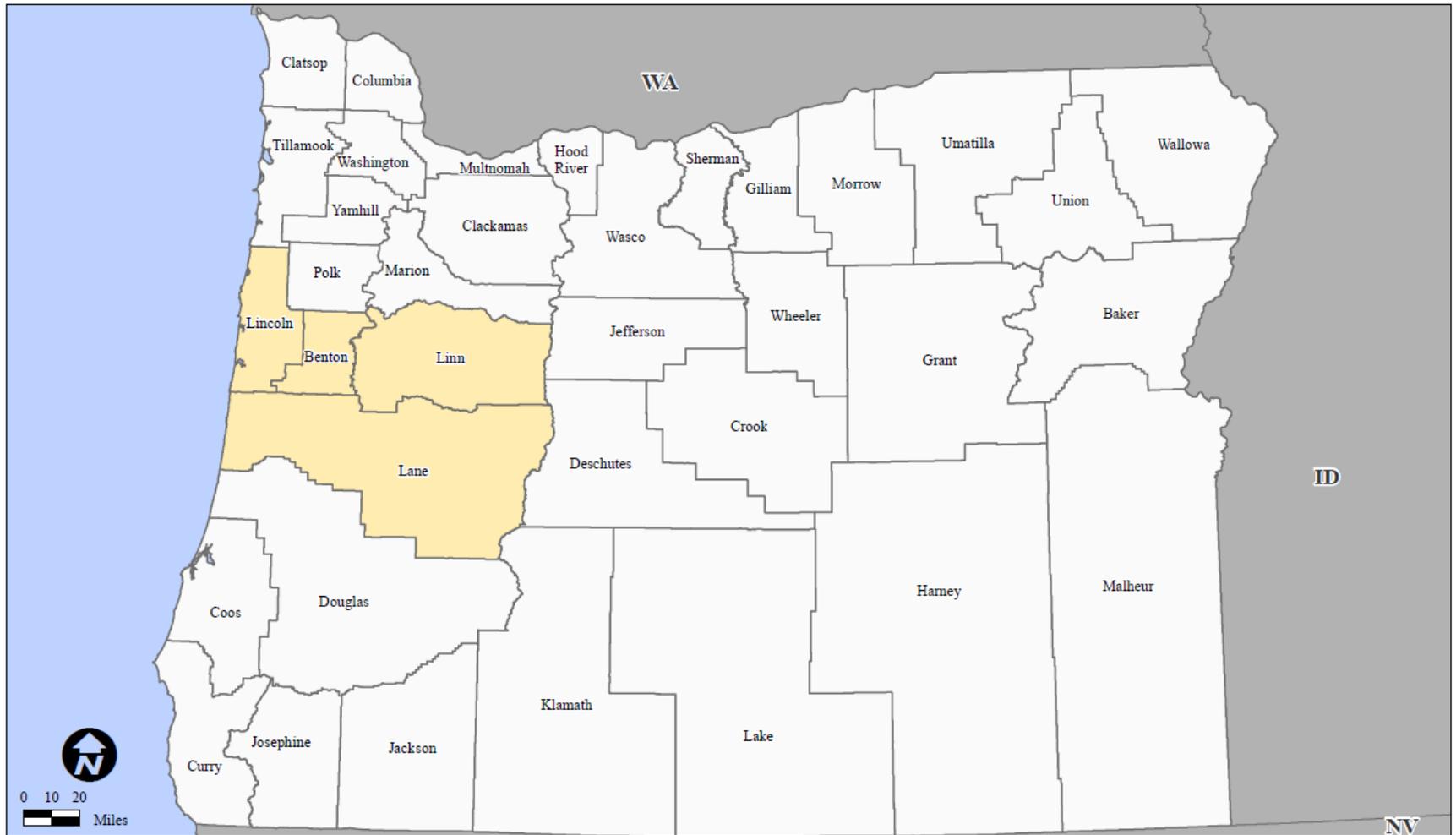


**Applicant Briefing
For
The Public Assistance Program**

FEMA- 4169-DR-OR

FEMA-4169-DR, Oregon Disaster Declaration as of 04/04/2014



Designated Counties

- No Designation
- Public Assistance
- Indian Reservations

All counties in the State of Oregon are eligible to apply for assistance under the Hazard Mitigation Grant Program.



FEMA
 MSB-OCIO-AEES
 Enterprise Geospatial Information Services (EGIS)
 04/04/14 -- 5:02 PM EST
 Source: Disaster Federal Registry Notice 00/00/0000

