowable, what are some of the requirements and steps that you would need to take if you're interested in utilizing the FY 2023 funding for that purpose. Grantees will be allowed to propose projects, grantees, as well as Tribes, new Tribes will be allowed to propose projects that include the renovation of existing or new buildings for office space, as well as for temporary victim shelters. This is really exciting. And we're looking forward to learning more about how you can utilize federal funding in this way.

So, I want to say thanks again for joining us today. We look forward to providing you with support as you make a determination on whether to include construction-related activities in your grant application. So, at this time, I will turn over today's presentation to Yolanda Curtis Gibson. She's a grant management specialist and she is also serving as our construction lead. And Yolanda will provide you with some insightful information on the requirements for construction. Again, thank you for joining us and we hope that you will find the session to be most valuable. Yolanda.

YOLANDA GIBSON: Hello, everyone. Good afternoon or good morning depending on where you are. As LeBretia mentioned, I'm Yolanda Curtis Gibson. I have had the pleasure of working with several of you. I see several familiar names in the attendee list, so it's good to see those of you that I've worked with before and nice to be here with those of you that I haven't met but will hopefully work with in the future.

As LeBretia mentioned, I will be your presenter for today's webinar. So, during today's webinar, I will provide an overview of construction under the Tribal Victim Services Set-Aside program, which I'll refer to as TVSSA moving forward. I will provide some tips for planning your project, review budget considerations, go over some frequently asked questions we've received about construction, and then open the floor for your questions.

Before we get started with the presentation, I would like to start with a polling question. So, I know who is participating today. You should see the question on your screen, but it does ask what is your role at your Tribe or organization? And your options are victim services manager, director or staff, construction manager, director or staff, Tribal administrator or similar leadership, planning and economic development director or staff, public works director or staff or a similar type of position or other. And if you've selected other, I would appreciate if you could specify in the chat. So, I'll give you all a few moments to complete the poll. And some of the positions that I see for those that have specified other include community advocate, grant writer, compliance specialist, grant writer, program coordinator, financial specialist, grant writer, grant specialist, project director, etc. Victim services manager, okay. All right, so let's go ahead and well, it looks like we've shared the results and it looks like the majority of you, well 50% or so of you are victim services staff and about 34% of you are some of the other positions as noted in the chat that I read earlier. So that is very helpful to know. Thank you.

So, by now, I'm sure that most of you are familiar with TVSSA and you are either a current grantee or in most cases, you've attended at least one of the other pre-application webinars we've held about this program this year. I won't spend too much money on an overview, excuse me, not too much money. We are talking about money, but I won't spend too much time on an overview of the TVSSA program in

general as my division director has shared some details about the program already. However, I do want to highlight that this program started in 2018 and funding under this program can be used to support a range of comprehensive services for victims of all crimes and all ages. Under TVSSA, we are now permitted to fund construction projects that are a reasonable and necessary part of a victim service program. You've shared with us for many years that there's a shortage of housing in Tribal communities and you often don't have a place to house victims in need.

Many of your communities also lack office space needed for newly hired staff under your new or expanding victim services program. So, we've expanded the allowability of TVSSA grant funds to be used to meet this need. This is a change from how we've operated in the past as OVC has not historically allowed grant funds to be used for construction. That really just started in about fiscal year 2021 with some variations. But we are changing and improving this program in response to feedback from all of you about what Tribes really need. I want to emphasize that victim services must be the driver for construction projects under TVSSA.

Any construction projects under TVSSA must be justified as a reasonable and necessary expense of a victim services program. Typically, funds may be used for construction where facilities for services or facilities to administer the program are not otherwise reasonably available in your jurisdiction. And the lack of facilities would impede the provision of services. So, I'll start with a general overview of allowable construction costs under TVSSA. These include the purchase, set up, and installation costs associated with modular and other prefabricated buildings. And there are many terms used to describe these buildings including trailer homes, perhaps mobile homes, manufactured homes, etc. All of these items would be included under construction. When I say site preparation, set up and installation cost, this can include the cost to demolish existing structures, clear land, move earth, pour foundations, hook up utilities and attach these buildings to the ground. Major renovations are also allowable and include things like expanding the size of an existing structure, renovations that require additional utility systems to be installed or a renovation to an existing facility where all or most interior walls are demolished along with ceilings and floor coverings and where the HVAC, plumbing and electrical systems are reconfigured.

