

Applicant's Briefing



FEMA



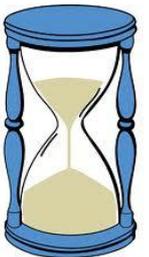
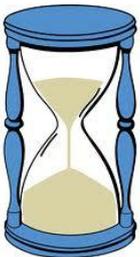
FEMA-4155-DR-SD

Declaration Date

November 08, 2013

Incident Period

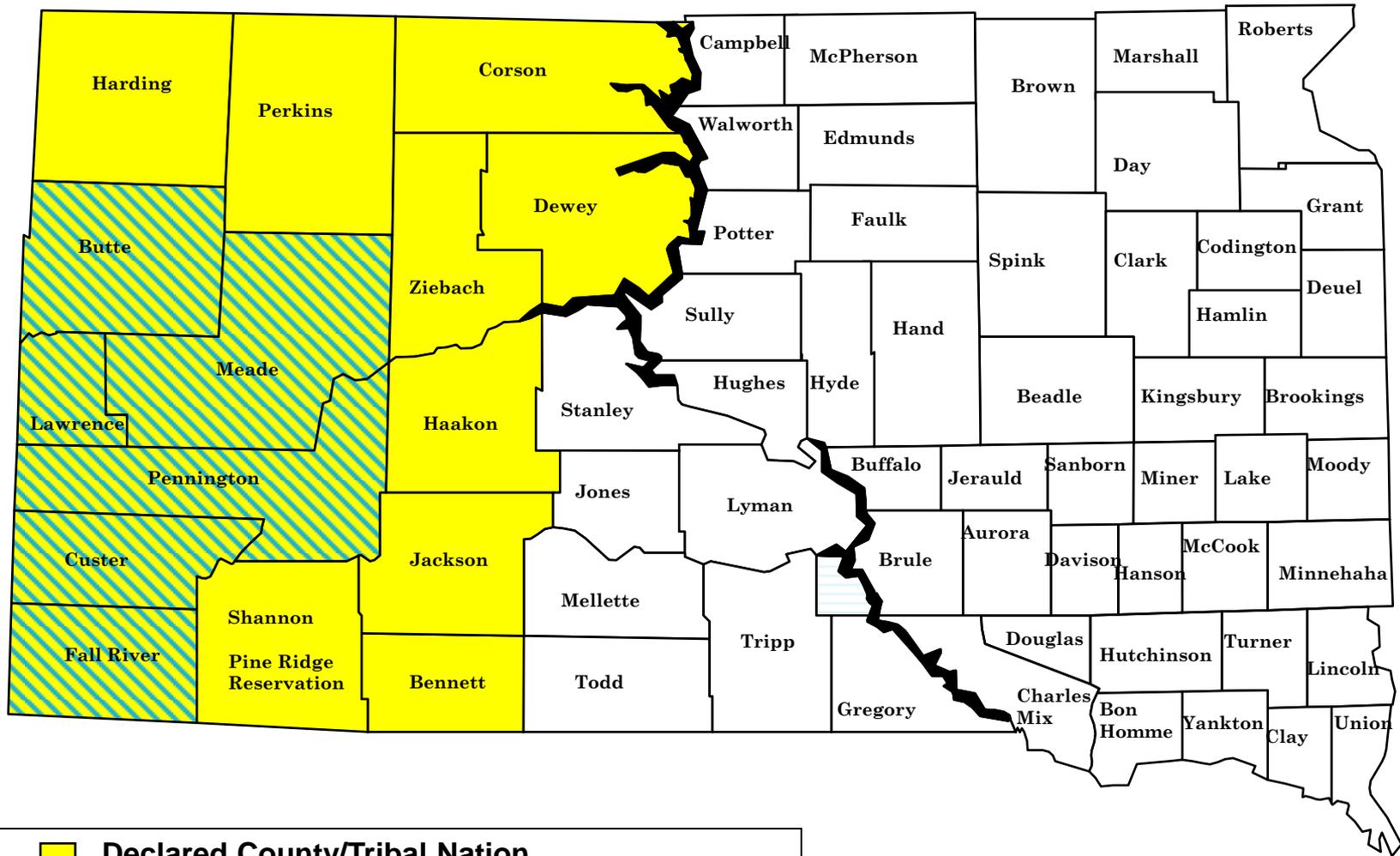