The Public Assistance program

DR-4169-OR

Declared

April 04, 2014

Incident

Severe Winter Storm

Incident Period

February 06 – 10, 2014

Declared Counties for Public Assistance

Benton, Lane, Lincoln, and Linn Counties

FEMA-4169-DR, Oregon

State Coordinating Officer

Sean McCormick

Deputy SCO

Dave Stuckey

State Public Assistance

Officer Julie Slevin

Deputy SPAO

Darrell Neet

Federal Coordinating Officer

Thomas J. Dargan

FEMA Public Assistance

Officer Aaron Hartwell

FEMA Deputy PAO

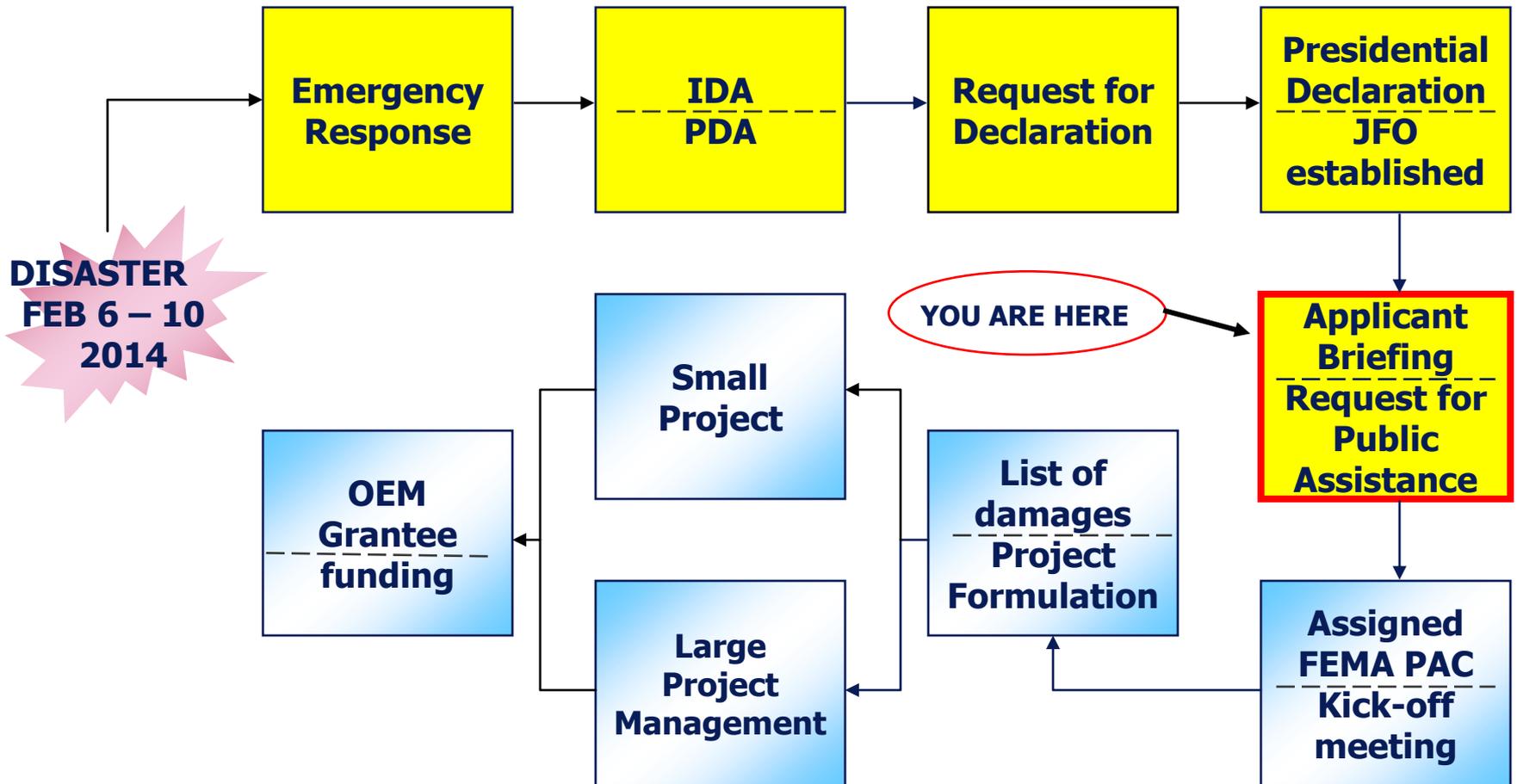
John Medina

FEMA Public Assistance Coordinators (PAC)

Bill Ewing

Rick Turley

Overview of the Recovery Process



The Public Assistance program

Supplemental financial assistance to local governments, state agencies, and certain private non-profit organizations for response and recovery activities required as a result of a major disaster which has been declared by the President.

