The Public Assistance Program
Overview of the Recovery Process

Emergency Response → IDA PDA → Request for Declaration → Presidential Declaration
JFO established

Disaster
November 05 - November 08

OEM Grantee funding

Small Project

Large Project Management

List of damages Project Formulation

Assigned FEMA PAC Kickoff meeting

Applicant Briefing Request for Public Assistance
The Public Assistance program

Supplemental financial assistance to local governments, state agencies, and certain private nonprofit 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.
Applicant

- State government agencies or departments
- Local governments
- Indian tribal governments and Alaskan native villages
- Certain Private Non-Profit organizations
Eligible Facilities

- Any public or PNP-owned building, works, system, or equipment, built or manufactured
- Any improved *and* maintained natural feature
Work

Disaster damage

Location

Legal Responsibility
Eligible Direct Costs

Labor: Salaries, wages and fringe benefits (for emergency work, only overtime including fringe benefits is eligible)

Materials

Applicant owned equipment time

Contract costs incurred for eligible work
Eligible Costs Continued

- 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
## Eligible Labor Costs

<table>
<thead>
<tr>
<th>Employee</th>
<th>Emerg</th>
<th>Emerg</th>
<th>Perm</th>
<th>Perm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reg</td>
<td>OT</td>
<td>Reg</td>
<td>OT</td>
</tr>
<tr>
<td>FA Labor</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Part Time</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Re-assigned</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Temp</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

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

• Performing Eligible Work – all eligible usage
• FEMA Equipment Rates or Applicants, which ever is less

http://www.fema.gov/government/grant/pa/resources.shtm
• 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 322 Guide, Page 37)
Materials

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

- Contracts must be reasonable cost and generally must be competitively bid (accordance to local or state procurement laws for public contracting). *Davis-Bacon Act does not apply to FEMA Public Assistance projects.*

FEMA finds four methods of procurement acceptable:

- Sealed bids
- Competitive proposals
- Non-competitive proposals

- Incurred for eligible work only
- Ineligible Contract –Cost Plus a percentage

Comply with 44 CFR Part 13 and 14 and OMB Circular (OMB 87)
Categories of Work

- **Emergency Work**
  
- **Permanent Work**
  
- **Categories A and B**

- **Categories C, D, E, F, and G**
Necessary to eliminate the immediate threat to lives, public health and safety and to protect improved property
Emergency Work—Category A

Debris Removal

• Eliminate immediate threat to lives, public health and safety
• Eliminate immediate threat to improved property
• Ensure economic recovery of the community
Emergency Work—Category B

Emergency Protective Measures

• Eliminate or lessen immediate threats to lives, public health, or safety

• Eliminate or lessen threats of significant damage to improved property
<table>
<thead>
<tr>
<th>Donated Resources # 9525.2</th>
<th>Labor Costs, Emergency Work # 9525.7</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Offset the cost of the non-Federal share</td>
<td>• Only Overtime &amp; OT benefits are eligible (Force account)</td>
</tr>
<tr>
<td>• Category A and B only</td>
<td>• Temporary employees (disaster direct hire) straight and OT rate eligible</td>
</tr>
<tr>
<td>✓ Volunteer Labor</td>
<td>• Contract costs are eligible</td>
</tr>
<tr>
<td>✓ Donated Equipment</td>
<td></td>
</tr>
<tr>
<td>✓ Donated Materials</td>
<td></td>
</tr>
</tbody>
</table>

Other related Policies:
FEMA Policy: Post-Disaster Bldg. Insp. # 9523.2, Duplication of Benefits # 9525.3, Mutual Aid agreements # 9523.6
Donated Resources

• Volunteer labor
  – Record the same as paid employees
  – Credit to offset Non-Federal cost share
  – Valued at same rate as paid workers for similar work

• Donated equipment
  – Record the same as Force equipment
  – Credit to offset Non-Federal cost share
  – Value determined by FEMA Equipment Rates

• Donated materials
  – Record the same as purchased materials
  – Credit to offset Non-Federal cost share
  – Value at current commercial rate
  – Materials donated by Federal Agency not eligible
### Permanent Work
**Category C – G**

- **Any activity that must be performed to restore a damaged facility**
  - Design
  - Function
  - Capacity

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**GPS LOCATION:** N46.79326 W123.02771

**POWER PLANT:**
120311 Old Highway 9, SW. Centralia, WA 98531

**TYPE OF BUILDING:** Cast in Place Concrete/Brick Veneer

**AGE OF BUILDING:** 1910

**NUMBER OF FLOORS:** 1

**SQUARE FT OF BUILDING:** 3,840 SF

**SOURCE OF COST ESTIMATE:** FEMA PO, Using FEMA Cost Codes, Means

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**DAMAGE DESCRIPTION**

It should be noted that while this building does have the potential to be listed on the National Historic Register, it is *not* listed. Damage consists of a 6 FT horizontal crack running in the grout line as indicated by the yellow arrows.
Special Considerations

Hazard Mitigation
Environmental Requirements
Historic Preservation & Cultural Resources
Special Flood Hazard Areas
Insurance Requirements
HOW YOU CAN HELP!