October 3rd-16th 2013





FEMA

DR-4155 Declared Counties



 Declared County/Tribal Nation

 Declared County with Record Snowfall

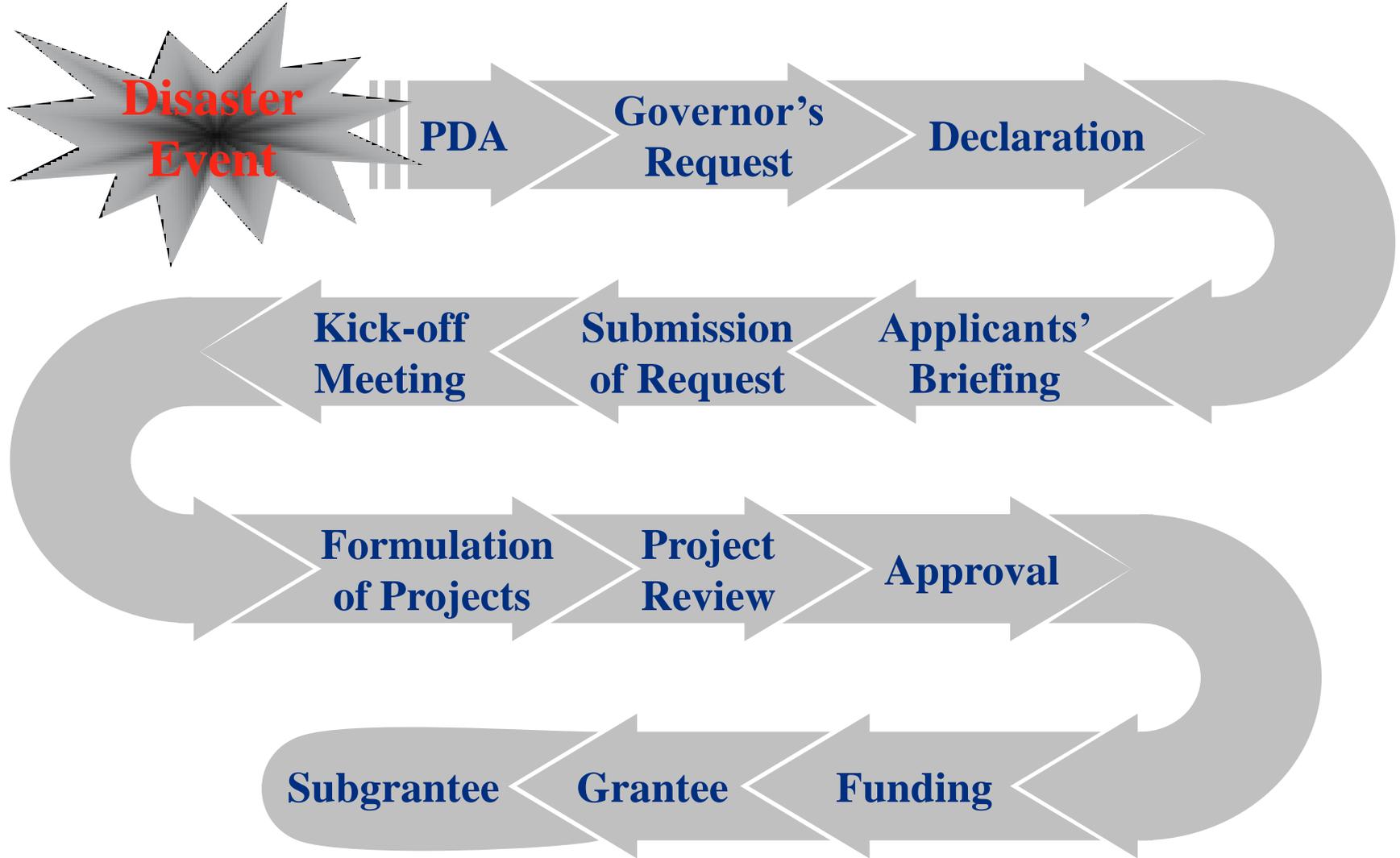
Incident Period: October 3-16, 2013

What is Public Assistance??

