



FEMA

FEMA Public Assistance Kick-Off Meeting Detailed Agenda

PUBLIC ASSISTANCE Kick Off Meeting

- The Public Assistance program assists in the restoration of community infrastructure.
- It is a supplemental cost reimbursement program with specific eligibility requirements.
- The FEMA share of eligible costs will be awarded to the state for disbursement to the Sub-Recipients.

COST SHARE PROGRAM

The Federal share of assistance is not less than 75% of the eligible cost. The Recipient (usually the State) determines how the non-Federal share (up to 25%) is split with the Sub-Recipients.

60-DAY DEADLINE

This Kick-off meeting starts your 60-day clock to identify all damages. Should the FEMA team be completed and gone and you find that you had forgotten or found new damages, contact your State Public Assistance representative and let him/her know BEFORE the end of your 60-day period and another FEMA representative will be sent to meet with you.

IMPORTANT DEFINITIONS

Pre-Disaster Condition: Condition the facility was in just prior to the disaster.

Codes and Standards: Current codes and standard must be reasonable, in writing and formally adopted, and implemented prior to the disaster declaration date, or be a legal Federal requirement.

Reasonable Cost: A cost that is both fair and equitable for the type of work performed.

ELIGIBILITY

Eligible Sub-Recipients (Previously Applicants) State, County, Municipal governments and certain Private Non-Profit (PNP) organizations that furnish an essential governmental service are eligible sub-recipients. Native American tribes are also eligible, either as a Recipient, or as a Sub-Recipient of the State.

Eligible Facility: Must be the legal responsibility of an eligible Sub-Recipient; be located in a designated disaster area; not be under the specific authority of another Federal agency, and be in active use at the time of the disaster.

Eligible Work: To be eligible for funding, disaster recovery work performed on an eligible facility must be required as the result of the major disaster event declared, be located within a designated disaster area, and be the legal responsibility of an eligible Sub-Recipient.

Eligible Costs: Must be reasonable and necessary to accomplish the eligible work, comply with Federal, State, and local requirements for procurement, and do not include (or are reduced by) insurance proceeds, salvage values, and other credits.

PROJECT COMPLETION DEADLINES

Time limits for all Projects are from the date of disaster declaration.

- EMERGENCY WORK (A-B) - 6 MONTHS
- PERMANENT WORK (C-G) - 18 MONTHS

Time extensions may be requested through the recipient (State), if extenuating circumstances or unusual project conditions exist.



TYPES OF PROJECTS

SMALL PROJECTS (Less than \$121,600 for FY2015)

The Federal cost share for small projects is paid upon Project Worksheet (PW) approval. If the sub-recipient spends less than the amount approved by FEMA, the Federal share will not be reduced to match actual costs. However, if the sub-recipient incurs costs significantly greater than the total amount approved for **all** small projects, the Sub-Recipient may appeal for additional funding. Note that this opportunity applies only to a net cost overrun for all small projects combined, not to an overrun for an individual small project.

LARGE PROJECTS (\$121,600 or more for FY2015)

The Federal cost share is paid to the state (and then to the sub-recipient) as the work is accomplished. Final reimbursement will be based on actual costs. Documentation for costs incurred and paid must be submitted to the state.

IMPROVED PROJECTS

With State approval, prior to construction, the sub-recipient may restore pre-disaster function, and make improvements (for which the sub-recipient is financially responsible). Funding is limited to the Federal share for the project estimate to restore the original facility to the pre-disaster condition. Even with State Approval, FEMA review (which may include an Environmental review and Insurance review) is required before proceeding with the amended scope of work.

ALTERNATE PROJECTS

Funds used for a project other than repair of the damaged structure must receive prior FEMA approval and may require an Environmental and Insurance Assessment.

HAZARD MITIGATION

Section 406 – Is a Public Assistance funding source for cost-effective measures that would reduce or eliminate the threat of future damage to a facility damaged during the disaster (Categories C-G only). The measures must apply only to the damaged elements of a facility and must be cost-effective.

Section 404 (HMGP) – A separate FEMA program available through the Hazard Mitigation Grant Program (HMGP) administered by the State. It includes any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects. Contact your State Hazard Mitigation Officer for more information on HMGP.

DIRECT ADMINISTRATIVE COSTS (DAC)

Sub-Recipients can claim direct administrative costs for administering a PW.

