## FEMA-4068-DR Applicant Briefing

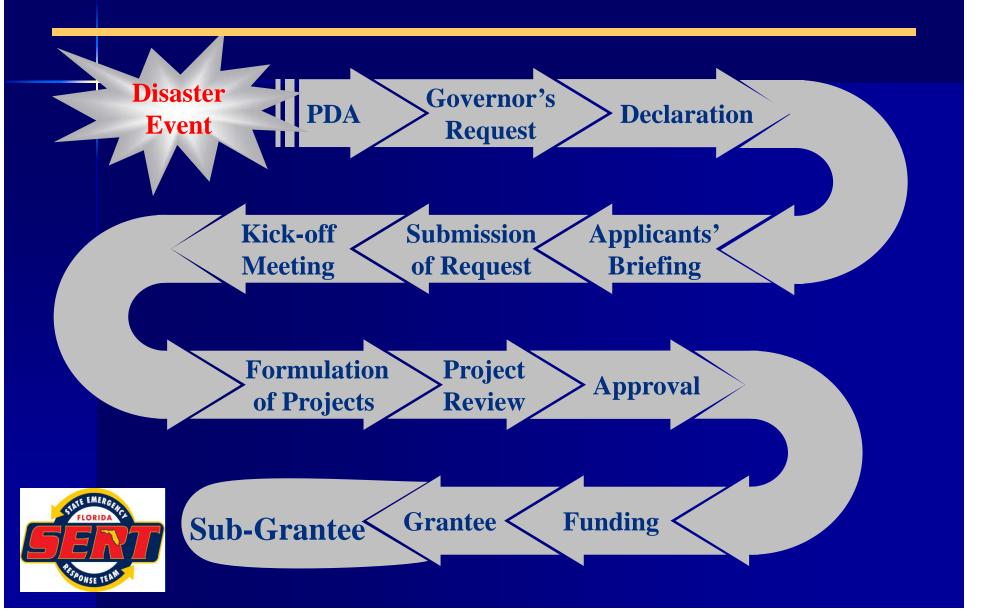
#### **Tropical Storm Debby**



Florida Division of Emergency Management



#### The Public Assistance Process



#### Preliminary Damage Assessment (PDA)

- FEMA, State, and local government representatives conduct a joint PDA.
- Emergency Management Staff and the Governor review and evaluate the data gathered.
- The Governor (State) determines if the disaster is beyond State and local capabilities and whether to request Federal Assistance.



## Governor Requests Federal Assistance



Based on the extent of damages, the Governor requests Federal Assistance through the Regional FEMA office with an estimate of the extent of the disaster and its impact on individuals and public facilities. As part of the request, the Governor must take appropriate action under State law and direct execution of the State's Comprehensive Emergency Management plan.

#### Presidential Declaration



- Identifies the eligible counties.
- Identifies the incident period.
- Identifies eligible programs.
- Identifies the cost share.



For FY12; Countywide per capita threshold indicator is \$3.39 and the Statewide per capita threshold indicator for declaration is \$1.35

#### Public Assistance:

■ FEMA's Public Assistance (PA) Grant Program provides assistance to State, Tribal and local governments, and certain types of Private Non-profit (PNP) organizations so that communities can quickly respond to and recover from major disasters or emergencies declared by the President.



## REQUEST FOR PUBLIC ASSISTANCE (RPA)

You must submit your Request for Public Assistance (RPA) through the Florida Public assistance Web Portal within:





www.floridapa.org

## Eligible Applicants

- State Government Agencies
- County Governments
- Municipal Governments
- Special Purpose Districts
  - School Districts

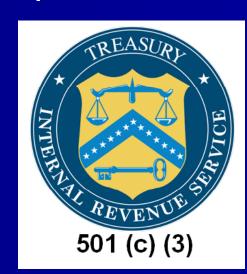


# Eligible Applicants Private Non-profit

- Educational Institutions
- Utility (Water, Sewer, Energy, Communications)
- Emergency Services (Fire, Ambulance, Rescue)
- Medical Care (Hospital, Rehab, Outpatient)
- Custodial (Nursing Home)
- Others



Source: FEMA 321, PA Policy Digest Page 41

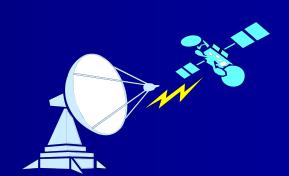


# Critical Services Private Non-Profit

- Utilities
  - Power
  - Water
  - Sewer
  - Communications
- Emergency Medical Care
- Fire and Rescue
- Educational Institutions







# Non-Critical Services *Private Non-Profit*

- Museums
- Zoos
- Libraries
- Community Centers

- Eligible for categories A & B
- Must apply for SBA Loan before FEMA will fund for Permanent Work (C-G)
- If SBA application is declined or loan does not cover complete costs, FEMA may reimburse eligible Permanent Work expenses.



