



PUBLIC ASSISTANCE PROGRAM APPLICANT BRIEFING

FEMA – 4854 – DR – OR



WILDFIRES

Thank you for participating in the Public Assistance Briefing for the

FEMA-4854-DR-OR

OEM recommends that applicants reference the FEMA Public Assistance Program and Policy Guide to assist in eligibility determinations:

<https://www.fema.gov/assistance/public/policy-guidance-fact-sheets>

OEM also recommends review of the FEMA Grants Portal Video Series available at:

<https://www.fema.gov/assistance/public/apply>



FEMA – 4854 – DR – OR

Declaration: 4854

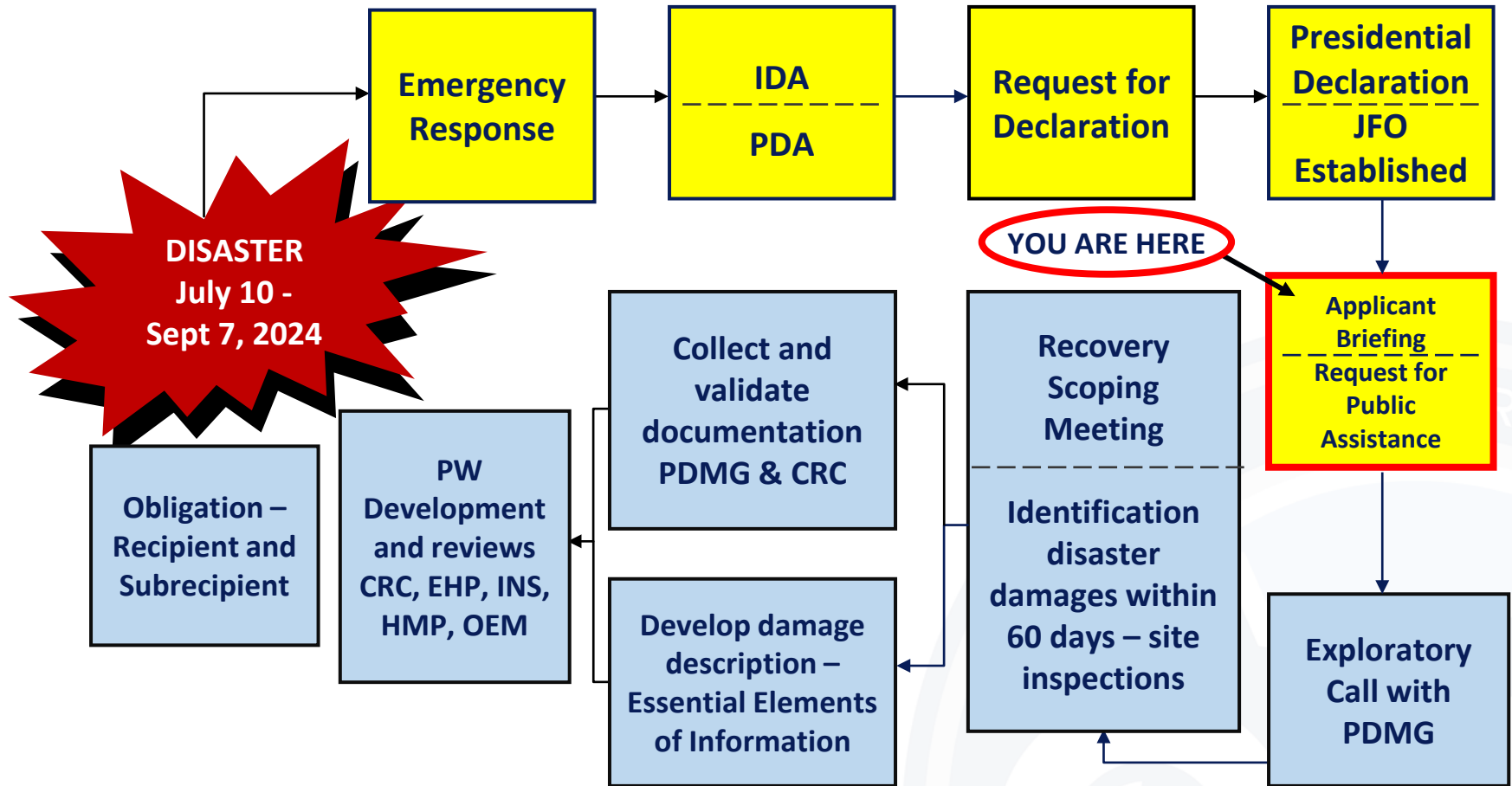
Incident: 2024 Oregon Wildfires

Incident Period: July 10 through September 7, 2024

Eligible Counties			
Public Assistance			
Gilliam Grant	Umatilla	Wasco	Wheeler
Cost Share			
Federal		Local/Subrecipient	
75% of eligible damages		25% of eligible damages	



THE RECOVERY PROCESS





ROLES AND RESPONSIBILITIES

Applicant (subrecipient)	Recipient (ODEM)	FEMA
<ul style="list-style-type: none">• Create/Maintains projects and documentation.• Creates/Maintains FEMA Grants Portal profile (GP)• Attends Applicant Briefing• Submits Request for Public Assistance (RPA) in GP.• Provides all supporting documentation to FEMA for project formulation.• Requests reimbursement for projects• Submit quarterlies (if applicable).• Notify ODEM of any scope changes.