Public Assistance is a cost-share program

***75% federal – 25% non-federal.**

* Sandy Recovery Improvement Act has incentives to increase federal share

General Program Eligibility



Eligible Applicants

State

County

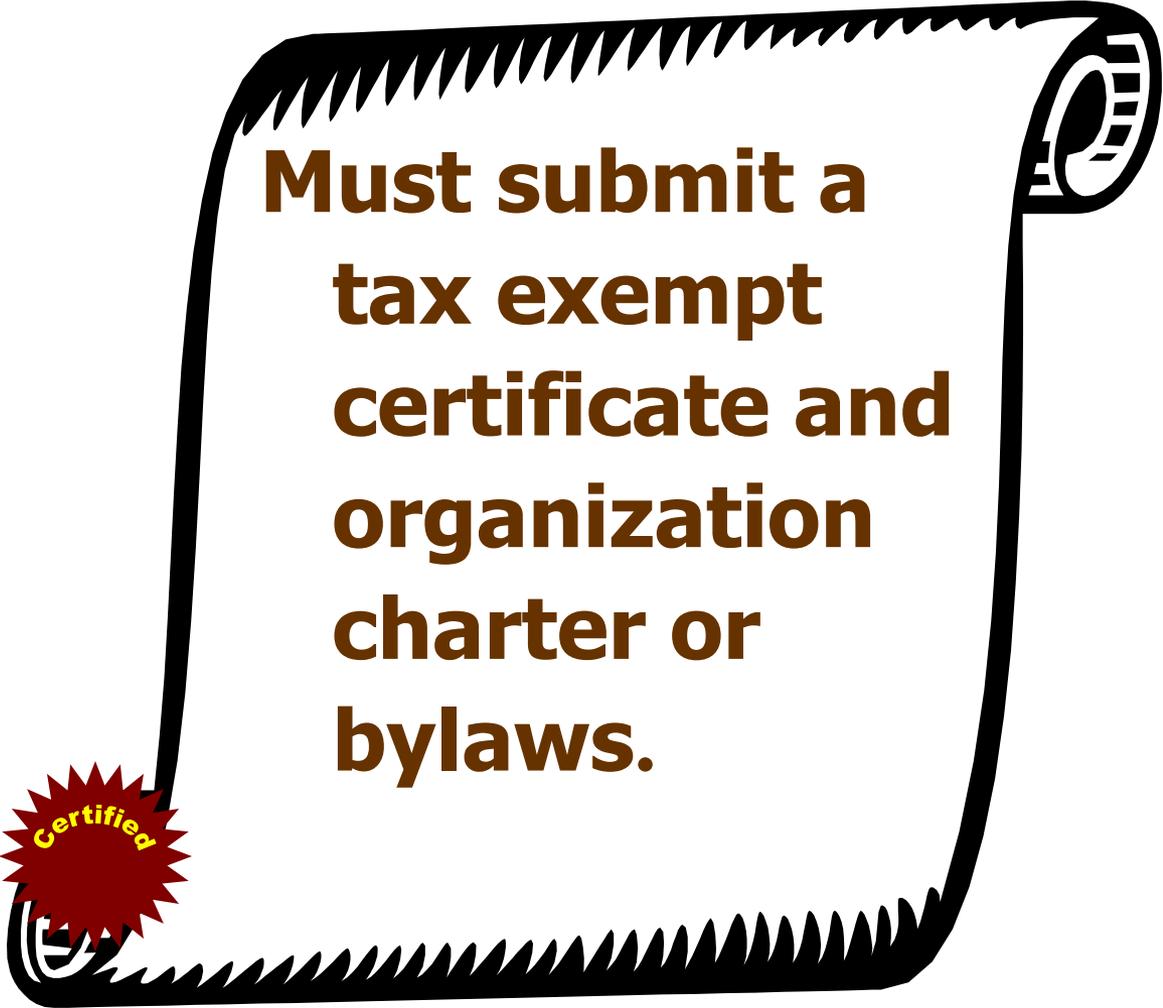
City / Town / Village

**Certain Private Non-Profit
Organizations (PNP)**

**Other State Political
Subdivisions**

**Native American Tribes and
Tribal Organizations**

Private Non-Profit Entities



**Must submit a
tax exempt
certificate and
organization
charter or
bylaws.**

Certified

The logo consists of two stacked rectangular blocks with a light blue, textured background. The top block is slightly offset to the right and contains the word "Facility" in bold black text. The bottom block is slightly offset to the left and contains the word "Applicant" in bold black text.

Facility

Applicant

Eligible Facilities

A solid blue rectangular box with the text "Public Facilities" centered inside in a bold, yellow, sans-serif font.

**Public
Facilities**

A solid green rectangular box with the text "Private Non-Profit Facilities" centered inside in a bold, yellow, sans-serif font.

**Private
Non-Profit
Facilities**

Eligible Facility is a building, works, system, or equipment that is built or manufactured, or an improved and maintained natural feature that is owned by an eligible applicant.

Private Non-Profit Entities

The following types of Critical PNP facilities are specifically eligible:

Fire/Emergency

Emergency Medical

Utility – Power, Water, Sewer

Communications

Education



May apply to FEMA immediately for emergency and permanent work disaster assistance.

Critical PNPs do not have to apply to SBA

Private Non-Profit Entities

The following are essential Non-Critical facilities:

Museums

Community centers

Homeless shelters

Shelter facilities

Custodial care

Libraries

Senior Citizen / Day care centers

Non-Critical PNPs requesting reimbursement for permanent work costs must apply for a disaster loan from SBA.

This should be done simultaneously with submitting a Request for Public Assistance (RPA).

If denied, FEMA will fund eligible work.

Eligible Emergency Work is funded by FEMA

**Facility
Applicant**

Facility Use

**Legal
Responsibility**

**Other
Federal
Agencies
(OFAs)**

**Facility
Active Use**

Other Considerations



**Alternate
Use**

**Under
Construction**

Replacement



Work

Disaster damage

Location

Legal Responsibility

Types of Work (categories)

Emergency Work

- A. Debris Removal
- B. Emergency Protective Measures

Permanent Work

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

Emergency Work

Necessary to eliminate the immediate threat to lives, public health and safety and to protect improved property

- **Category A – Debris Removal**
clearance, removal, storage, disposal
- **Category B – Emergency Protective Measures**

Temporary emergency repairs, SAR, EOC, shelters, sandbagging, bracing/shoring damaged structures and other activities to protect life, health, safety and protect improved property

Emergency Work

- In general, emergency work should be captured on one Category A (debris removal) PW and one Category B (emergency protective measures) PW
- Each Applicant will have all debris removal costs / estimates from every department captured in one PW.
- No longer broken out by maintenance area or work element

Potential Exceptions

- Debris with environmental, archeological, cultural issues
- Temporary construction activities

SRIA 2013 Debris Removal Pilot Overview

- **Debris Removal Pilot includes:**
 - **Accelerated Debris Removal Incentive (sliding scale)**
 - Retaining Recycling Revenues (without offset of grant amount)
 - **Reimbursement for Straight Time Force Account Labor**
 - One-Time Incentive for Debris Management Plan
- **Voluntary**
- **Large project only, exception of pilot regular time labor**
- Applicants may elect to **use one or more of the above** pilot procedures
- To participate in the sliding scale incentive pilot procedure, debris removal projects must include all debris subgrantee will be requesting FEMA financial assistance