Supplemental financial assistance to state, local governments, and certain non-profit organizations for response and recovery activities required as a result of a disaster



The Public Assistance Process



Eligibility



Eligible Applicants

- State Agencies
- County Government
- City Government
- Certain Private Nonprofit Organizations
- Native American Tribes or Tribal Organizations
- Township and Road districts



Private Non-Profit Entities

Critical



Fire/Emergency – Rescue

Emergency Medical Care

Utility- Power, Water, Sewer, WWTP,
Communications

Educational Institutions

Private Non-Profit Entities

Non-Critical

Senior Citizen Centers

Daycare Centers

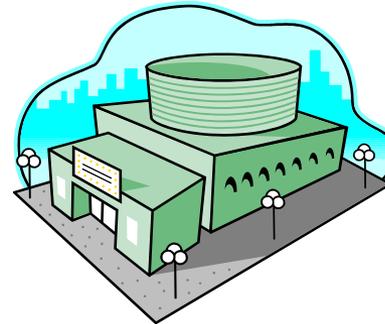
Homeless Shelters

Shelter workshops

Libraries

Rehabilitation Facilities

Community Centers



Private Non-Profit Requirements

- ▶ Completed RPA Package
 - ▶ DUNS Number
 - ▶ By-Laws
 - ▶ Tax Exempt Letter, 501(c), (d), or (e) IRS designation
-
- ▶ PNP's go through an eligibility evaluation. This evaluation can not be conducted until all of the above is submitted.



Facility Eligibility Requirements

- ▶ Damage- result of the event
- ▶ Located within the Federal Declared County
- ▶ Legal responsibility of eligible Applicant
- ▶ In active use at the time of the disaster
- ▶ Not under authority of another federal agency *(ex. FHWA roads are not eligible for permanent repair)*



Deadlines for Completion



From the date of the declaration:

November 8, 2013

Emergency work - 6 months

(eligible for an additional 6 months if requested by applicant)

Permanent work - 18 months

(eligible for an additional 30 months if requested by applicant)

Further extensions require FEMA approval



Deadlines for Submission



Request for Public Assistance

30

days after disaster declaration date:

December 8, 2013

Damage Must be Identified Within

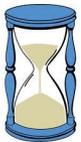
60

days after FEMA's Kickoff Meeting

Emergency Work

- Category A (Debris Removal)
 - Clearance, removal, storage, disposal
- Category B (Emergency Protective Measures)
 - Access, protection, emergency services, eliminate hazards, support, highways and community needs

6 Month Completion Deadline:
May 08, 2014







W:096 46° 24.03"
N:043 99° 23.03"



W:096 30' 11.63"
N:043 43' 12.58"



Permanent Work



- Category C (Road and Bridge Systems)
- Category D (Water Control Facilities)
- Category E (Public Buildings/Equipment)
- Category F (Public Utilities)
- Category G (Other-Parks, Recreation)



**18 Month Completion Deadline:
May 08, 2015**







Small or Large Project???