• Certify completion in accordance to scope and conditions of project.• Initiate Closeout.	<ul style="list-style-type: none">• Activate Organizational profiles in GP.• Conducts Applicant Briefing.• Review RPA and make eligibility recommendation.• Collect backup documentation not required during project formulation (i.e. proof of payments, invoices).• Administers Grant Awards.• Monitors for grant management including reimbursements requests, reviewing scope of work changes, processing time extensions, and managing project closeout	<ul style="list-style-type: none">• Coordinate programmatic requirements and deadline with ODEM.• Approve RPAs• Assign FEMA Program Delivery Managers (PDMGs) to assist applicants in the PA process.• Perform project development in Grants Manager• Perform Site Inspections, Draft Site Inspection Reports (SIRs)• Determine RPA and Project eligibility.• Issue determination memos for ineligible work.• Send project award funding to the Recipient.



FEMA PUBLIC ASSISTANCE GRANT PROGRAM



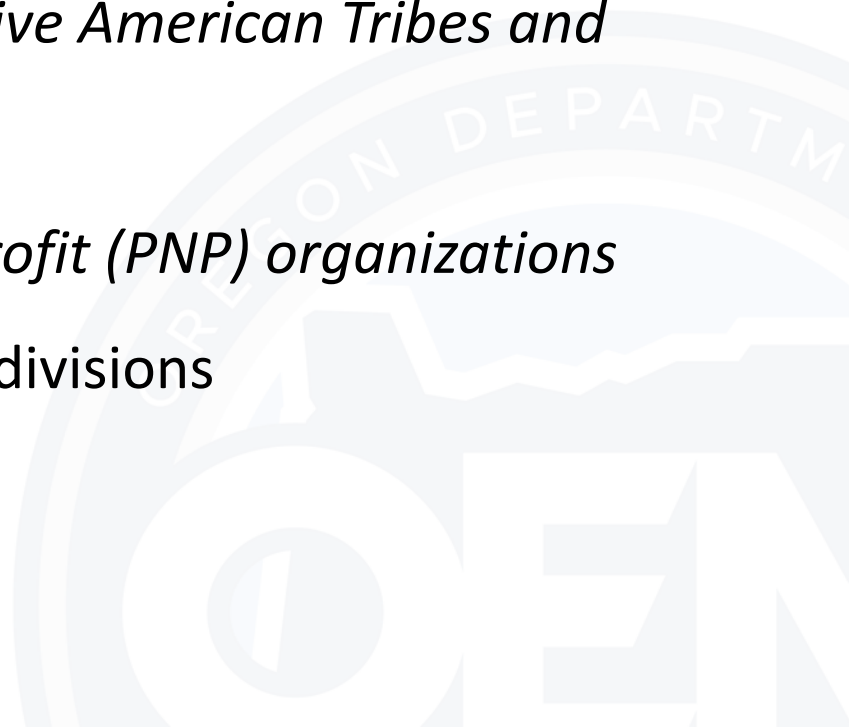
PUBLIC ASSISTANCE PROGRAM ELIGIBILITY





APPLICANTS ELIGIBLE FOR PUBLIC ASSISTANCE

- State government
- Counties
- Cities/Towns
- *Federally recognized Native American Tribes and Tribal Organizations*
- *Qualifying private non-profit (PNP) organizations*
- Other State Political sub-divisions
- Special Districts