SRIA 2013 -Sliding Scale – Increased Federal Share Debris

- Increased Federal share is for collection, hauling, processing and disposal of debris when debris work is completed within a specified time frame.
- To participate in this procedure, debris removal projects must include all debris for which a jurisdiction will be requesting FEMA assistance.
- The PW will reflect actual costs for the quantity of debris removal completed from the incident's start date until the ending time frame.
- **Applies to large PWs only**
- Start Date February 6, 2014

SRIA 2013- Accelerated Debris Removal Incentive (sliding scale)

- To participate in this procedure, must include all debris projects (exception of Direct Federal Assistance)
- The sliding scale is based upon debris removal work completed within a specific time frame (see table below)
- Applicant cannot revert back to standard procedures

Debris Removal Completed (Days from <u>start of incident</u> period) FEB 6, 2014	Federal Cost Share
0 - 30	85%
31 - 90	80%
91 - 180	75%

Federal dollars will NOT be provided for debris removal after 180 days (unless time extension by FEMA granted)

SRIA 2013- Regular Time - Reimbursable

- Applicants need to track labor and equipment hours for each employee and additional temporary staff.
- Applicants need to keep accurate hourly records for each employee and additional staff assigned to debris activities.
- This alternative procedure can be used with any other alternative procedure or on its own.
- Can be applied to **both large and small projects** for Applicants participating in the pilot.

SRIA 2013 – Debris Pilot Procedures Grants Management Requirements

All Applicants that participate in the pilot program must submit a final report to Grantee that includes:

- Total actual costs to complete work (subgrant/PW)
- Actual quantities of debris removed
- Time frames for full removal of debris
- Compliance with Federal procurement requirements
- Documentation of compliance with all subgrant conditions
- Compliance with EHP conditions

Note: This reporting applies to small and/or large projects participating in pilot

Federal Emergency Management Agency

Response and Recovery Directorate Policies

Donated Resources

9525.2

- **Offset the cost of the non-Federal share**
- Category A and B only
- **Volunteer Labor**
- **Donated Equipment**
- **Donated Materials**

Labor Costs, Emergency Work

9525.7

- ***Overtime & OT benefits**
** SRIA exception*
- **Temporary employees (disaster direct hire) straight and OT rate eligible**
- **Contract costs are eligible**

Mutual Aid Agreements for Public Assistance and FMAGP #9523.6 (includes permanent work on utilities)

Donated Resources

- All donated resources being claimed must be documented (who, what, when, where and how)
- Eligible Donated Resources may be claimed only by the applicant that has received the donation
- Eligible donated services can only be actual working time for protective efforts in Category A or B.
- Value of labor at same rate as paid workers for similar work
- Equipment record the same as force account equipment (use FEMA equipment rates)
- Materials value at purchased or current commercial rate

Permanent Work

Work Categories C - G

Eligible permanent work:



- Must repair, restore or replace disaster-damaged facilities in accordance with regulations
- Must restore to pre-disaster design, capacity and function in accordance with applicable codes and standards
- Must be required as a result of the disaster
- May include cost effective hazard mitigation measures

SRIA 2013 - Alternate Procedures Permanent Work Overview

Applicants must agree to a PW (subgrant) based on a fixed estimate (Grants Based on Fixed Estimate). This “alternative procedures” only applies to uncompleted Large projects.

- ✓ Payments are still based upon actual costs incurred
- ✓ If cost are more than estimate, FEMA will not approve additional funds
- ✓ If actual costs are less than fixed estimate amount, the Applicant may use the excess funds for PA program related purposes (must be review/approved by FEMA/State)
- ✓ Elimination of Alternate Project Penalty

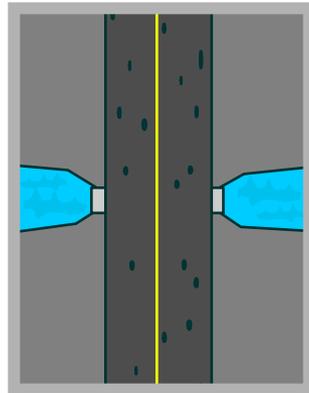
Requires same reporting and closeout as standard large project, with exception of final reconciliation with actual costs of project (subgrant).

Special Considerations

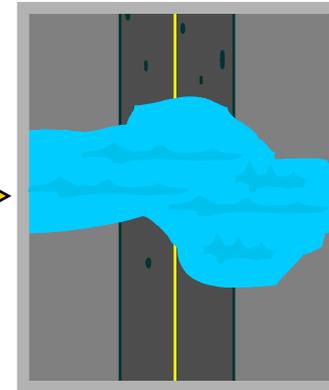
Special considerations are issues other than program eligibility that could affect the scope of work and funding of a project. These issues include:

- Insurance**
- Floodplain Management**
- Hazard Mitigation**
- Environmental Protection**
- Historic Preservation and Cultural Resources**