The Sub-Recipient may choose which PWs to request DAC for and are required to provide documentation of the administrative costs they wish to claim associated with an individual PW. In order for each PW to be eligible for direct administrative costs, it must be reasonably documented administrative costs directly associated with the formulation of each PW.



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CATEGORIES OF WORK

Emergency Work

CATEGORY "A" Debris Removal: Eliminate an immediate threat to lives, public health, and safety, eliminate immediate threats of significant damages to improved public or private property, and ensure the economic recovery of the affected community.

CATEGORY "B" Emergency Protective Measures: Actions that are taken by the sub-recipient before, during, and after a disaster to save lives, protect public health and safety and to prevent damages to improved public and private property. Emergency protective measures also include emergency communications, emergency access, and emergency public transportation.

SNOW ASSISTANCE is available only if specifically declared for the county and event. It includes snow removal, snow dumps, de-icing, salting, and sanding of roads and other facilities essential to eliminate or lessen immediate threats to life, public health, and safety over a continuous 48-hour period. For additional information, see FEMA PA Policy 9523.1 Snow Assistance Policy.

Permanent Work

CATEGORY "C" Road & Bridge Systems: Paved, gravel, and dirt roads are eligible for repair or replacement, unless they are part of the Federal-Aid Roads System.

CATEGORY "D" Water Control Facilities: Water control facilities are those built for channel alignment, recreation, navigation, fish and wildlife habitat, interior drainage, irrigation, erosion prevention, and flood control.

CATEGORY "E" Public Buildings & Equipment: Buildings, including contents and interior systems such as electrical work, are eligible for repair or replacement. In addition to contents such as furnishings, FEMA will pay for the replacement of pre-disaster quantities of consumable supplies and inventory, removal of debris, along with cleaning and painting. If an insurance policy applies to a building, and/or equipment, FEMA must consider that policy before providing funds for restoration of the building. Equipment, including vehicles, may be eligible for repair or replacement when damaged as a result of the declared event. If a facility is not insured and the damage exceeds \$5,000, the Sub-Recipient will be required to obtain and maintain insurance for the peril experienced. See FEMA PA Policy 206-086-1 Public Assistance Policy on Insurance.

CATEGORY "F" Public Utilities: Utilities include water treatment plants and delivery systems, power generation and distribution facilities, substations, and power lines, sewer collection systems and treatment plants.

CATEGORY "G" Other (Parks & Recreation): This category includes roads, buildings, and utilities within those areas of a Park and Recreation area. Additional recreational features, such as playground equipment, ball fields, swimming pools, tennis courts, boat docks and ramps, piers, and golf courses may be eligible.



Eligible Costs

Costs that can be directly tied to the performance of eligible work are eligible.

- Reasonable and necessary to accomplish the work;
- Compliant with Federal (2 CFR Part 200), State, and local requirements for competitive procurement;
- Reduced by all applicable credits, such as anticipated insurance proceeds and salvage values;

ELIGIBLE COSTS (Emergency Work: CAT A & B)

- Overtime labor hours, including benefits for full time employees.
- Regular & overtime labor hours for temporary employees
- Donated Resources (documented)
- All working hours for force account (FA) equipment
- Materials
- Reasonable contract costs
- Rental equipment costs
- The work must be required as a result of disaster related damages.

ELIGIBLE COSTS (Permanent Work: CAT C-G)

- All labor hours, including benefits
- All working hours for force account (FA) equipment
- Materials
- Reasonable contract costs
- Rental equipment
- Reasonable A&E costs, if applicable to project

LABOR, EQUIPMENT & MATERIAL RATES

Fringe Benefits:

Labor rates can include actual wages paid, plus fringe benefits paid or credited to personnel. Fringe benefits may include a percentage of actual wages paid for such things as vacation, holiday, insurance, retirement, unemployment, social security, and worker's compensation. The fringe benefit rates for regular and overtime are normally different.

Equipment Rates:

These rates typically include operation, insurance, depreciation, and maintenance, but do not include operator labor. FEMA recognizes FEMA Equipment Rates, State Rates, (approved under State guidelines), and Local Rates. (Rates developed by local government can be used in conjunction with FEMA rates whereby the lesser of the two rates is used. Equipment standby time and idle time are not eligible.

Materials:

The cost of materials may come from purchases, or Sub-Recipient's stock. Actual costs should be quantified from invoices, Sub-Recipient's historical data or by contacting area vendors.