PRIVATE NON-PROFIT (PNP) SUBRECIPIENTS/APPLICANTS

- ☐ Critical service providers
(i.e., power, water, educational, medical)
- ☐ Non-critical service providers
(i.e., museums, community centers, performing arts centers, houses of worship, food banks)
- ☐ PNPs have specific application requirements
(FEMA requires additional information in addition to the RPA when applying for Federal Assistance)



PNP APPLICATION REQUIREMENTS

Emergency Work:

- All PNPs eligible for FEMA assistance must apply directly to FEMA through the State for emergency work activities.

Permanent Work:

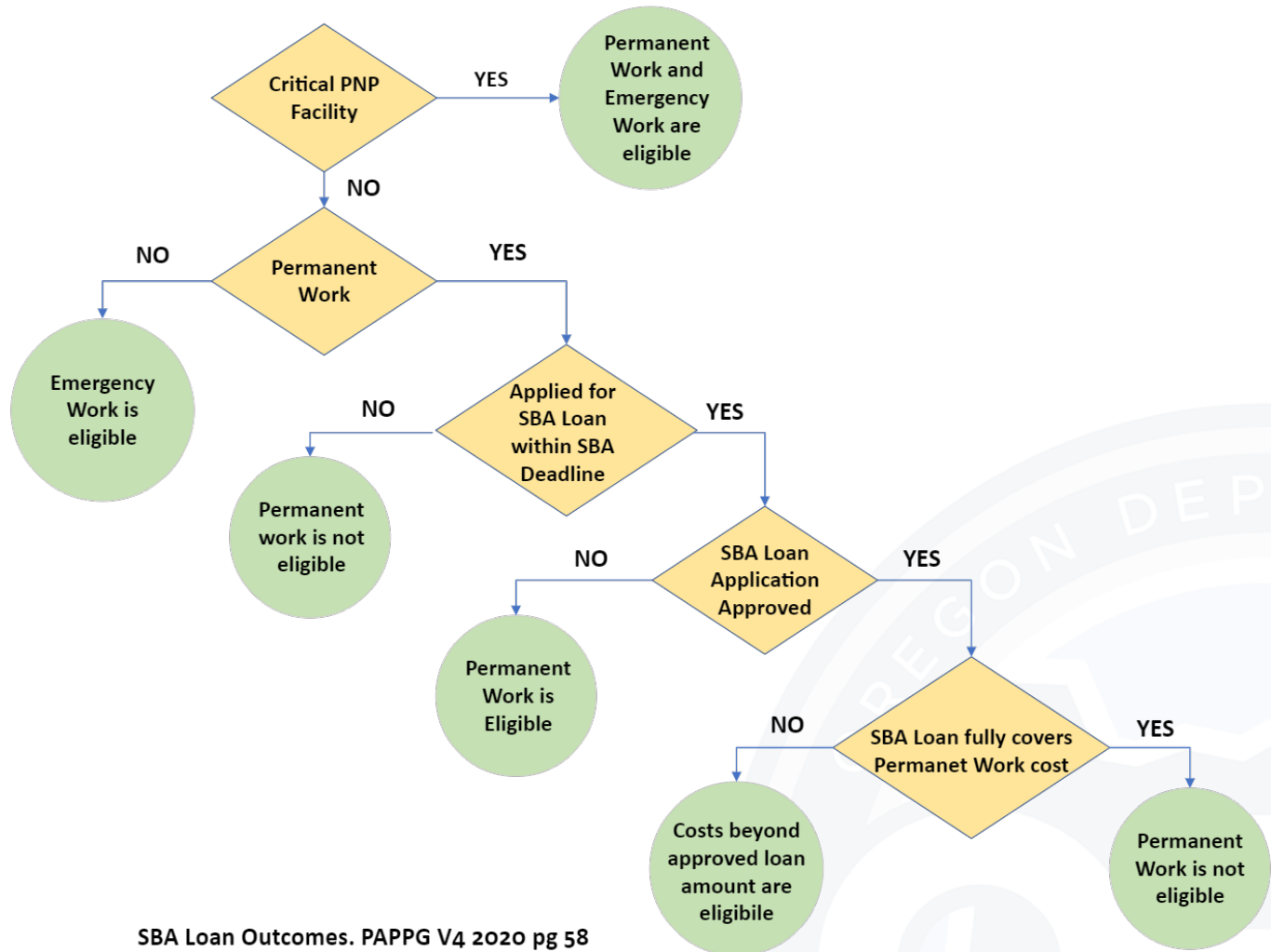
- Non-critical PNPs seeking FEMA assistance for permanent repairs must first apply to the U.S. Small Business Administration (SBA) for a loan for disaster repairs. Application for FEMA assistance should be made simultaneously.