• Make the Inspection Team aware of any know 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
Types of Projects

SMALL PROJECTS

LARGE PROJECTS

ALTERNATE PROJECTS

IMPROVED PROJECTS
Small Project or Large Project?

Annually updated, $59,700 is the FY 2007 threshold amount.
Improved Projects

With state approval, the applicant may restore pre-disaster function, and make improvements (for which the applicant is financially responsible.)
Alternate Projects

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

- Must receive FEMA prior approval.
- Require Environmental Assessment.
- Reduced to 90% of federal share.
The Project Worksheet and supporting documents

- Project Worksheet
- Insurance Policy
- Applicable codes and standards
- Project Officer’s Report
Project Completion Timeframes

- Start date ........ Declaration Date
- Debris removal .... 6 months
- Emergency work .. 6 months
- Permanent work ... 18 months

Notify the State immediately if a time extension may be required.
Steps to Getting Assistance

Applicants’ Briefing

Request for Public Assistance

Assignment of Public Assistance Coordinator (PAC)

Kickoff Meeting

Contract between OEM and the Applicant (Applicant becomes Subgrantee)

Complete Project Worksheets

State disbursement of grant funds
Submission Time Limits

Request for Public Assistance

30

days after designation

Project Worksheets

60

days after Kickoff Meeting
FEMA PA Grantee Funding Process

FEMA

State

Grantee

(OREGON EMERGENCY MANAGEMENT)

County
Subgrantee

City
Subgrantee

PNP
Subgrantee
Accurate records of expenses must be maintained.
Two Ways to Complete Work

• By Force Account
• By Contract
Who Documents Costs?

• **Central Record Keeper**
  – Appoint in advance
  – Train
  – Forms
  – Computer version or manual version

• **Field Records**
  – Supervisors
  – Train
  – Forms/daily logs
Recording In The Field

• Work disaster related
• Separate records for each work site
• Employees working two or more projects
• Equipment working two or more projects
Project Worksheets

- Jurisdiction may write
- FEMA/State may write or assist
- Approval – Several weeks – Several months
From The Get Go

- Start record keeping
- Separate files for each work site
- 3 damaged streets – 3 files
- Develop scope of work
- Develop project worksheets
- Project approval
- Combine files as needed
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
Force Account Labor

- Permanent and temporary
- Reassigned employees
- Must be on payroll
- Document for each work site individually
- Only disaster related work
- Overtime – policies and practices
Pay Records

- Pay period
- Employee name
- Job classification
- Number of hours per day
- Total hours per pay period
- Rate of pay – regular and overtime
- Total earnings
Paid Fringe Benefits

- FICA
- Retirement
- Health Insurance
- Life & Disability Insurance
- Worker’s Compensation
- Unemployment Insurance
Leave Fringe Benefits

- Accrued annual leave
- Sick leave
- Administrative leave
- Holiday leave
- Compensatory leave
Fringe Benefit Calculations

• Normal year
  – [52 weeks X 5 workdays X 8 hours/day = 2080]

• Basic hourly rate
  – [Yearly salary / 2080 hours = hourly rate]

• Vacation / sick leave time
  – [# days X 8 / 2080 = percent]
Other Fringe Benefits

- **Retirement**
  - Percentage matched by employer
- **Social Security & Unemployment Insurance**
  - Percentage paid by employer
- **Insurance**
  - Varies by employer
- **Workman’s Compensation**
  - Varies by employer
Force Account Equipment

- Equipment owned
- Only actual operating time eligible
- Standby time not eligible
- Operator time on labor record
- Separate records for each work site
- Schedule of Equipment Rates

http://www.fema.gov/government/grant/pa/resources.shtm
Materials and Supplies

• **Taken from stock**
  – Invoice of original purchase or replacement purchase invoice

• **Purchased**
  – Purchase invoice

• **Document use at each work site**
General Documentation Requirements

• Dates on documents within the allowable time period
• Dates agree with project and final inspection dates
• Cost/work within scope of work of PW
• Alternate/Improved projects require justification and require FEMA/OEM approval
Document It
Or
Lose It!
Administrative Allowance

Based on a percentage of eligible costs

3% is paid on the first $100,000
2% is paid on the next $900,000
1% is paid on the next $4,000,000
0.5% paid on amounts over $5,000,000

FEMA does the administrative allowance calculation.
Single Audit Act

• If your organization receives $500,000 or more of federal grant money, your financial statements must be audited as required by OMB Circular A-133.

• Records are to be kept for 3 years after final payment or final audit, whichever is later.
QUESTIONS?