You can also use TVSSA funds for minor renovations or remodeling, which include things like repairs or updates from normal use, repairing existing interior walls, replacing windows and doors, replacing the flooring inside of a building, etc. However, we have historically not considered this to be construction for OVC grants. Those of you that have received OVC funding for quite some time now probably know that minor renovations have always been allowable under TVSSA and TVSSA's predecessor under CTAS and minor renovations will continue to be allowable. Finally, you can use TVSSA grant funds to construct things like sidewalks, parking areas, driveways, and access roads necessary to provide access to the victim services facility.

I do want to emphasize, I'm not sure if this was stated earlier, but if you could please hold your questions until the end of the webinar, I would very much appreciate it. So now we will talk about unallowable construction costs. The DOJ financial guide clearly prohibits using grant funds for land acquisition. In addition, page two of the TVSSA allowable and unallowable cost chart specifically says that purchasing real property is an unallowable expense under TVSSA. Therefore, you're not able to use TVSSA funds to purchase land or an existing building that's already affixed to land for use as a victim service facility. Unfortunately, we are not able to make exceptions to this policy at this time, even if it is

more cost effective than the options I described on the previous slide. In addition, we generally do not allow TVSSA funds to be used for traditional new construction, which is also commonly referred to as stick build or from the ground up construction. There are some very rare cases where we might approve this type of construction, but only if you can prove that it is more cost effective than purchasing and installing a modular or other prefabricated building. In this case, you would need to do your research and find cost estimates to document that a stick build or ground up construction is more cost effective. In addition, after your grant is awarded and accepted, you'll need to work with OVC's Construction Training and Technical Assistance Contractor to review your documentation. Any grantees doing construction are required to work with this training and technical assistance provider to ensure that your project meets OVC standards and includes all of the components necessary for a successful construction or renovation project. In many cases, our construction TTA provider has assisted grantees in finding modular manufacturers and other vendors when the grantee thought that there were no options available.

So now, I'd like to ask another polling question. What kind of construction or renovation project does your Tribe plan to do using TVSSA funds? And your options are purchase setup and installation of a modular building, mobile or manufactured home, trailer or other prefabricated building, major renovation or expansion of an existing building, minor renovation of an existing building. Other, and if you select other, please specify in the chat. Or you can select that you're not sure. And I'll give just a few moments for all of you to respond. Okay, so it looks like there's, pretty, I won't say even split, but there isn't an overwhelming majority. So about 33% of you plan to purchase, setup or install a modular or other prefabricated building. 18% plan to do major renovation or expansion of an existing building. 21% of you plan to do minor renovation of an existing building and 21% of you are not sure. Thank you. And then I also see in the chat that we have one person that said they were doing an expansion on a building that's currently being constructed and one person plans to do a minor renovation of an existing building. So that is very helpful, thank you.

So, the next section will cover planning for your construction project and preparing your documents for submission with your TVSSA application. The first thing that I would like to emphasize is that all grant funded construction and renovation projects are required to comply with the National Environmental Policy Act or NEPA. Prior to funding, authorizing or implementing an action, and that includes awarding grants, federal agencies, including OVC, are required to consider the effects that the proposed action may have on the environment and any related social and economic effects. OVC has hired a contractor that will guide you through this process and work with you to ensure that your project complies with NEPA and any related environmental laws. As you are planning for your construction or renovation project, there are a few things to keep in mind. The first is that you are strongly advised to select a project period of at least three years or 36 months. A project period of three years or more allows for the time needed for environmental review under NEPA, procurement, and other internal processes and the time needed for actual construction, renovation, or installation of your modular or other prefabricated building. Projects involving major renovation or modular buildings typically require a more detailed environmental review than those that are doing minor renovations that only affect the inside of an existing building.

Your first step in helping us to expedite this process is to complete the required renovation and construction efforts questionnaire with as much detail as possible and we will discuss that questionnaire in just a few moments. You should plan for the environmental review of your construction project to

take approximately one year if you are doing anything other than minor renovations. So, in other words, if you'll be doing a major renovation, an expansion, or installing a modular building or other prefabricated building, you should plan for the environmental review process to take about one year. Again, the time needed for environmental review, procurement, and other internal processes and the time needed for actual construction renovation or installation of your modular or prefabricated building are why we strongly recommend a project period of at least three years. Also, keep in mind that completion of the NEPA Environmental Review Process is required before you can begin your construction or renovation activities.