FEMA is the Recourse of Last Resort



### Tax Exempt & Open to the Public *Private Non-Profit*

- PNP organizations must have an effective ruling letter from the Internal Revenue Service at the time of the disaster granting tax exemption under Sections 501(c), (d), or (e).
- The specific facility for which the PNP organization is requesting funding must be used primarily for an eligible purpose consistent with the services identified and, generally, be open to the public.



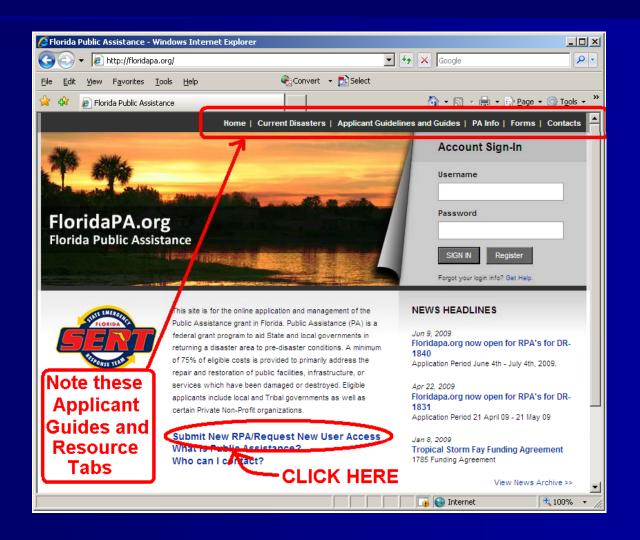
#### How to Apply for Public Assistance

## www.FloridaPA.org

The Florida Public Assistance Web Portal

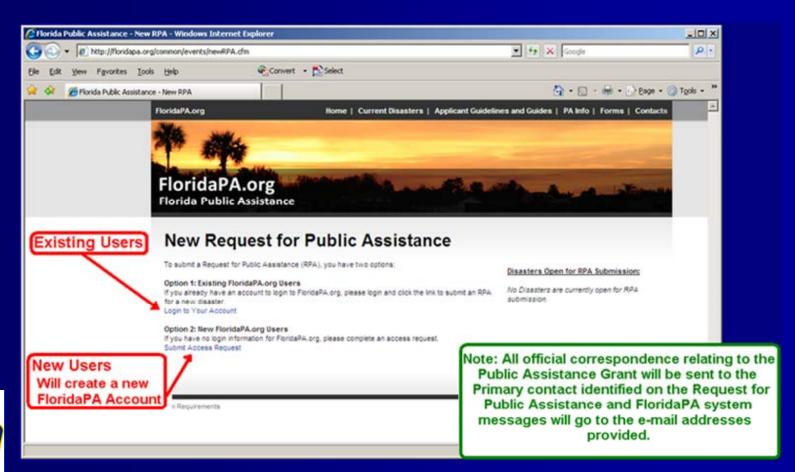