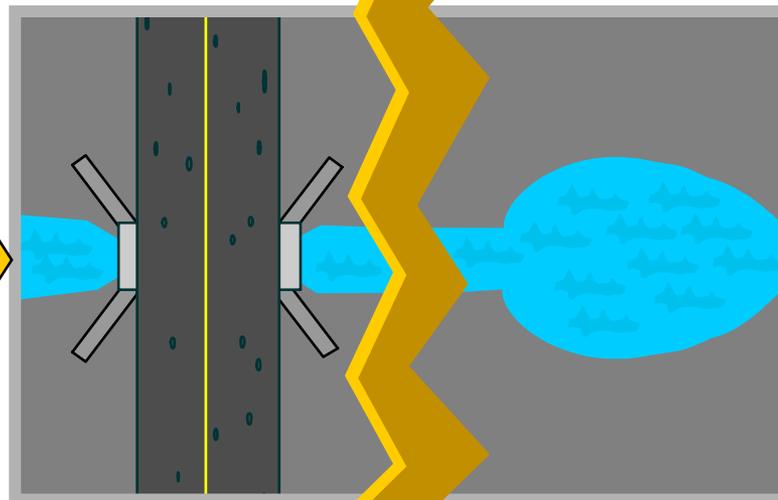
Hazard Mitigation Scenario



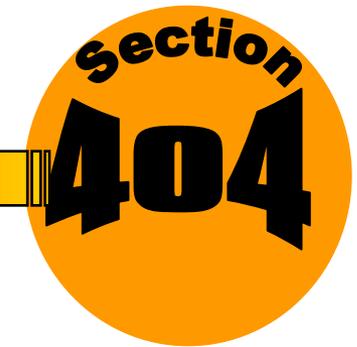
Pre-disaster



Disaster damage



Larger culvert with
concrete wing-walls



New upstream
retention pond

HOW YOU CAN HELP!

- **Make the Inspection Team aware of any known sensitive environmental issues when a Project is being written**
- **Don't hesitate to call the responsible agency for clarification or information**
- **Make all environmental information available**
- **Consider mitigation (Part 406)**
- **Keep good records (maintain all correspondence with regulatory agencies)**

Cost

**Reasonable
and
necessary to
accomplish
the work**

**Compliant
with federal,
state, and
local
requirements
for
procurement**

**Reduced by
all applicable
credits such
as insurance
proceeds and
salvage
values**

Must have \$3,000 in eligible costs

Eligible Labor Cost

Employee	Emerg	Emerg	Perm	Perm
	Reg	OT	Reg	OT
FA Labor	*N	Y	Y	Y
Part Time	N	Y	Y	Y
Re-assigned	N	Y	Y	Y
Temp	Y	Y	Y	Y

Include travel and per diem (in accordance to labor policy) for employees performing eligible activities

*Regular time eligible for applicant participation in SRIA Debris Removal Pilot (Category A only)

Equipment

- Performing Eligible Work – all eligible usage
 - FEMA Equipment Rates or Applicants, which ever is less
 - Rental - Invoice
 - 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
- (PA Guide, Page 37)

FEMA Equipment Rates available at FEMA website:

<http://www.fema.gov/public-assistance-resources-and-tools>

Materials

- Used for eligible work
- Purchased or from stock
- Invoices, historical data or area vendor quotes

Federal Procurement Requirements

- Follow most restrictive of local, state, & federal laws
- Perform cost analysis for every procurement action
- Clearly show rationale for method of procurement, selection of contract type, adequate competition, and price basis
- Must have full and open competition

See FAQ Handout

Eligible Contracts

Contracts must be reasonable cost and generally must be competitively bid in accordance with local or state procurement laws for public contracting.

Reference 44 CFR part 13.36 also see FEMA Public Assistance Contracting FAQ

Unacceptable Contracts

- **Costs plus a percentage of Cost**
 - Specifically disallowed under 44 CFR 13.36 (f)(4)
- **Contingency Contracts**
 - Specifically disallowed under federal procurement guidelines
 - There is never an advance assumption of federal reimbursement
- **Verbal Contracts**

Debarred Contractor
www.sam.gov

Types of Projects

SMALL PROJECTS

LARGE PROJECTS

ALTERNATE PROJECTS

IMPROVED PROJECTS

Project Thresholds – Small Projects versus Large Projects

Public Assistance projects are processed as either small or large projects. If the project cost is less than the annually updated cost threshold amount (\$120,000 effective 2/26/14) the project is processed as a small project. If the project cost equals or exceeds the threshold the project it is processed as a large project.

Small Projects <\$120,000

- Federal cost share is paid upon project approval
- Funding is based on an initial cost estimate

Large Projects >\$120,000

- Federal cost share is paid as work is accomplished
- Final assistance is based upon actual costs incurred or approved estimate
- Quarterly Reports Required on all open large projects!

Minimum project threshold is \$3,000 to have a project

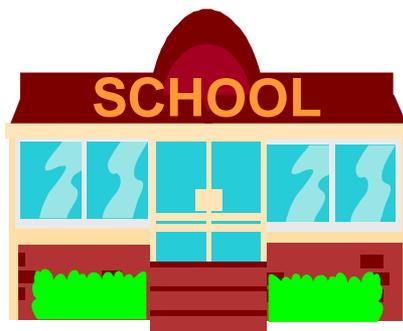
Large Project Payments

- **Project payment is based on actual eligible cost**
- **Applicants report status on project quarterly**
- **If applicant expects cost overrun or change in scope of work – must contact OEM for concurrence/approval ASAP**

Improved Projects

With State/FEMA approval, the applicant may restore pre-disaster function, and make improvements (for which the applicant is financially responsible.)

Will require FEMA environmental review



Before



After

Alternate Projects

Funds used for a project other than repair of the damaged structure:

Must receive FEMA & State prior approval

And will require environmental review

Reduced to *90% of federal share (*PNP 75% of federal share), or actual cost of alternate project, whichever is less.



Participation in SRIA Permanent Procedure will eliminate the reduced rate

Project Completion Timeframes

- Start date **April 04, 2014**
- Debris removal **6 months**
- Emergency work .. **6 months**
- Permanent work ... **18 months**

Notify the State immediately if a time extension may be required.

FEDERAL EMERGENCY MANAGEMENT AGENCY
REQUEST FOR PUBLIC ASSISTANCE

O.M.B. No. 3067-0151
 Expires April 30, 2001

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 10 minutes. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the forms. You are not required to respond to this collection of information unless a valid OMB control number is displayed in the upper right corner of the forms. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0151). **NOTE:** Do not send your completed form to this address.