Dependent on SBA Loan Application Outcomes:

- If a PNP is declined for an SBA loan, the PNP may be eligible for FEMA Public Assistance.
- If the maximum loan does not fully cover damage eligible under the Public Assistance program, the PNP may be eligible for FEMA Public Assistance.
 - If PNP is approved for an SBA loan that fully covers disaster damage, then assistance from FEMA is not available.



PNP WORK ELIGIBILITY CHART: SBA LOAN OUTCOMES





ELIGIBILITY PYRAMID: FACILITY

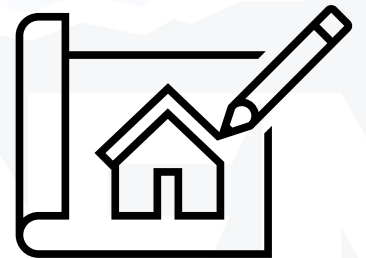




ELIGIBILITY OF FACILITIES

Buildings, systems, equipment, or maintained natural features that must be:

1. The legal responsibility of an eligible subrecipient/applicant
2. Located in a designated disaster area
3. Not under the authority of another federal agency, and
4. In active use at the time of disaster





ELIGIBILITY PYRAMID: WORK





PROGRAM ELIGIBILITY: WORK

Work must meet ALL three eligibility criteria to be eligible for public assistance funding:

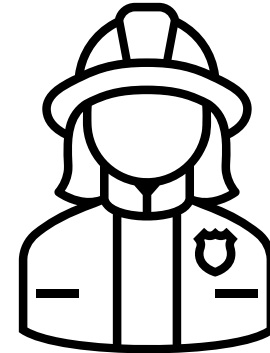
1. Direct result of event
2. Location: the work must be within the designated disaster area.
3. Legal Responsibility: the work must be the legal responsibility of an eligible applicant.
4. **AND** not the responsibility of another federal agency such as,
 - US Army Corps of Engineers (dams, waterways, levees, etc.)
 - Federal Highway Administration (many major roads)
 - National Resource Conservation Services (drainage basins, waterways)



PUBLIC ASSISTANCE 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.)

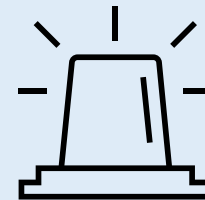




TYPES OF WORK (EMERGENCY)

Emergency Work: Necessary to eliminate the immediate threat to lives, public health and safety and to protect improved property.

- A. Debris Removal – includes debris clearance, removal, and disposal.
- B. Emergency Protective Measures – search & rescue, emergency operation center costs, temporary repairs and/or protection of public property, temporary relocation of critical services, etc.





CATEGORY A – DEBRIS REMOVAL

For debris removal to be eligible, the work must be in the public interest, which is when removal is necessary to:

- Eliminate an immediate threat to lives, public health and safety.
- Eliminate immediate threats of significant damage to improved public or private property.
- Ensure the economic recovery of the affected community to the benefit of the community at large.