As you are thinking about your construction and renovation projects, you should have conversations with the right people and include them in the submission process where possible. Now, who these stakeholders are will vary depending on your Tribal organization, but in many cases, it can include a Tribal construction manager, if your Tribe has one, perhaps your Tribal administrator, your Planning and Economic Development Department or perhaps your Public Works Department. To the extent possible, please secure internal approvals before you submit your application. So, in other words, please have these conversations and approval from your Tribal council or other authorities about the land where you plan to place your modular building or about the building that you plan to renovate for your victim services program.

All applicants proposing to use TVSSA funds for renovation or construction activities, no matter the scale, doesn't matter how big or small, and this includes again, the purchase, installation, and site preparation of modular buildings, mobile homes, trailer homes, and other prefabricated structures, you must complete the required and separate TVSSA construction renovation efforts questionnaire. Please keep in mind that that this questionnaire is separate from the written proposal narrative or checklist that is required for the general TVSSA program. For applicants that elect to schedule an interview with OVC staff, an OVC staff member will complete the questionnaire during the interview. For guidance on expenses and activities associated with minor renovations, major renovations, and construction, please see the unallowable and allowable cost chart. The link to both the questionnaire and the unallowable allowable cost chart will be placed in the chat. When completing the questionnaire, please be as thorough as possible in your responses. We just talked about including staff from other relevant departments related to construction in your planning. You will most likely need to work with them to complete this questionnaire. Those individuals will vary based on your own Tribal organization, but as I mentioned on the previous slide, it can include your Tribe's construction manager if you have one, Tribal administrator, Planning and Economic Development Department or your Public Works Department. The construction and renovation efforts questionnaire asks several questions about your project, including who the primary grant point of contact and construction point of contact will be, the location of your project, the purpose of the construction or renovation activities, and how the building will be used. It also asks for information, that is environmental in nature, including the site and its proximity to wetlands and other water bodies, whether the site has a history of flooding and if there are any known hazardous materials on the site. And as I stated previously, please be as thorough as possible in your responses.

In addition to the construction and renovation efforts questionnaire, you should plan to submit a few other documents to support your construction renovation project. And these documents include any preliminary site plans and designs, project delivery plans if you have them, documentation of building inspections that have been conducted if you plan to do a renovation or expansion project, and price

estimates. And price estimates are especially important if you are justifying that a stick build is more cost effective than a modular building. All of these documents, except the price estimates, are mentioned in the construction questionnaire and that questionnaire prompts you to attach those documents as applicable.

Next, I'd like to briefly highlight the DOJ modular building requirements. DOJ has a modular building requirements guide to help ensure that your structure lasts for at least 20 years. You can find this document at the link on your screen, and it will also be placed in the chat box. Please be sure to review and consider the requirements of this document as you are researching prices and developing your budget. After your grant is awarded, the OVC funded construction contractor will assist you with ensuring that your construction plans meet these requirements. The next section will cover budget considerations for your construction project. We will talk about costs that you should think about as you are creating your construction budgets and deciding whether your allocation for this year is sufficient to cover your project or if you might need to take a more phased approach. These include expenses that current grantees under the fiscal year 2021 and fiscal year 2022 TVSSA program may not have originally accounted for. And in some cases, it has resulted in project cost overruns, needing to reconfigure their budgets or perhaps go to their Tribe and ask for Tribal funding to be added to finish the project. So hopefully, by providing this information to you upfront, we can help you avoid some of these issues in the future.

The first construction category of expenses for you to consider are those related to general project management, and they are noted on the screen. These include inflation costs that occur in the years following your grant application. So many of you will get quotes for modular buildings and other construction costs based on 2023 prices. However, as you'll recall from earlier in this presentation, the environmental review process underneath both can take up to one year to complete. We all know that inflation has been a major problem over the last few years, and it's also been an issue encountered in construction projects. So, I would strongly recommend that even with any cost estimates you get now, knowing that your project won't start for another year, you should budget for cost increases related to inflation. The inflation rate for construction is estimated to be between 5% and 12% per year based on data from the last few years. The COVID-19 pandemic contributed to some of the higher rates we've seen, but as with many things, we can't predict how much it will be moving forward. So hopefully that five to 12% range can assist you with your planning.