## Welcome Page of FloridaPA.org Submit a New Request for Public Assistance



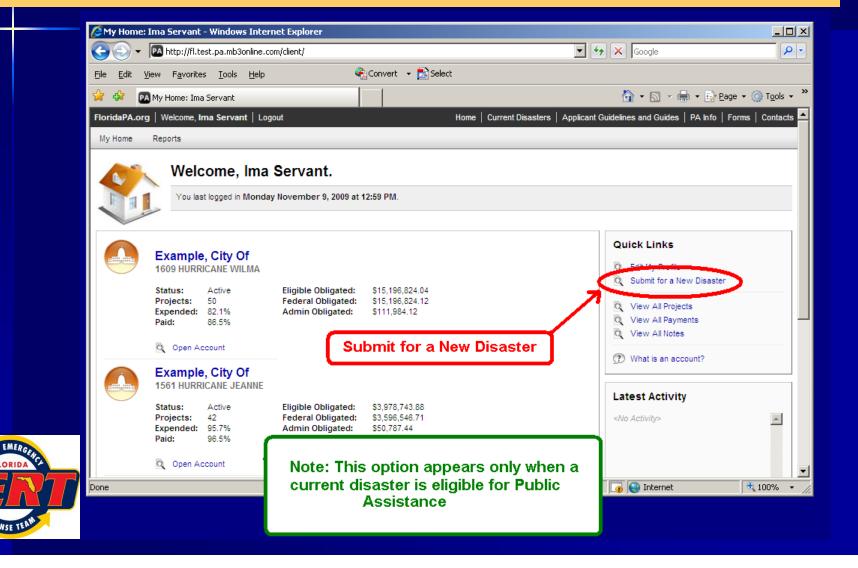


## Both Existing and New Users of FloridaPA can submit a New RPA

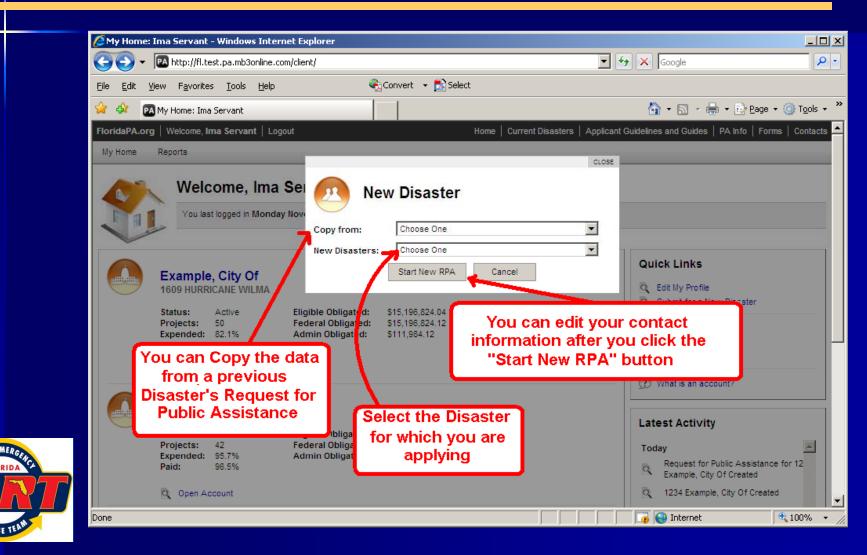




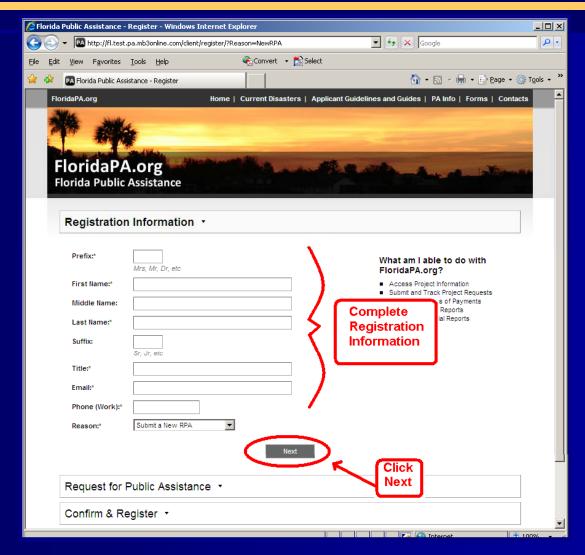
## Existing Users Select "Submit for a New Disaster"



# Existing Users "New Disaster" Dialogue Box will Open



# New Users Open Registration Information



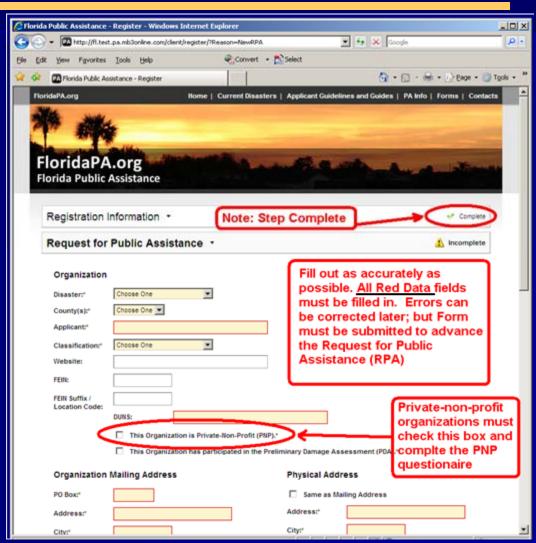


#### **New Users - Continued**

Opens the Request for Public Assistance Worksheet

Note: Non-Profit
Organizations must fill
out the Non-profit
questionnaire and
meet additional
eligibility
requirements.