SMALL



LARGE

Annually updated, \$68,500 is the FY '14 threshold amount

Small Projects

- Based on Estimate or actual costs written in Project Worksheet
- Paid upon Project Worksheet approval

Large Projects

- Initial Payment based on Percent Completed
- Progress payments are available for completed Large Projects upon applicant's request
- Final payment – actual documented approved costs
- Quarterly Report Requirement- Update of work completed due to SDOEM every quarter for life of project

Improved Projects

- ▶ MUST be identified to the State in ADVANCE of start of work
- ▶ Improvements that increase the size, capacity, or add additional functions
- ▶ Funds limited to Federal share of estimated costs for facility restoration or project cost, whichever is less
- ▶ All portions of project reviewed for Special Considerations

Alternate Projects

- Repair or expansion of other public facilities, construction of new facilities, demolition or purchase of equipment.
- Requested within 12 months after Kick-off Meeting
- **Reduced to 90%** of Approved federal cost share for government entities
- **Reduced to 75%** of Approved federal cost share for PNP entities
- Cannot have 406 (PA) mitigation funding
- All parts of project will be reviewed for Special Considerations



Sandy Recovery Improvement Act

- On **January 29, 2013**, President Obama signed into law the Sandy Recovery Improvement Act of 2013 (P.L. 113-2) (SRIA).
- FEMA is implementing the Alternate Procedures as a **pilot program**, as described in the law.



Goals of Alternative Procedures:

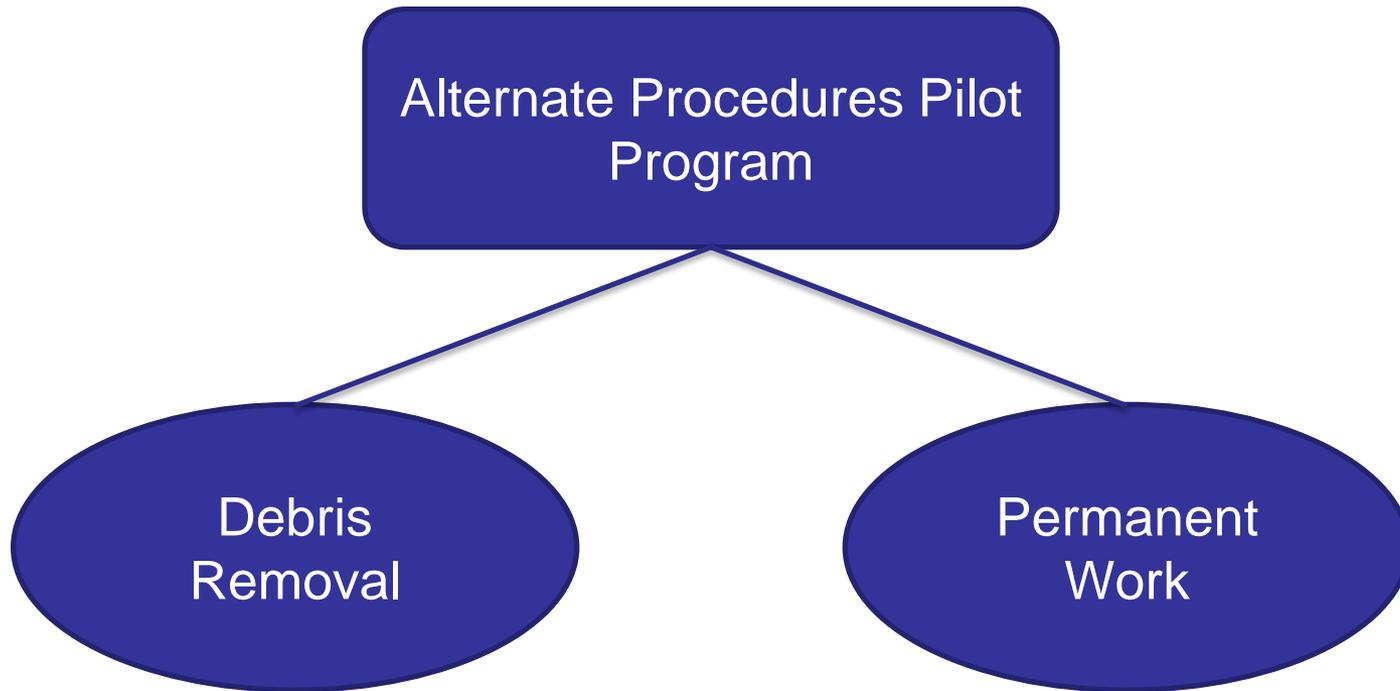
1. **Reduce the costs** to the Federal Government of providing such assistance
2. **Increase flexibility** in the administration of such assistance
3. **Expedite assistance** to applicants
4. **Provide financial incentives** and disincentives for the timely and cost-effective completion of projects with such assistance