Other project management cost considerations can include hiring a Tribal construction manager if you do not currently have one. Architectural and engineering design cost, the cost associated with 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, and TERO means Tribal Employment Rights Ordinance. So, fees associated with that or other Tribal fees or taxes. And costs associated with winter construction and winter shutdowns. Many of you are located in areas where winters are long and harsh. In many cases, you can't do construction for several months of the year. So, you'll need to consider any increased costs associated with winter or perhaps other weather-related delays.

Some of the costs you'll want to consider related to the actual project site include the proximity of the site location to wetlands and any costs that you'll incur for regrading or site filling that might result from this. Mitigation measures for site drainage problems, offsite or onsite utility and connection locations

and materials used for surface roads and parking. And I noted on the screen, gravel versus asphalt versus concrete because gravel tends to be less expensive and the other two options tend to cost more. And then you should also think about the following project building cost considerations. These include hazardous materials and site cleanup expenses for existing buildings, fire protection, so that includes things like water sprinklers, water sources and storage and alarm systems, cost associated with permanent reinforced foundations and foundation frost step, privacy, and confidentiality concerns, so things like soundproofing costs and also building security. Communications and low voltage wiring, differences in roofing costs depending on the materials used. So, for example, if you use asphalt shingles versus standing scene metal. Costs that are unique to projects in remote areas. So, for example, you should think about what happens if you don't get the minimum number of bids required or if you're in an area where you don't have a construction workforce that's readily available and they'll have to travel in to do the work, that will increase your costs as well.

You should also think about costs associated with interior and exterior ADA or Americans with Disabilities Act requirements. And then the cost associated with building furniture, equipment, appliances, and backup generators. As you are thinking about the cost we just covered, you might be wondering how to account for them in your budgets. So, expenses for your construction project will be budgeted under the construction procurement contracts or other items categories depending on the expense. And I would advise you really to use the other items category sparingly. Most of your expenses will go more than likely under construction or procurement contracts, but in some cases, it may also go under other items. Modular buildings, mobile homes, manufactured homes, trailer homes, etc. must go under the construction budget category and not equipment as instructed in previous years. And when in doubt about where to categorize an expense for your construction project, please put it in the construction category.

I'd also like to note that OVC's Tribal Financial Management Center is available to assist you as you prepare your overall TVSSA grant budget, so construction and other expenses for submission and you can work with them directly to develop your budget. So, in this next section, we will go through some frequently asked questions that we have received so far about construction under the TVSSA program. The first question is, "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?" The answer to that is that 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 not allowable except in the rare cases where you can show that it is more cost effective than a modular or other prefabricated building.

The next question is, "Can we use TVSSA funds to purchase a used modular unit?" And the answer to this is technically, yes you can. However, you are strongly advised not to do this. Depending on the age of the used modular unit, you might have to pay to mitigate issues with lead, asbestos or other problems that are typical in older structures. So, if possible, please plan to purchase a new modular unit or prefabricated structure.

Next question is, I think we skipped a question. Oh, there it is, okay. "Can we buy a property to renovate it?" And the answer to that is no. TVSSA funds cannot be used to purchase real property. Real property means land or existing buildings that 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 next question is, "The modular building we currently use as a victim services facility is surrounded by mud. Can we use TVSSA funds to construct concrete walkways and sidewalks and parking lots for used by our program staff and clients?" And the answer to that is yes, TVSSA funds can be used for this purpose. The next question is, "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?" And the answer to that is you should take the time to research your options. Get multiple estimates from modular and/or prefabricated building costs versus the cost of stick build construction. You should plan to submit those estimates with your application.

Also, keep in mind that post-award, you will work with an OVC construction training and technical assistance provider to review your estimates and explore all of your options before OVC will approve you to do a stick build.