#### **DUNS Numbers**



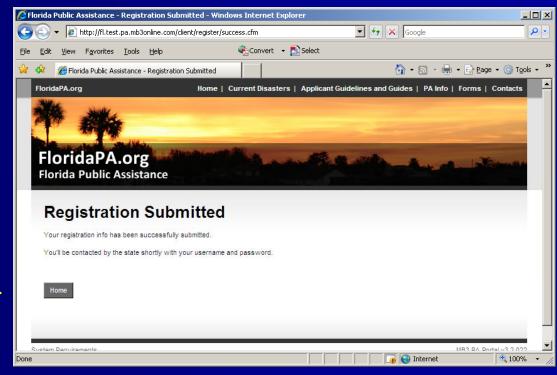
- The Data Universal Numbering System (DUNS) number identifies your organization. It is how the Federal Government tracks grant funds.
- DUNS Numbers are issued by Dunn and Bradstreet INC.
- Organizations are required to have a DUNS number to apply for Federal Grants.
- To get a DUNS Number Call (866) 705-5711.



#### Registration Successful

Note: If you do not see this screen after submitting your RPA; It is not in the system.

Contact your State Public Assistance Coordinator immediately for further assistance.





#### KICKOFF MEETING

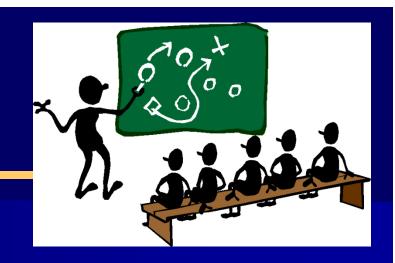




### Kickoff Meeting

- FEMA and the State will each assign Public
   Assistance Coordinator (PACs).
- FEMA holds kickoff meeting to discuss Public Assistance Program in detail.
- Applicant provides a preliminary list of damages from the disaster.
- Bring complete copies of all Insurance Policies with itemized coverage and Statements of Value.
- Identify Damages (60 Days) Clock begins with Kickoff meeting.

## Your Grants Management Team



#### All Operational Departments

- Public Works
- Utilities
- Solid Waste
- Facilities
- LE/Fire/Safety/EM
- Administration
  - HR/Payroll
  - Purchasing
  - Contracting/Legal
  - Risk Management/Insurance



#### Mutual Aid



- Mutual Aid or EMAC assistance that you requested may be an eligible "Category B" expense.
- Under the Statewide Mutual Aid Agreement (SMAA); providing the invoice is the responsibility of the "assisting agency." Unfortunately this is not always provided in a timely manner.
- If you have received mutual aid assistance; ensure your State PAC and/or FEMA project specialist is notified of this at the Kickoff Meeting and includes the Mutual Aid Mission as part of the scope of work in a Category B Project Worksheet.



## **Building Blocks of Eligibility**

COST

WORK

**FACILITY** 

APPLICANT



Source FEMA 322 PA Guide Page 40

### **Facility Eligibility**

- Be the legal responsibility of an eligible applicant
- Have been in active use at the time of the disaster
- Be damaged as a result of the declared disaster
- Be located in the designated disaster area



### Eligible Work Criteria

- Required as a result of the declared disaster
- Located in designated disaster area
- Legal responsibility of eligible applicant
- No other Federal agencyhas specific authority





## Types of Eligible Work

1. Emergency Work (Categories A & B)



2. Permanent Work (Categories C - G)





## Emergency Work

## Debris Removal & Emergency Protective Measures Category A

Clearance of trees and woody debris; certain building wreckage; damaged/ destroyed building contents; sand, mud, silt, and gravel; vehicles; and other disaster-related material deposited on public and, in very limited cases, private property

#### Category B

Measures taken before, during, and after a disaster to eliminate/reduce an immediate threat to life, public health, or safety, or to eliminate/reduce an immediate threat of significant damage to improved public and private property through cost-effective measures



FEMA 322, Public Assistance Guide, pages 66-87

## Work Categories



B: Protective Measures

C: Road System

D: Water Control Facilities

E: Buildings And Equipment

■ F: Public Utility Systems



G: Other (Park and Recreational)



#### Permanent Work

#### Categories C thru G

Permanent Work is that which is required to restore a damaged facility, through repair or restoration, to its pre-disaster design, function, and capacity in accordance with applicable codes and standards. The work is grouped into categories.



FEMA 322, Public Assistance Guide, pages 66, 79-87



### **Cost Eligibility**

To be eligible for reimbursement, costs must:

- Be reasonable and necessary to accomplish eligible work
- Comply with federal, state, and local laws and regulations
- Include deductions of insurance proceeds, salvage value, and purchase discounts.



# Small and Large Projects are managed and funded differently

Threshold for large projects





Annually updated This is the fiscal year FY12 threshold amount.