APPLICANT (Political subdivision or eligible applicant.)
 City of Poplar

DATE SUBMITTED

COUNTY (Location of Damages. If located in multiple counties, please indicate.)
 Gotham County

APPLICANT PHYSICAL LOCATION

STREET ADDRESS
 1300 Main Street

CITY STATE ZIP CODE
 G

STREET ADDRESS

POST OFFICE BOX CITY STATE ZIP CODE

Primary Contact/Applicant's Authorized Agent **Alternate Contact**

NAME Joe Smith	NAME Laura Wolf
TITLE City Engineer	TITLE City Planner
BUSINESS PHONE (555)555-5555	BUSINESS PHONE (444)444-5454
FAX NUMBER (555)555-1212	FAX NUMBER Same
HOME PHONE (Optional) (555)123-4567	HOME PHONE (Optional) (555)234-6789
CELL PHONE (555)501-1111	CELL PHONE (555)501-2222
E-MAIL ADDRESS jsmith@popular.com	E-MAIL ADDRESS Lwolf@popular.com
PAGER & PIN NUMBER (555)312-1312	PAGER & PIN NUMBER (555)312-6789

Did you participate in the Federal/State Preliminary Damage Assessment (PDA)? Yes No

Private Non-Profit Organization? Yes No
 If yes, which of the facilities below best describe your organization? _____

Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." "Other essential governmental service facility" means museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public.

Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.

Official Use Only: FEMA - _____ -DR- _____ - _____ FIPS # _____ Date Received: _____

Obtaining a Public Assistance Program Grant

The first step in requesting Public Assistance



**Applicant submits
Request for Public Assistance**

**The Request for Public Assistance will be
submitted to the state**

Steps to Getting Assistance

- **Applicants' Briefing**
- **Request for Public Assistance**
- **Assignment of Public Assistance Coordinator (PAC)**
- **Kick-off Meeting**
- **Participation (voluntary) in the SRIA Debris or Permanent work Pilot program Acknowledgement**
- **Contract between OEM and the Applicant (Applicant becomes Subgrantee)**
- **Complete Project Worksheets**
- **State disbursement of grant funds**

Project Worksheet (PW)

**Damage description and location list
with actual costs**

**PW will include a *comprehensive* scope of
work describing actions taken.**

**(all considerations should be looked at before
finalizing estimate)**

The PW Requires

SPECIAL CONSIDERATIONS SHEET

**Each PW addresses special considerations such as
Environmental Historical Preservation(EHP),
floodplain & insurance.**

Project Documentation

Items to maintain/provide:

- Mutual Aid Agreements
- Collective Bargaining Agreements
- Human Resource Policies
- Time sheets, equipment logs
- EOC Logs, Job Site Logs, Inventory Logs
- Contract Logs, Purchasing Logs
- Contracts & Consultant Agreements (change orders)
- Emergency Proclamation (if applicable)
- Insurance Policies
- Permits
- Volunteer sign-in sheets for donated resources

Reference material see : 2 CFR 225 Appendix A, section (c) (1) (j) and 44 CFR 13.20 (b)(6)

Completed Work

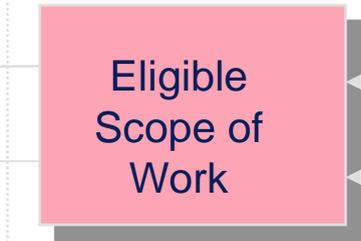
- The applicant should provide the information **within 2 weeks of the site inspection** or the project specialist will prepare the PW on the basis of an estimate...
- Time sheets/payroll, equipment logs, invoices, contracts, etc. will need to be made available earlier than in past disasters & past FEMA Joint Field Offices
- Applicants are vital in providing accurate cost estimates based on historical local costs

FEMA Project Worksheet (PW)