FEMA



Two Main Sections of the Pilot Program



Alternative Procedures for Debris Removal

- Participation is Voluntary
- Applicants allowed to retain revenue from recycling disaster related debris.
- FEMA will reimburse **regular time and overtime** salaries and benefits for employees of an eligible applicant involved in conducting or administering debris and wreckage removal.
- Applicants who have a FEMA reviewed debris management plan prior to the disaster will receive a one-time 2% financial incentive (first 90 days of costs).
- FEMA will provide guidance on the development of a debris management plan, including templates.



Alternative Procedures for Debris Removal

For Large Projects only

The Sliding Scale provision enables applicants to receive an **increased federal cost share** for the rapid removal of debris.

Days from Beginning of Incident Period	Federal Cost Share
0 – 30	85%
31 – 90	80%
91 – 180	75%
180 +	0% Unless a FEMA T.E. has been approved

Alternative Procedures for Permanent Work

- Applicants will decide project by project if they will utilize the alternate procedures or remain in the actual cost program.
- Capped Grant on the basis of an estimate
- FEMA, the grantee, and the applicant **agree on capped costs**
- Only available for Large Projects
- Applicants are permitted to keep any **excess funds**
- If applicants exceed capped costs, additional costs will be the **responsibility of the applicant**
- Have access to a 3rd party expert panel to have cost estimates validated where the federal share is in excess of \$5 million
- Paid out upon project worksheet approval.

Unspent Funds (Under Runs)

Acceptable uses of unspent funds:

- **Hazard mitigation projects** on damaged facilities or otherwise eligible facilities
- Activities to **improve PA program operations** such as training or planning

Require FEMA and State approval

Alternate Project Reduction

- If an applicant agrees to alternative procedures (capped costs) and requests an alternate project, there will not be reduction in funding. Normal process reduces funds to 90% of prevailing cost share (90% of 75%).
- Alternate projects require approval from FEMA **before** construction begins.
- All projects reviewed for special considerations.

Special Considerations

Environmental

Ensure all practical means are used to protect restore and enhance environment



**** Local Regulations Also Apply****

Special Considerations

Insurance

- Proceeds (actual or anticipated) deducted from eligible project costs
- If a PW is over \$5,000 an insurance requirement is placed on items that can be reasonably insured for life.
- Funds will be paid upon proof of insurance

Special Considerations

Floodplain Insurance Requirements

- *If facility does not have NFIP Insurance,*
 - The Project Worksheet (PW) will be reduced by amount that would have been covered by NFIP
- The PW will also be required to obtain and maintain flood insurance for life
- Funds will be paid upon proof of flood insurance policy

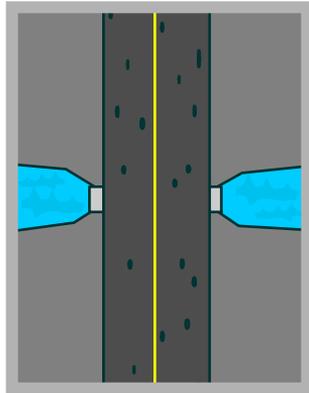
Special Considerations

Hazard Mitigation

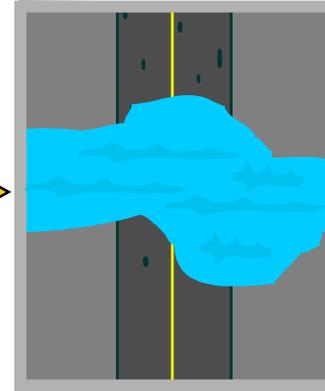
- Cost effective measures that reduce the potential for damages to a facility from a future event
- Optional