### Mitigation

Section 404 - Hazard Mitigation Grant Program (HMGP)
 Not Part of Public Assistance

Contact: Miles Anderson 850-413-9816

Section 406 – Hazard Mitigation Proposal (HMP) Available as part of a Public Assistance Project Worksheet. Applies only to the <u>damaged element</u>. Must be determined to be "cost-effective" (to mitigate potential future damage to the facility).



FEMA Public Assistance Policy 9526.1 Hazard Mitigation Under Section 406

# Project Worksheet (PW) The Sub-Grant



- Applicant Identification Information & Facility Location.
- Pre-disaster description of the facility and damage description; include the cause and dimensions of damaged areas (quantified).
- Scope of work (to restore facility to Pre-Disaster Condition)
- Costs (Actual and/or Estimated) include required codes and standards upgrades.
- Special considerations associated with the project, such as insurance and hazard mitigation (406 – damaged element).
- Minimum of \$1,000.



FEMA 321, Public Assistance Policy Digest, Page 105

# Project Worksheet (PW) The Sub-Grant



#### Alternate Projects

- Abandon and demolish the original facility.
- Money used for repair or expansion of other public facilities; purchase of capital equipment
- Capped at 90% for governmental entities; 75% for PNP's
- Must be requested within 12 months of the Kickoff Meeting.
- Must be approved by FEMA prior to construction.



FEMA 321, Public Assistance Policy Digest, Page 105

# Project Worksheet (PW) The Sub-Grant



- Improved Project
  - Improvements beyond restoration to the pre-disaster condition.
  - Must retain the original function of the facility
  - Must be approved before construction begins
  - Funds for an improved project can be combined with a grant from another federal agency or a FEMA approved alternate project.
  - Capped at the original Federal Share.



FEMA 321, Public Assistance Policy Digest, Page 105

#### **Historical Preservation**

- Listed on the National Register of Historic Places
- Usually, a facility over 49 years old
- Or of historical significance





#### Emvironmental Concerns

- Changes in a facility's "footprint"
- Located in wetlands
- Affects on water and/or air
- Affects endangered species

#### Flood Plain Management

 Must meet the Executive Orders on Floodplain Management and Protection of Wetlands





Cultural and Archaeological

Resources

- -Shell Middens
- -Human Remains
- -Battle Grounds
- -Art





- Tribal Consultation
  - Required if the soil surrounding your project is disturbed more than 3 inches in depth.





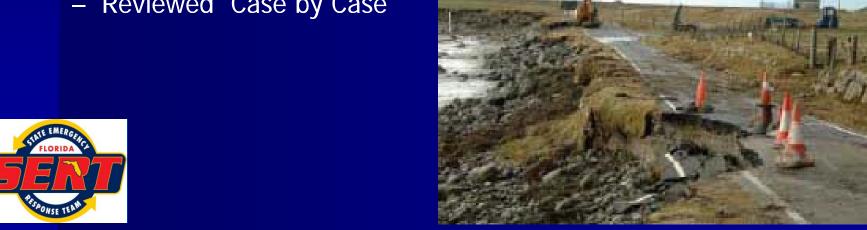
#### Coastal High Hazard Areas

The Coastal Barrier Resources Act (CBRA) requires a Special Considerations Review

CBRA limits federal expenditures in designated coastal

barrier resource zones

Reviewed Case by Case



The Florida Greenbook addresses special considerations

Debris, Environmental and, Historic Issues

– Contact: Henry Hernandez

Henry.Hernandez@em.myflorida.com

Or Liz Warrington

Liz.Warrington@em.myflorida.com

Download the Florida Greenbook from:

http://www.floridadisaster.org/Recovery/EDS/environmental/index.html



#### Plan to Perform Eligible Work

# Ensure that you maintain Grant eligibility while performing response/recovery work by:

- Become familiar with FEMA policies and procedures.
- Follow your published purchasing/contracting policies.
- Comply with Environmental regulations.
- Record the decision making process in view of protecting life, health, and the Safety of the Public.

#### Document - Document - Document



# Project Worksheet (PW) Development



This is where Your Team Makes the difference.

- A well written PW will:
  - Maximize eligible reimbursement
  - Minimize Grant Management Review Questions
  - Minimize Payment Variations (plus or minus)
  - Be Closeout Ready with Documentation



#### PW Development Process

- FEMA and State Public Assistance Coordinators meet with applicant to formulate projects.
- Applicant, State or FEMA project specialists may write Small Projects Worksheets. However, if written by the Applicant they must be completed in 60 days and validated by FEMA.
- FEMA writes all Large Project Worksheets.
- PWs Reviewed at Joint Field Office for eligibility, Environmental, Historical, Floodplain and other considerations.