FEMA – Project Worksheet (PW) development



Project scope of work



Cost Category Summaries for project



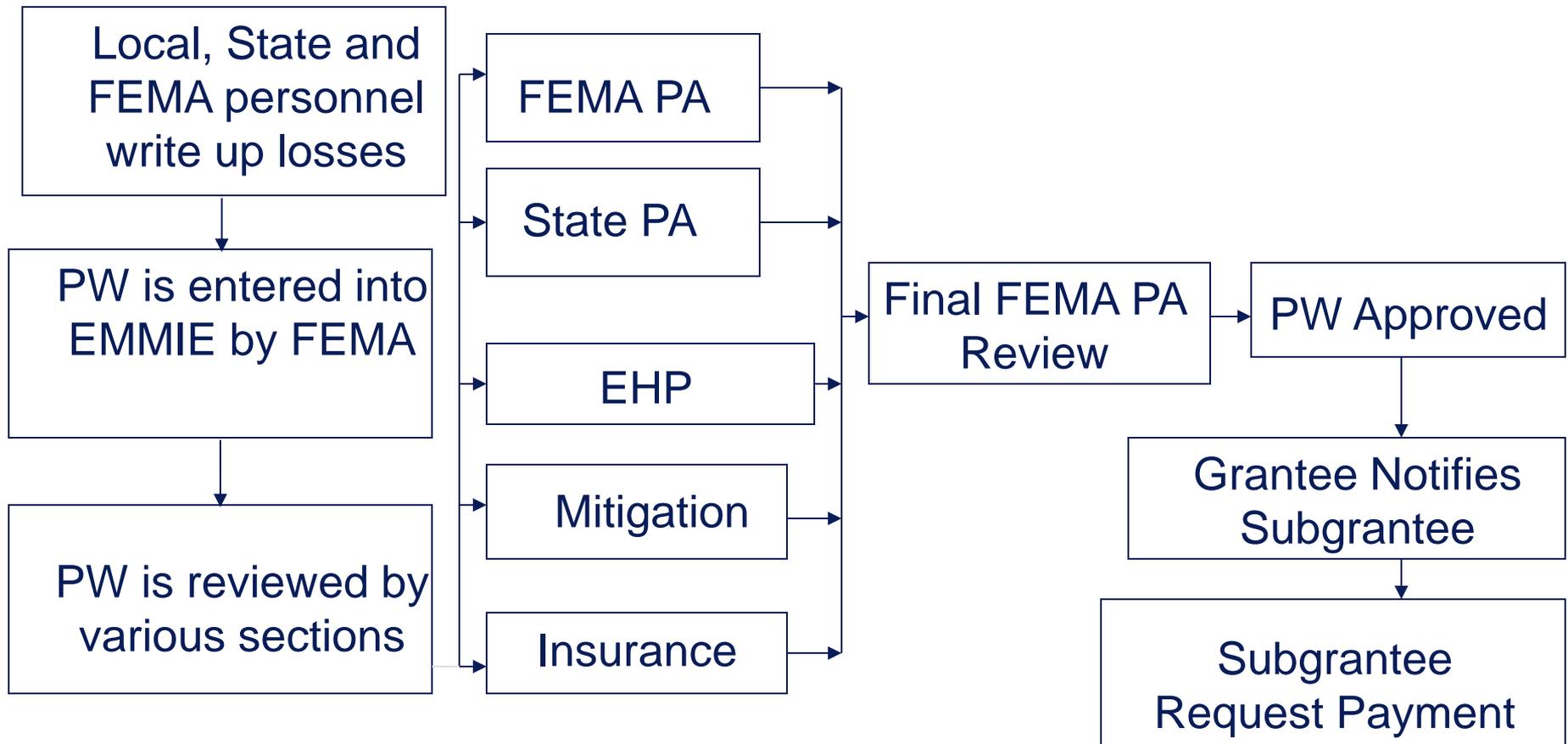
Agency's cost for project



The PW is a complete package of the summaries and supporting documents of the FEMA eligible project/subgrant.

Public Assistance (PA) Process...

Project Worksheet (PW) Development and Approvals



Time Limits

Important Deadlines

- **Applying for a Public Assistance Grant**

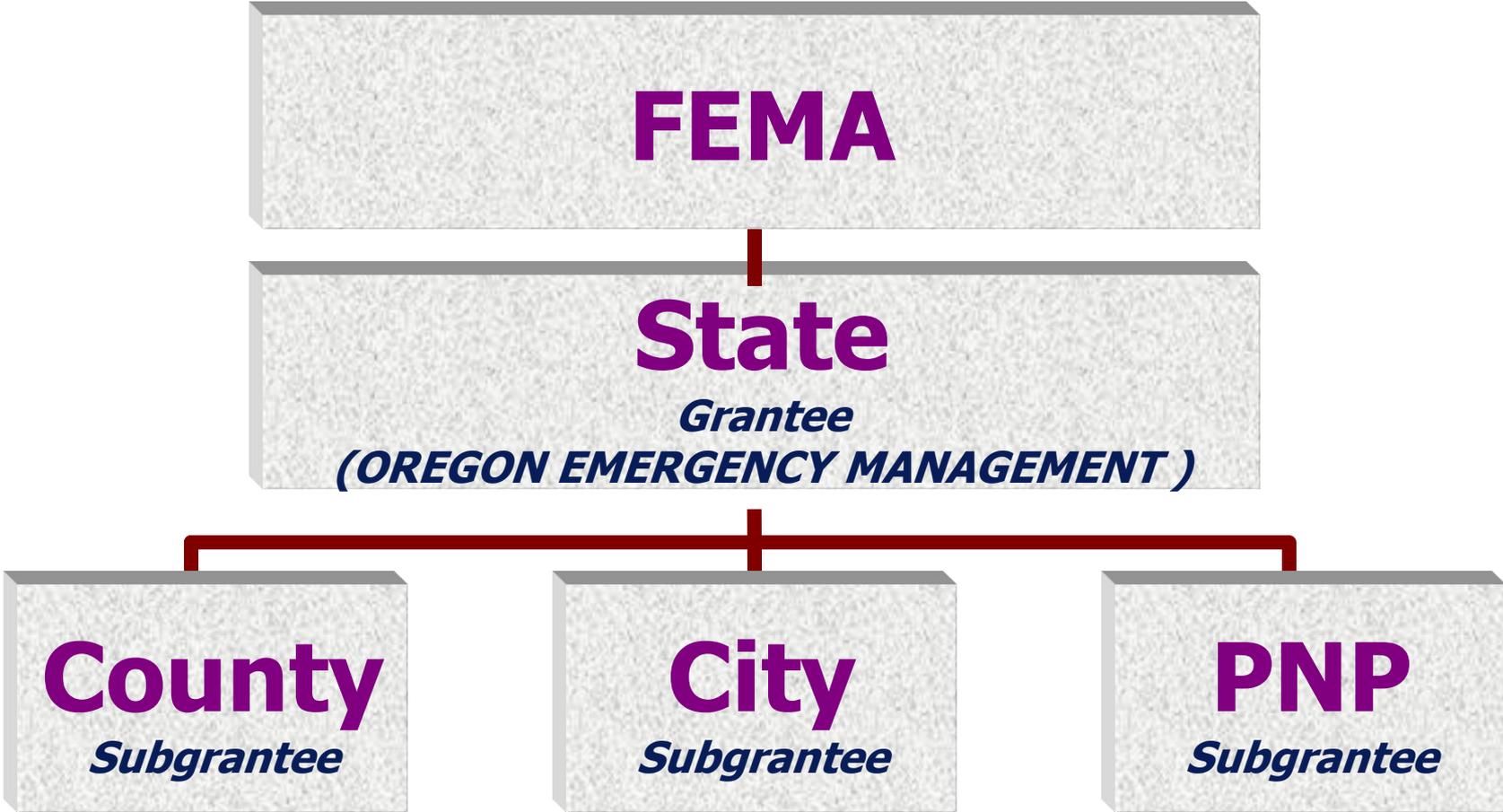
Applicant must submit a Request for Public Assistance within **30 days** of the designation of the declared disaster area.