Debris removal, includes the clearance, removal and disposal of debris. In all cases the costs associated with these activities must be reasonable.

On September 6, 2022, new FEMA debris guidance was released eliminating minimum size requirements for hazardous trees, limbs and stump removal.



CATEGORY A – CONTINUED

Applicants need to document debris operations such as :

- ✓ Quantity and type of debris:
 - ✓ Hauled to a temporary staging site
 - ✓ Reduced, including reduction method (e.g., chipped, burned)
 - ✓ Hauled to a final disposal site
 - ✓ Recycled
- ✓ Pick-up locations
- ✓ Disposal locations (temporary staging, recycling, and final disposal)
- ✓ Owned (“Force Account”) equipment:
 - ✓ Type of equipment and attachments used
 - ✓ Year, make, model, size/capacity
 - ✓ Days and hours used
 - ✓ Operator name
- ✓ Contracted equipment
 - ✓ Certifications of truck size/capacity
- ✓ Labor:
 - ✓ Name
 - ✓ Days and hours worked
 - ✓ Work performed

****Note:** Private property debris removal has additional documentation requirements to determine program eligibility. Applicants are strongly encouraged to review the FEMA Public Assistance Program and Policy Guide for details on program eligibility and documentation requirements – PAPPG v.4 pages 99-109



CATEGORY B EMERGENCY PROTECTIVE MEASURES

Emergency Protective Measures are conducted before, during, and after an incident.

Emergency Protective Measures must:

- Eliminate or lessen immediate threats to lives, public health, or safety; or
- Eliminate or lessen immediate threat of significant additional damage to improved public or private property in a cost-effective manner



CATEGORY B EMERGENCY PROTECTIVE MEASURES

Examples of Emergency Protective Measures include:

- Temporary emergency repairs to critical facilities and/or systems
- Search and Rescue operations
- Fire and flood fighting
- Emergency Operations Center activations
- Temporary measures taken to address hazards such as erosion control or stabilization measures and other activities to protect life, health, safety and protect improved property



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OTHER EMERGENCY WORK ELIGIBILITY

Federal Highway Administration (FHWA) Debris Removal

- ☐ Removal of debris from improved public property and public rights-of-way, including federal-aid roads, is eligible.

Mutual Aid Agreements

Reimbursement for mutual aid may be provided if:

- ☐ A pre-event agreement exists between the requestor and responder specifying reimbursement
- ☐ A post event agreement is executed between the requestor and responder, preferably within 30 days of the Applicant Briefing, specifying reimbursement
- ☐ Agreements must not be contingent upon Federal or State disaster funding





DONATED RESOURCES

- All donated resources being claimed must be documented (**who, what, when, where and why/how**)
- Credit against non-fed share – specific to each project
- 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 emergency work and permanent (project-specific) categories
- Work performed by volunteers will be reimbursed at the same rate as paid workers for similar work, or at the local documented volunteer rate
- Donated equipment hours will be documented the same as force account equipment (FEMA or local equipment rates)
- Value of materials at the time of purchase, or current commercial rate





TYPES OF PERMANENT WORK

Permanent Work (Categories C-G) is work required to restore a facility to its pre-disaster design (size and capacity) and function in accordance with applicable codes and standards.

- C. Roads and Bridge Systems** – repairs of roads, bridges and associated features (shoulders, ditches, culverts, lighting and signs)
- D. Water Control Facilities** – repair of irrigation systems, drainage channels and pumping facilities (levees, dams, and flood channels fall under Cat. D with restrictions to eligibility)
- E. Public Buildings / Equipment** – repair or replacement of buildings, including their contents and systems; heavy equipment; and vehicles
- F. Public Utilities** – repair of water treatment and delivery systems; power generations facilities and distribution lines; and sewage collection and treatment facilities
- G. Other (Parks, Recreation, etc.)** – repair and restoration of parks, playgrounds, pools, public cemeteries and improved natural features



PROGRAM ELIGIBILITY: PERMANENT WORK

Permanent Work (Categories C-G):

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

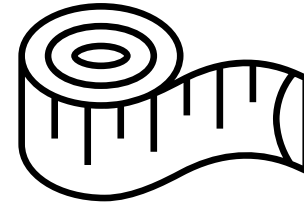




PROGRAM ELIGIBILITY: PERMANENT WORK

Eligible work (cont.)