Applicant Reviews and Signs PWs.

PW is obligated upon approval.

#### Small Project Validation

Validation is performed on a randomly selected 20% of the Small projects written. Sample does not include projects with Special Considerations (Historical, Environmental, etc.) which are reviewed separately.



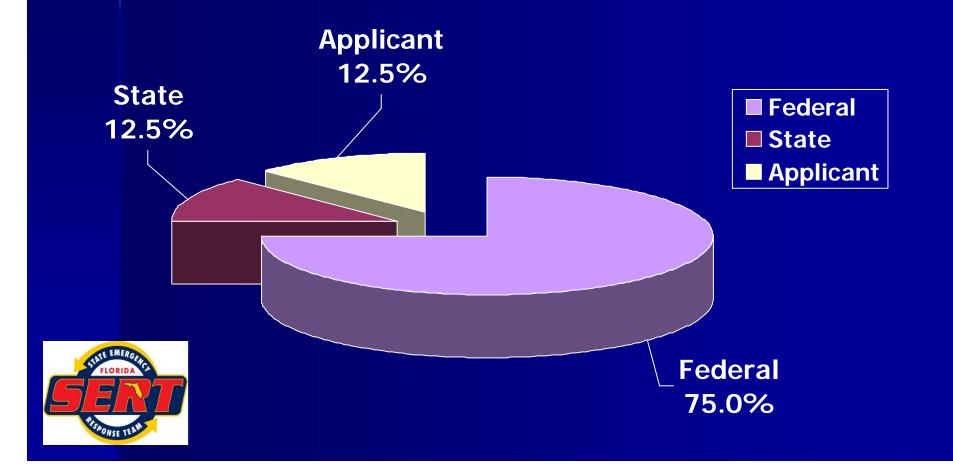
#### Cost Share

- Cost Shares are outlined in the FEMA-State Agreement.
- Stafford Act states that Federal Share shall not be less than 75%.
  - Can be higher during more severe events.
- Grantee determines the distributionof the non-Federal Share.



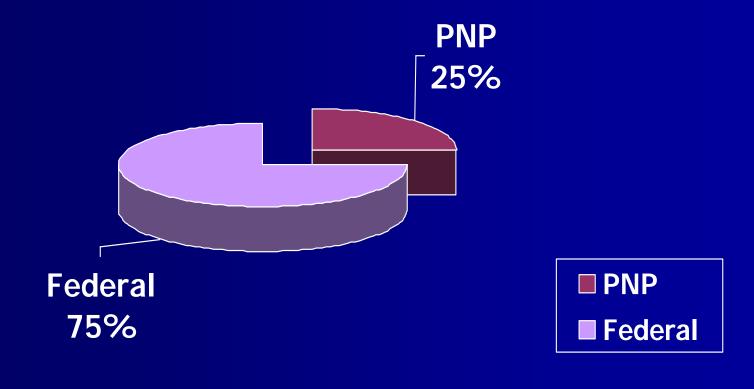
# Cost Share for State and Local Governments

State chooses to provide half of the Non-Federal Share



# Cost Share for Private Non-Profit Organizations

State does **not** provide any portion of the Non-Federal Share.





#### **Donated Resources**

- Donated resources are eligible to offset the Non-Federal share of eligible Category A and B costs.
- Examples include, but are not limited to:
  - Removing eligible debris.
  - Filling and placing sandbags.
  - Donating equipment to raise or reinforce a levee.
  - Donating materials, such as rocks or sand.
  - Search and rescue when part of an organized search and rescue operation.
  - Professional safety inspections.
  - Mass food and shelter for victims, when not the mission of the organization.
- FEMA Disaster Assistance Policy 9525.2



FEMA 321, Public Assistance Policy Digest Page 37 <a href="http://www.fema.gov/government/grant/pa/9525\_2.shtm">http://www.fema.gov/government/grant/pa/9525\_2.shtm</a>

#### **Duplication of Benefits**

- The Stafford Act states that it is a violation of Federal Law to receive funding from two sources for the same item of work.
- Funding from other Agencies (NCRS, FAA, DOT, FWHA, etc.), Insurance proceeds, or other Grants and Donations potentially may constitute a Duplication of Benefits.
- Subgrantees must ensure that funds received from other sources for disaster work are not a Duplication of Benefits.
- If at a later date, FEMA discovers a Duplication of Benefits, they will deobligate the funds they provided.