The next question is, "If there is an existing structure on the identified land where a modular would be put, is demolition of the structure allowable?" And the answer to that is yes, demolition is an allowable construction-related expense under TVSSA. The next question is, "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?" The answer to that is it depends. Please email the OVC Tribal Set-Aside email address with your question so we can have a detailed discussion about this project. And please be prepared to answer questions regarding whether the building is traditional new construction. So again, that's commonly referred to as stick build or ground up construction versus a modular building. You should also be prepared to answer questions about whether or not you already had funding to cover the entire construction project and whether you plan to use TVSSA funds for areas shared with non-victim services program components. And the last frequently asked question we will cover ask, "Are there any special rules or reporting requirements for grant funded construction activity?" The answer is yes, there are a variety of specific rules for grant funded construction. Those rules are spelled out in Title Two of the Code of Federal Regulations or 2 CFR. These sections are noted on your screen, I won't go into that in too much detail, but any award with construction activity will have several special conditions addressing these requirements.

Other cross-cutting laws like the National Environmental Policy Act or NEPA and the National Historic Preservation Act also apply. And again, I'd like to emphasize that OVC provides training and technical assistance support to Tribes and that TTA provider can help you make sure you're in compliance with these requirements. So that concludes my presentation. I am happy to open the floor for your questions.

Please be sure to submit your questions in the Q&A pod on the screen. I also want to note that if you have any questions about the specifics of your planned construction project or any questions about unallowable versus allowable cost after this webinar ends, please email the OVC Tribal Set-Aside email address. Please also keep in mind that the T-VSTTA team is available to help you with the application process and you can reach them at support@t-vstta.org. And then the Tribal Financial Management Center is also available to help you with the financial pieces of your application, including the budget worksheet and budget narrative and their email address is also on the screen. So, thank you, everyone for your time and attention and I will open the floor for questions.

JANA PFEIFFER: Great, so the first question we have, "Are these slides posted somewhere?"

YOLANDA GIBSON: They're not currently posted anywhere, however, the presentation is being recorded. So, the recording and the PowerPoint slides will be posted to the OVC website within approximately 10 business days.

JANA PFEIFFER: Great, thank you. So, the second question is, "Hello. We are proposing to install a handicapped ramp, ring gutters on our deck to our office, and repair the roof over the deck. Would these be considered minor renovations and if so, would we be able to budget for 12 months rather than 36 months?"

YOLANDA GIBSON: The answer to that is I'm not sure. If all of your renovations were inside of your building, I could say with a little more certainty that it would be considered minor renovation. You could budget for 12 months. However, since you're installing things that involve the outside of your building, that will really depend. I would still recommend that you budget for 36 months. It's possible that once we review your questionnaire in detail and we consult with our contractors, they may determine that it's minor renovations and they may determine that your project qualifies for our categorical exclusion under NEPA. But it's hard for me to say at this time without having all of the details that would be included in your construction and renovation efforts questionnaire.

JANA PFEIFFER: So, the next question is, "Could a Tribe hire a construction manager to oversee this grant project and would these costs be included in the budget under personnel category?"

YOLANDA GIBSON: So, the answer to that is yes, you can hire a construction manager. Where that goes will depend. So, if you're hiring a construction manager that is going to be on a contract basis to only work on your OVC grant funded project, then that would more than likely go under procurement contracts. If you're going to hire a new construction manager that is an employee of the Tribe, you would not be able to use this grant funding to pay 100% of that person's salary because the assumption is that if they're a Tribal employee, that they will oversee all construction projects for the Tribe, not just for this project. So, if you're going to contract with the construction manager, yes, you can do that. And in that case, if they're contracted, it would be put under procurement costs.

JANA PFEIFFER: Okay. The next question is, "Because the grant award is not available until January 2024, are we able to start now and be refunded once the award is available?"

YOLANDA GIBSON: Unfortunately, no. So, as I mentioned earlier in the presentation, you are required to comply with NEPA, the National Environmental Policy Act. There is a process associated with reviewing the details of your project before you can begin. You cannot obligate any funds for your construction project until that NEPA review is completed. So, the answer to that would be no. Now you can start finding quotes. We do understand that for many of you, you will need to hire a construction manager and that person needs to be on board before you can really do anything, and we get that. So, in a case like that where you might need to contract with the construction manager, you can do that before your NEPA process takes place and before the NEPA withholding condition is removed. But you would not be able to start any construction before that happens.