ALTERNATE PROCEDURES

The alternate procedures is a voluntary pilot program

CATEGORY A: Debris Removal

- Accelerated Debris Removal Incentive (Sliding Scale)

Days from Start of Incident Period	Cost Share
0-30	85%
31-90	80%
91-180	75%
Federal dollars will NOT be provided for debris removal after 180 days (unless an extension is granted by FEMA HQ PA)	

- Retaining Recycling Revenues
- Reimbursement for Straight Time Force Account Labor
- One-Time Incentive for Debris Management Plan

The Public Assistance Alternative Procedures Pilot Program Guide for Debris Removal provides additional guidance on the pilot program.

- Debris removal pilot procedures can be used individually or with any other pilot procedures.
- The debris removal pilot procedures are available for small and large projects.

CATEGORIES C-G: Permanent Work

The Public Assistance alternative procedures pilot program for permanent work includes the following provisions:

- Grants Based on Fixed Estimates
- Consolidation of Multiple Fixed Estimate Subawards into a Single Subaward
- Use of Excess Funds for Allowable Activities
- Elimination of the Alternate Project Penalty (for in-lieu contributions)
- Acceptance of Sub-Recipient Cost Estimates
- Referral of Cost Estimates to an Expert Panel (subawards over \$5M federal share)

The *Public Assistance Alternative Procedures Pilot Program Guide for Permanent Work* provides additional guidance on the pilot program.

- The pilot procedures are available for large projects only, and a Sub-Recipient may choose to include some or all of their large projects in the pilot.
- For a permanent work project to be eligible for the pilot, the Sub-Recipient must agree to a subaward based on a fixed estimate.
- A Sub-Recipient has nine months from the date of declaration to agree to the fixed estimate amount and twelve months to consolidate any of its fixed estimate subaward.

Additional Information is available at <http://www.fema.gov/alternative-procedures>



DOCUMENTATION REQUIREMENTS

Force Account Labor

- Names of employees claimed
 - Need regular and overtime hours for each employee (time sheets)
 - Only overtime hours are eligible for claim for Category A and B (regular hours are used to verify equipment time claimed). Regular and overtime hours are eligible for Categories C through G. Straight Time Force Account Labor is eligible for cat A under the PAAP program.
 - Need employee benefit rates by type received and percentage and equivalent dollar amount per hour (can be actual or overall average)
 - Need copy of employee contract/agreement for overtime rate exceeding 1.5 times regular pay rate and any policy for compensatory time
 - Mechanics performing normal mechanic duties are not eligible
 - Standby or "on-call" time is not eligible
- Reassigned Employees Employees must be performing eligible work
- Temporary Employees Hired for short term, specific task as needed only
Names and all hours worked and rate of pay
- Backfill Employees In some cases employees filling in for reassigned employees may be eligible when performing eligible emergency work)

Force Account Equipment

- Need type of equipment (ex: pickup)
- Need horsepower (ex: 180hp)
- Optional make (ex: F150)
- Need operator name
- Need all hours each piece of equipment operated (regular and overtime)
- Equipment is only eligible for hours of operation/use; standby/idle time is not eligible
- Need equipment log / mileage records when claiming miles

Contract Summary

- Need copy of contract / invoice
- Copy of procurement policy and bids solicited or received
- Name of contractor / Vendor
- Billing invoice/statement
- Dates worked and type of work performed
- Location(s) of worked performed
- Contracts must meet criteria in 2 CFR 200.317-326

Rental Summary

- Need copy of invoice/billing statement
- Summary of worked performed

Materials Summary

- Need invoice/billing statement for all materials purchased
- Date used
- Reason used



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- Meals provided for EOC's and other personnel that are determined to be eligible are considered materials (not all meals are automatically considered eligible)

SPECIAL CONSIDERATIONS:

INSURANCE

Public Assistance does not replace your property insurance; insurance is your first means of funding. You are required to pursue your insurance for all losses and expenses incurred by the disaster. Actual or anticipated insurance proceeds will be deducted from the eligible project costs for facilities that are insured. Additional specific requirements will be applied to all flood damaged facilities located within the Special Flood Hazard Area.

Facilities for which sub-recipients have received funding or are receiving funding for repair or replacement are required to obtain and maintain insurance coverage for the type of peril (flood, earthquake, general) that caused the disaster damage and in the minimum amount of the disaster damage to the facility (prior to any reductions). Failure to obtain and maintain insurance coverage may result in denial or de-obligation of assistance in the current disaster and deny future assistance for that facility.