Only Permanent Work is eligible for
Hazard Mitigation

Hazard Mitigation Scenario

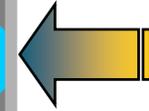
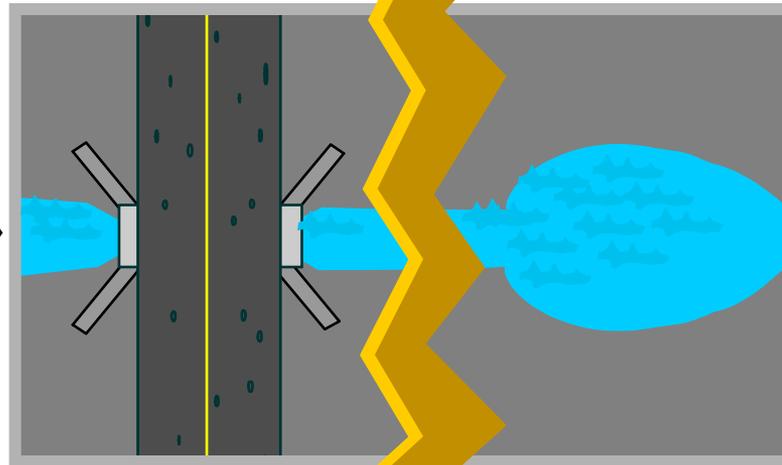
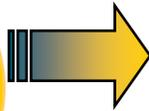
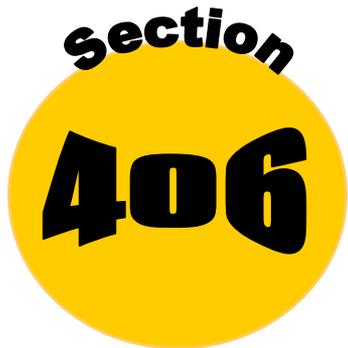


Pre-disaster



Disaster damage

Larger culvert with
concrete wing-walls



New upstream
retention pond

Special Considerations

Historic Preservation



- Listing on the National/State Register of Historic Places
- Buildings, landscapes, archaeological sites, or even bridges and water treatment plants
- Not necessarily old but important to local, state, or national history
- Requires special consideration under the National Historic Preservation Act
- Will be reviewed by FEMA if 50 years or older
- Special construction practices may be placed on a PW if deemed Historical

Regulatory Offices



FEMA



**US Army Corps
of Engineers®**



Cost



- ❖ Reasonable and Necessary
- ❖ Complies with federal, state and local laws & regulations
- ❖ Insurance proceeds and purchase discounts must be deducted

Equipment

- Perform eligible work
- Auto/Truck – mileage or hourly rate
- Other equipment- hourly rate
- Stand-by time ineligible
- Intermittent Use
 - Half day or more = full day
 - Less than half day = actual hours



Equipment Rates

- FEMA rates are used for determining project costs (estimating & comparing)
- Local rates are used - If different than FEMA and established prior to the disaster





Labor

- *Force Account Labor plus Fringe Benefits*
 - Emergency Work: All OT eligible, temporary employees regular time eligible. All regular time ineligible.
 - Permanent Work: Regular and OT eligible

Also travel and per diem for employees performing eligible activities

Donated Resources

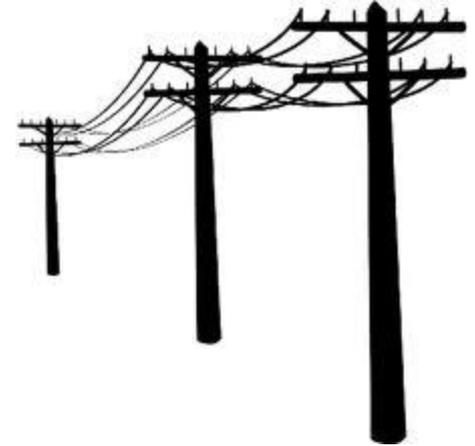
Volunteer Labor:

- Rate for volunteer labor is the same rate (plus reasonable fringe benefits) paid for similar work within applicant's organization.
- If applicant has no employees performing similar work the rate is equal to those ordinarily performing work in same labor market
- Determination value of volunteer labor: (Labor rate x Total number of volunteer labor hours)

Donated Equipment:

- Determination value of donated equipment: (Number of hours each piece of equipment in use x FEMA's equipment rate)
- Donations credit capped at non-federal share of emergency work (may apply toward certain portions of community's non-federal share of recovery costs)

Materials



- Purchased or stock
- Used for eligible work
- Need invoices, historical data or area vendor quotes



Contracts

- All contracts incurred for eligible work reviewed on a case by case basis by PAL-PAC teams; includes rental equipment
- Competitive, fixed-procurement procedures are preferred
- Lump sum contracts are acceptable
 - easy to monitor when the scope of work is well defined; requires minimum labor for monitoring; quantities do not have to be documented
- Time and material contracts should only be used for
 - emergency “hot spots” early debris rights-of-way clearance MUST HAVE a cap and must be monitored generally accepted for first 70 hours of actual work and then need to be converted to a lump sum contract.

Ineligible Contracts

- Cost-plus percentage of cost
- Contingent upon FEMA reimbursement
- Contract with a debarred contractor
 - www.sam.gov



Audits

- A-133 audit required if an applicant has received over \$500,000 of Federal funds
- Common Audit findings:
 - Not having a debarment and suspension policy
 - Lack of internal controls



Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET								
DISASTER		PROJECT NO.		PA ID NO.	DATE	CATEGORY		
FEMA	4115	-	DR	-SD	U1FQA01	000-U1FQA-00	06-26-2013	B
APPLICANT: SOUTH DAKOTA HIGHWAY PATROL					WORK COMPLETE AS OF: 05-29-2013 : 100 %			
Site 1 of 1								
DAMAGED FACILITY: Emergency Protective Measures				COUNTY: Statewide				
LOCATION:					LATITUDE:	LONGITUDE:		
PA-08-SD-4115-PW-00040(0): 118 West Capitol Avenue, Pierre, SD 57501					44.369636	-100.35245		
DAMAGE DESCRIPTION AND DIMENSIONS:								
PA-08-SD-4115-PW-00040(0): During the incident period of April 8 through April 10, 2013, a severe winter storm damaged the power distribution grid throughout eastern/southeastern portions of the state. Due to the excessive accumulation of snow and ice, road conditions and downed power lines increased public safety concerns throughout the area. As the immediate threat to public health and safety of South Dakota's citizens was identified, the SD Highway Patrol was utilized to assist in emergency efforts throughout Douglas, Hutchinson, Lincoln, and Minnehaha counties. The GPS coordinates recorded in this PW were taken from the SD Dept. of Public Safety located in Pierre, SD.								

SCOPE OF WORK:

PA-08-SD-4115-PW-00040(0):

Work Completed:

Force Account Labor and Force Account Equipment was utilized by the SD Highway Patrol to respond to emergency calls (traffic accidents, debris in roadways and downed power lines), to monitor/report road conditions (helping decide when and where road closures should occur), to provide traffic control (downed power lines across roadways, power companies working in roadways and traffic accidents blocking roadways) and the manning of road blocks.

Highway Patrol employees worked a total of 1,954 hours performing outlined emergency relief efforts. Of this recorded time, 70 are overtime hours and are eligible for reimbursement. Fringe benefits are also included within the cost of these OT hours. The total FA Labor cost is \$2,383.49.

FA Equipment costs included the usage of 25 police vehicles. FEMA Cost Code 8072 (\$0.60 per mile) was utilized, as historically documented in previous disasters, to calculate the sum of 6,403 miles totaling \$3,841.80.