- **Identifying and Formulating projects**

Applicant must identify damages within **60 days of the Kick-off meeting.**

Funology

FEMA PA Grantee Funding Process



Oregon Emergency Management Infrastructure Contract (Public Assistance Contract)

In order to pass-through FEMA Public Assistance funds, Oregon Emergency Management (OEM) must have a signed agreement with the applicant.

Grantee Funding process....

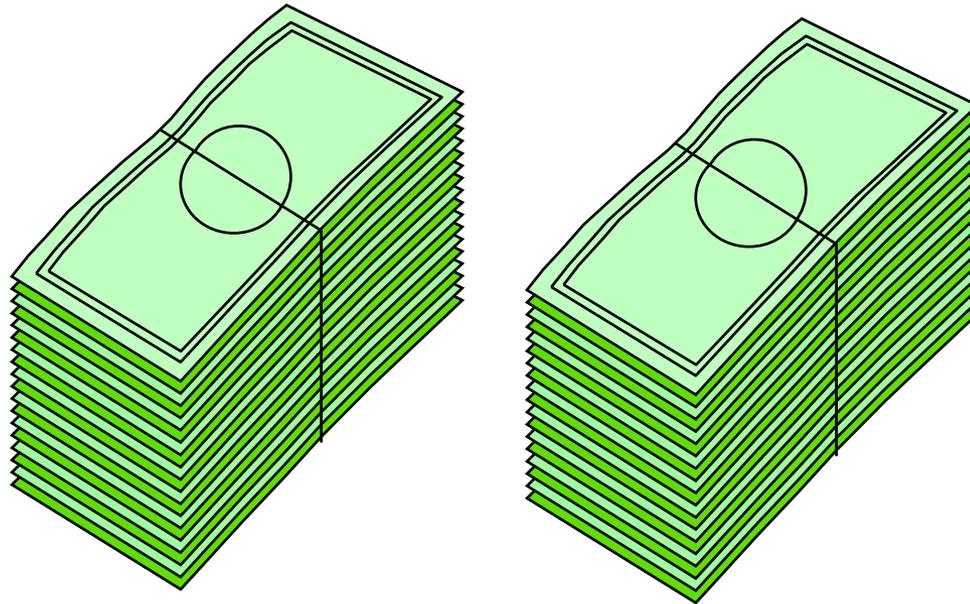
- Upon approvals/obligation of Project Worksheet (PW) OEM will send a package of approved PW(s) with instructions on how to initiate payment and close out the PW

Important

- Notify OEM immediately (before work starts) with scope changes, time extensions and cost increases that deviate from the FEMA approved Project Worksheet

Payments

Payments can be made by ACH or directly to a local government investment pool account.



Small Project Payments

The final payment on small projects is based on estimates and is made shortly after project approval.

Submit payment request forms for each approved Project Worksheet (PW).

Payment will be processed upon review for compliance/conditions required on the approved PW.

Large Project Payments

Final payment for large projects is based on actual eligible final costs submitted with payment request.

Payment request forms can be submitted for progress payments, or a single payment request form can be submitted after the project is completed.

A final inspection may be conducted on the site and documentation is required.

Direct Administrative Cost

The subgrantee may claim costs incurred for the administration of a Project Worksheet.

Direct administrative costs include costs that can be tracked, charged and accounted for directly to a specific project (Project Worksheet), such as staff time to complete field inspections and preparation of the Project Worksheet.

Record Keeping



**Accurate records of expenses
must be maintained.**

Summary Records to Assist in Organizing Project Documentation

- **Force account labor summary record**
- **Force account equipment summary record**
- **Materials summary record**
- **Rented equipment summary record**
- **Contract work summary record**

These forms are available on OEM's website at:

http://www.oregon.gov/OMD/OEM/fin_rec/dr-4169.shtml

Single Audit Act

- **If your organization receives *\$500,000 or more of federal grant money in a fiscal year, your financial statements must be audited as required by OMB Circular A-133.**
- **Records are to be kept for 6 years after final payment or final audit, whichever is later.**

**Increases to \$750,000 per fiscal year, effective January 01, 2015*

APPEALS

- **Must be submitted within 60 days after notification of a decision regarding assistance.**
- **FEMA must render a decision within 90 days following receipt of all related information.**
- **Regional Administrator will notify the GAR in writing of the disposition.**
- **Subgrantees will receive written notification from the GAR.**
- **Only two appeals are allowed!**

REQUEST FOR PUBLIC ASSISTANCE

The Request for Public Assistance (RPA), FEMA form 90-49, is available at this briefing.

The RPA is also available on OEM's Website at:

http://www.oregon.gov/OMD/OEM/fin_rec/dr-4169.shtml

RPA should be submitted today if possible, or faxed to OEM.

**Oregon Emergency Management
FAX : (503) 373-7833**

**Questions or Concerns, Please Contact Julie Slevin
at: Tel.(503)378-2911, ext.22235 or Darrell Neet at:
ext.22293**