Copies of insurance documentation must be submitted for Project Worksheets. These policies should be emailed to FEMA-R4-PA-INSURANCE@fema.dhs.gov with the following information: Disaster Number, State, County, Sub-Recipient, and PW Number (if known). Documentation includes:

- | | |
|--|------------------------|
| - Declarations page(s) | - All Endorsements |
| - Location Schedule(s) | - Denial Letters |
| - Schedule of Value(s) | - Statement(s) of Loss |
| - Insurance settlement documentation i.e. spreadsheets provided by the insurance carriers adjuster | |
| - Any estimates provided by the insurer specifically identifying what they will or have funded | |

HISTORIC PRESERVATION

Property eligible for listing on the National Register of Historic Places requires special consideration under the National Historic Preservation Act. Usually, any facility over 50 years may qualify.

ENVIRONMENTAL REQUIREMENTS

Ensure that all practical means are used to protect, restore, and enhance the environment. If the project changes the footprint of a facility or is located in wetlands, affects air and/or water quality, endangered species, flora and fauna, and other considerations, the sub-recipient is required to adhere to all rules and regulations as they may apply. Failure to comply with environmental conditions in relation to an approved project may result in a de-obligation of federal funds.

FLOOD PLAIN MANAGEMENT

Any project within or affecting the floodplain must be reviewed to ensure that it meets the requirements of the Executive Orders on Floodplain Management and the Protection of Wetlands.

CULTURAL RESOURCES:

This deals with the special handling of loss of art manuscripts, statuary, and other cultural aspects.



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COASTAL HIGH HAZARD AREAS

Coastal High Hazard Areas and areas covered by the Coastal Barrier Resources Act require Special Considerations review. This includes portions of the Great Lakes.

CONTRACTS AND PROCUREMENT

Contracts must be of reasonable cost, competitively bid, and must comply with Federal, State, and local procurement standards. FEMA finds four methods of procurement acceptable:

- Small purchase procedures
- Sealed bids
- Competitive proposals
- Non-competitive proposals

FEMA provides reimbursement for three types of contracts:

- Lump sum
- Unit price
- Cost, plus fixed fee

Maintaining Sub-Recipient Files

- Keep all original documents. Only provide copies to FEMA.
- Maintain files for three years from the date of submission of the final expenditure report as referenced in 2 CFR §200.333.
- Possibility of Audits

ACCURATE RECORDS OF EXPENSES/COSTS MUST BE MAINTAINED FOR UP TO 3 YEARS AFTER THE CLOSE OUT DATE FOR POTENTIAL AUDITING

Detailed copies of FEMA's PA Policies regarding eligibility and program administration can be found at <http://www.fema.gov/public-assistance-policy-and-guidance>



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FEMA Public Assistance Kick-Off Meeting Informational Form

Sub-Recipient Name: _____

Exploratory Call Date/Time: _____

Kickoff Meeting Date/Time: _____

Sub-Recipient Representative Name: _____

FEMA Representative Name: _____

Is all disaster-related work completed?	Yes	No
Are there any known Environmental or Historic Preservation issues?	Yes	No
Can Site Visits be conducted?	Yes	No

Attendance: Subject matter experts required for the kickoff meeting

Emergency Manager:	Yes	No	Finance Representative:	Yes	No
Insurance Risk Manager:	Yes	No	Engineering Representative:	Yes	No
Environmental/Historic Specialist:	Yes	No	Police/Fire Representatives:	Yes	No
Public Works Staff:	Yes	No			

Category	Projections				Checklist			
	# Small Projects	\$ Small Projects	# Large Projects	\$ Large Projects	Has the work begun		Is the work completed	
Emergency Work								
A. DEBRIS REMOVAL					Yes	No	Yes	No
B. PROTECTIVE MEASURES					Yes	No	Yes	No
Permanent Work								
C. ROADS & BRIDGES					Yes	No	Yes	No
D. WATER CONTROL FACILITIES					Yes	No	Yes	No
E. PUBLIC BUILDINGS					Yes	No	Yes	No
F. PUBLIC UTILITIES					Yes	No	Yes	No
G. RECREATIONAL OR OTHER					Yes	No	Yes	No

Enter into EMMIE Case Management File: Exploratory Call



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Comments Page



DR: _____
FEMA Public Assistance
Kick-Off Meeting Sign-in Form

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