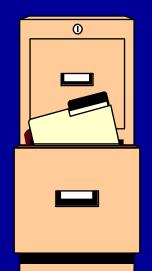
FEMA Disaster Assistance Policy 9525.3; Duplication of Benefits <a href="http://www.fema.gov/government/grant/pa/9525\_3.shtm">http://www.fema.gov/government/grant/pa/9525\_3.shtm</a>

# Record Keeping Vital To Full Reimbursement

- Track Costs by <u>Project Worksheet</u> for FEMA approved Scope of Work.
- FEMA has forms that assist in organizing and summarizing.
- Maintain original documentation for audit or program review.



Keep records for 5 years after closeout letter from FEMA.



#### Documentation

- Maintain all documents related to projects both Small and Large!
- The subgrantee has ultimate responsibility to maintain documentation on projects
- DO NOT give original documentation to the Project team. Keep copies of all documents.



### Record Keeping

Force Account Labor



- What the Worker did. (Task)
- Where the Worker worked. (Location)
- When the worker worked. (Date)
- Why did the worker work. (Mission)
- How long the worker worked. (Written record)
- Pay Rate & Fringe Benefits Calculation
- Separate Donated, Regular & Overtime hours





#### Record Keeping

Force Account Equipment

- Equipment Description (FEMA Cost Code)
- Task performed (Eligible work)
- Location performed (Legal Responsibility)
- Time in <u>operation</u> (Dispatch)
- Operator (Total operator time should equal "time in operation".)



## Record Keeping

**Force Account Materials** 

- Source (Purchase, Donated, or Stock)
- Cost (reasonable for area)
- Quantity Used
- Location Used





#### Contracts and Procurements

- Must be of reasonable cost.
- Generally must be competitively bid.
- Must comply with Federal, State, and local procurement regulations/policies.
  - Time and Materials—70 hours maximum
  - Piggyback—legal, not recommended
  - Cost Plus—Not allowed
- No De-barred Contractors.



FEMA 321, Public Assistance Policy Digest; page 23

#### Disaster Relief Funding Agreement

- Projects cannot be funded without an executed Disaster Funding Agreement.
- Download a copy from www.floridapa.org.
- Designate a Primary and Alternate agent.
- See instructions accompanying the agreement for an authorized executor.



#### Advances

- Sub-grantee (Applicant) may submit one Request for Advance (RFA) per disaster.
- To cover expenditures within the next 90 days.
- The Advance may cover more than one Project Worksheet.
- Advanced expenditures must be documented within 90 days.
- Submit requests through your account at www.floridapa.org.



Florida Statue 216.181 (16) (b).

# Reimbursement





# Reimbursements Small Projects

Small Projects – payments will be automatically processed by State upon obligation.

 Disaster Funding Agreement must be fully executed.



## Reimbursements Large Projects

- Must submit Requests for Reimbursement (RFR), by project, as work is completed.
- Electronically attach (PDF) documentation showing work performed, period of performance and reasonable cost.
- Submit requests through your account at <u>www.FloridaPA.org</u>
- Disaster Funding Agreement must be fully executed.



#### Performance Period

- Emergency Work: 180 Days (6 Months from Declaration date.
- Permanent Work: 18 Months from Declaration date.
- Extensions must document the extenuating circumstances beyond the applicants control.
- Extensions can be requested through www.FloridaPA.org.
- Work performed after the performance period may not be reimbursed by FEMA.
- Project must be completed per original Scope of Work even if the extension is not granted, or all funds for the sub-grant may be de-obligated.



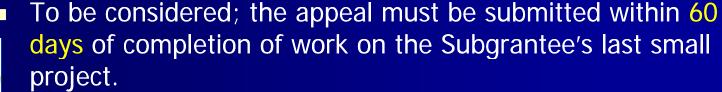
# Hidden Damages & Cost Variance -Large Projects-

- Subgrantee must notify the State (Grantee) as soon as the situation is identified.
- State (Grantee) conducts an interim inspection to document the situation.
- New Project Worksheet version is written to change the Scope of Work.
- FEMA/State review, determine eligibility and obligate funds for eligible expenses.



# Hidden Damages & Cost Variance -Small Projects-

- If there is a gross error or omission in the scope of work, the applicant should make a request for a change as described for large projects.
- Net cost overruns for all small projects are addressed by submitting an Appeal requesting Small Project Netting
  - The appeal should be submitted only when the total costs for all small projects exceed the total cost approved for all small projects.





FEMA 321, Public Assistance Digest, page 27

# Project Closeout (Sub-grant) A 2-Step Process

- Programmatic Closure FEMA closes projects in EMMIE after the Final Performance Inspection is completed.
- Financial Closure State ensures all payments have been made and then closes the project in FloridaPA.