The Subgrantee is also claiming, within this Project Worksheet, a total of \$684.00 for the meal allowances of 26 employees during emergency relief efforts. See "Meal Expense Record" and "State Meal Allowance" attached.

(06/21/2013) Pursuant to DAP9525.9, Subgrantee chose NOT to claim any direct administrative costs for this project. (Elizabeth Wilson/Project Specialist)

Does the Scope of Work change the pre-disaster conditions at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Special Considerations included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hazard Mitigation proposal included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there insurance coverage on this facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
1	0000	Work Completed	0/LS	\$ 0.00	\$ 0.00
2	9007	Labor	1/LS	\$ 2,383.49	\$ 2,383.49
3	8072	Automobile, Police - to 250 hp- 2010 - Equipment Sched	6403/MI	\$ 0.60	\$ 3,841.80
4	9001	Contract	1/LS	\$ 684.00	\$ 684.00
5	9903	No Direct Administrative Costs	1/LS	\$ 0.00	\$ 0.00
				TOTAL COST	\$ 6,909.29

PREPARED BY Elizabeth Wilson

TITLE PAC Crew Leader

SIGNATURE

APPLICANT REP. Mary Walter

TITLE Business Manager

SIGNATURE

What info is needed?

- List of Damages, Procurement Policies, Labor Management Contracts, Maps, Photos
- List of paid staff, regular and OT hours – dates and times, & Fringe Benefits info, Personnel pay policy
- List of equipment used, hours of operation – dates and times, miles driven, other records
- List of materials and supplies used
- Copies of any contracts used for this event
- Applicable codes and standards
- Hazard Mitigation Proposals
- Insurance Policies



Funding



Federal Share	75%
State Share	10%
Applicant Share	15%

Direct Administrative Costs

Costs must be identified on each specific PW

Payment Process

- Project Worksheet is written, approved and obligated by FEMA
- The Federal and State share of funding for each project is calculated.
- Payment information is sent to applicant via mail.
- SDOEM request payment information to SD Auditor's Office.
- SD Auditor's Office sends check to applicant.
- Audits – All applicants must meet OMB A-133 circular Audit requirements or funding may be jeopardized.

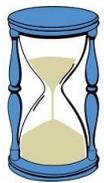
Payment Notification

- Sent to applicant's agent when FEMA approves or denies a project
- Includes payment information, deadlines and auditing requirements
- Includes a copy of the obligated Project Worksheet (PW); review carefully
- Starts time clock for appeal of any FEMA decision (60 days from date of notification)



Appeals

Any determination related to Federal assistance may be appealed.



Must be filed with the State within 60 days of the notice of the action being appealed.

Funds are Lost if Applicant's Don't:

- ... ask questions
- ... obtain FEMA pre-approval when changing the scope of work
- ... **obtain required permits**
- ... follow contract procedures
- ... perform work as described in the approved PW
- ... keep complete, clear and accurate records
- ... **remain aware of the PA program deadlines**



\$

What's Next?

- Submit completed RPA Package, DUNS Number and State/Applicant Agreement. Not considered an applicant until all documentation is submitted. If there is not enough damage to meet the \$1,000 threshold submit the No Damage Certification.
- PAL-PAC Team available to meet on-site
- Applicant meets with team at kickoff meeting - projects are scoped out in preparation for estimating
- Damage **MUST BE** identified within **60 days of Kickoff Meeting**



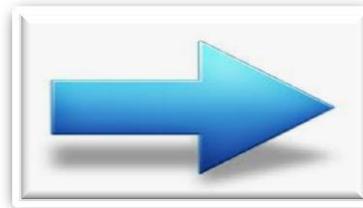
SDOEM Contact Info

South Dakota Office of
Emergency
Management

118 W Capitol Ave
Pierre, SD 57501

Phone: (605) 773-3231

Fax: (605) 773-3580



Jack Dokken - PAO
Doug Gorham- LPCS
Tyler Steen - LPCS

<http://oem.sd.gov/>

Questions