JANA PFEIFFER: Great, thank you. So, the next one is, "We are installing a modular using CTAS funds for another project. Working with a TTA has been a nightmare. No Tribal or Pacific Northwest experience.

Has caused months of delay and increased cost because of these delays. How will you ensure this doesn't happen on this project?"

YOLANDA GIBSON: Well, what I can say is that the contractor we have hired, we have made it a requirement that they have experienced working with Tribes. However, it would be helpful for me if you could email the OVC Tribal Set-Aside email address to give me more concrete examples about what your challenges were in working with that TTA provider and we can discuss from there.

JANA PFEIFFER: Okay, so if you have any other questions, you can use the feature below on your Zoom menu bar for your questions and we can answer them here. But I think this is another question. "I just need a concrete slab and a small sidewalk for an already purchased shed building sitting on the temp foundation. Is this covered under the construction piece? I have worked with our public works and the area we plan on putting the foundation as a place where there is no issues in the building would be protected from the elements by the main building."

YOLANDA GIBSON: Yes, I would say that that would be covered under the construction piece, and you would still need to complete the construction renovation efforts questionnaire. Provide all of the relevant details. If it's a small project, it's possible that the environmental review process will take less time. It's possible that you may be issued a categorical exclusion under NEPA. But yes, it would still be included under construction, and you would still need to complete the construction questionnaire.

JANA PFEIFFER: Great, thank you. So, another question I see in the chat is, "We want to utilize funds to change the layout of the advocate's office to allow for better use of space, which will allow for other advocates to work comfortably and confidential. I believe that this is a minor construction and we submitted it to grants.gov application for 24 months. Should this also be amended?"

YOLANDA GIBSON: So, based on the limited information you've provided, it is possible that it's considered minor construction. However, what it actually ends up being is going to be determined by the details you provide in the questionnaire. So, to be on the safe side, if you're able to amend it to 36 months, I would recommend that you do that.

JANA PFEIFFER: Okay, great. So, the next question I have is, "Can we purchase an existing modular in a park and use grant funds for a monthly rent lease?"

YOLANDA GIBSON: Okay, so first I strongly... Okay, so first, you cannot use grant funds to purchase a building that's already affixed to land. Once you attach a modular or prefabricated building to the ground, it becomes real property. Purchasing existing real property is not allowed with TVSSA funds. So that's the first thing.

The second thing is, I mentioned that you probably don't want to purchase a used modular because there are many issues associated with asbestos or lead or other issues associated with older structures. I don't know how old this existing modular you're thinking about is, but that's another issue.

The third issue is that you cannot use grant funds to pay rent on a facility that you, as the grantee, already own. So, there are three different issues associated with your question, which generally speaking, that would be a no. However, if you would like to discuss in more detail, perhaps there are some details that I'm missing, please email the OVC Tribal Set-Aside email address and I'd be happy to set up an individual conversation with you.

JANA PFEIFFER: Okay, so we have more questions in the Q&A. "Can composites be used instead of a concrete or for modular home foundations to reduce freight costs?"

YOLANDA GIBSON: The DOJ modular building requirements, I would encourage you to read those in detail, but it says at a minimum, modular manufacturer structures shall be permanently supported on reinforced concrete or steel piers to a depth of one foot below local frost depth. So hopefully that answers your question, I would encourage you to take a look at the Modular Building Requirements Guide. That can give you a detailed answer there.

JANA PFEIFFER: Great. Okay, I'm not seeing any other questions.

YOLANDA GIBSON: Okay. Well, I do want to thank all of you for taking the time to attend today's presentation. I will just give a few more moments in case you think of any questions that you have. Doesn't sound like there are a lot coming in at this time, so we may end a little earlier. But again, if you have any questions or concerns that come up after this webinar ends, please do not hesitate to reach out to us using the email addresses on the screen. Have any other questions come in?

JANA PFEIFFER: I'm not seeing any. I did see... Okay, so we do have one in the chat. "Would it be considered ground up construction to add bedrooms on existing shelters and add office space to another existing office building and the two construction projects would meet and make one long building?"

YOLANDA GIBSON: No, what you're describing to me sounds like expansion, which is a type of major renovation and that would be allowable. Okay. Well thank you again, everyone. I hope that you have a wonderful rest of your day and a great weekend. And again, please don't hesitate to reach out to us if you have any follow up questions or concerns.