### Final Inspection

- Site Inspection comparing work to scope.
- Invoices, force account records, etc.
- Insurance
  - Statement of loss, itemized by facility, separated by PW.
  - Statement of Values
  - Prior commitments
- Duplication of Funds
- Permits
- Contract Compliance



#### **Small Project Verification**

- Prior to disaster closure, small project verification will be conducted to ensure:
  - Scope of Work complete
  - Hazard Mitigation complete
  - Insurance proceeds are appropriately reflected on PWs.
- Verification will be done via site inspection, pictures of completed work, or certification.
  - If the scope of work was not completed, the project will be deobligated.

## Appeals

- Any determination related to Federal assistance may be appealed
- The time limit for appeal submission is <u>60 days</u> from the date of the Determination Letter (notification).
- Appeals are to be submitted to the <u>State</u>, the State has <u>60 days</u> to submit a recommendation <u>letter to FEMA</u>.
- FEMA should respond to your appeal within 90 days.



#### Appeals

Send all appeals to:

Florida Division of Emergency Management

Attention: Bill Johnson, State PAO 2555 Shumard Oaks Boulevard Tallahassee, FL 32399-2100

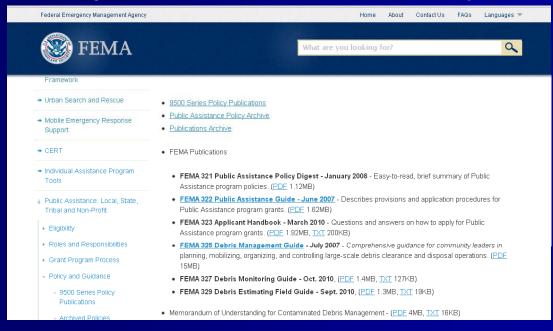




#### References

■ FEMA Public Assistance Guide, Public Assistance Digest, Applicant's Handbook, 9500 Series Policies, and others can be found online at:

http://www.fema.gov/public-assistance-policy-and-guidance





#### Contact

Public Assistance Branch Director, DR-4068

Larissa Pallo

Office: (850) 487-1984

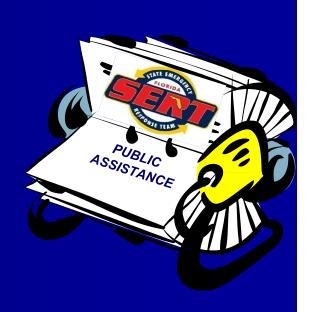
Larissa.Pallo@em.myflorida.com

Steve Hyatt

Office: (850) 487-1660

Steven.Hyatt@em.myflorida.com





# Additional Information on Final Inspection Documentation Requirements





## Final Inspection Report FRR Checklist General documentation needed when applicable:

- Time extension paperwork (Performance Period).
- Improved Project; letter of approval from the Governor's Authorized Representative (GAR).
- Alternate Project; letter of approval from the Federal Coordinating Officer (FCO).
- Emergency declaration for applicant
- Inter-Local agency agreement information
- Duplicate funding information from other federal agencies (FHWA, NRCS, FAA ... etc).



## Final Inspection Report FRR Checklist General documentation needed when applicable:



- Post disaster photographs showing damage to facility/facilities.
- Codes and standards excerpt (enabling legislation/ordinance).
- A&E fees supporting scope of work on project.
- Hazard mitigation.
- Copies of building permits .
- Copies and proof of compliance with environmental/historic permits.
- Photos, receipts, invoices, and contracts.
- Salvage value for equipment purchased over \$5,000.





# Final Inspection Report FRR Checklist Insurance Information (as appropriate)

- Current Insurance Policy at time of Closeout
- Current Schedule of Values at time of Closeout
- Statement of Loss from Insurance Carrier
- Denial letters from Insurance Carrier
- Statement from Applicant on Letterhead describing why no claim was submitted to Insurance Carrier
- Statement of No Insurance from Applicant on Letterhead
  - Litigation-Resolution Documents regarding Insurance/Contract



# Final Inspection Report FRR Checklist Workforce\Equipment and Materials documentation:



- Labor summaries (aka: Force Account Labor)
- Timesheets
- Benefits breakdown (aka: Fringe Calculation)
- Equipment summaries (if owned "Force Account Equipment" or rental/lease records)
- Materials records (Receipts/Stock)
- Rental equipment contracts
- Applicable ordinances, policies, or past history that supports wages/services
  - Emergency pay policies



# Final Inspection Report FRR Checklist Contract documentation:

- Applicant procurement procedure policy statement
- Proposal / bid form and bid tabulation
- Copy of contract -signed and dated
- Invoices / progress billing
- Change orders
- Cancelled checks
- Check Book summary