- ✓ Engineering and Design Services
- ✓ Adopted Codes & Standards Upgrades
- ✓ ADA required upgrades to path of travel – up to 20% project cost (PAPPG page 152)
- ✓ Regulatory requirements and conditions



Making facilities and paths of travel more accessible allows individuals with disabilities to maintain their independence.

All State/FEMA funded projects must comply with accessibility laws.



OTHER PERMANENT WORK

Codes and Standards Upgrades Must:

- ☐ Apply to the type of repair work required
(damaged elements only)
- ☐ Be appropriate to pre-disaster use
- ☐ Be reasonable and formally adopted and implemented prior
to the disaster declaration date
- ☐ Be applied uniformly to all similar facilities (public and private)
- ☐ [FEMA Consensus-Based Codes FP 104-009-11 V2](#)

Donated Resources applied to a specific Project Worksheet

- Donated labor
- Donated equipment
- Donated materials



PERMANENT WORK PROGRAM INELIGIBILITY



Examples of Ineligible Costs:

- Applicant/subrecipient negligence
- Deferred maintenance
- Pre-existing damage
- Increased operating costs





SPECIAL CONSIDERATIONS

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

These considerations include:

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





IMPORTANT POINTS

1. ***EHP review –prior to construction***, failure to comply with applicable federal, tribal, state and local environmental and historical preservation laws could jeopardize or delay funding;
2. ***Applicants are responsible*** for all EHP permits;
3. ***All applicable environmental laws must be addressed*** in the EHP process ***even if*** a Statutory or a Categorical NEPA Exclusion (CATEX), Exemption is obtained; and
4. ***A change in a project scope will require the EHP process to restart*** to address the modification which may delay project start. ***NOTIFY FEMA AND OEM IMMEDIATELY***
5. If work has begun or must begin immediately, contact the appropriate regulatory agencies and maintain records of all correspondence.



406 HAZARD MITIGATION



- ☐ Measures to prevent repetitive damage
- ☐ Permanent work only
- ☐ FEMA may approve if the cost is:
 - Can be up to 100% of eligible repair cost if the project type is on FEMA's pre-approved list
 - If not on FEMA's pre-approved list (Appendix J PAPPG v5), measures must be cost effective based upon acceptable cost/benefit analysis (BCA)



406 MITIGATION PROGRAM UPDATES

- Appendix J in PAPPG V.5 will apply to all unobligated projects regardless of declaration date, as well as obligated projects that do not already contain mitigation measures.
- Any hazard mitigation proposal, regardless of whether it is mitigating the same hazard as the major disaster was declared for, may be included.
 - For example, cost-effective wildfire mitigation measures may be included in a mitigation project written under a flooding declaration.



EXPANSION OF APPENDIX J

- PAPPG V.5 Appendix J includes the following newly-eligible mitigation measures, in addition to all included in previous PAPPG versions:
 - Flood barriers
 - Upgrades to roofing materials
 - Defensible space upgrades to buildings outside of the wildland-urban interface
 - Non-combustible materials
 - Permeable pavement
 - Safe rooms



404 HAZARD MITIGATION GRANT PROGRAM

Hazard Mitigation Grant Program (HMGP (404) – DR 4854)

- The State administers the HMGP program
- Administered separately from Public Assistance, with a different application process and timelines
- Competitive award
- Only for proposed work to-be-completed that will prevent future damage
- Pre-approval required before starting eligible work

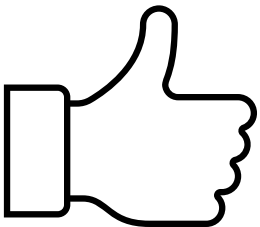
Not having a FEMA-APPROVED Natural Hazard Mitigation Plan (NHMP) will delay funding.

Questions? Contact:

Stephen Richardson

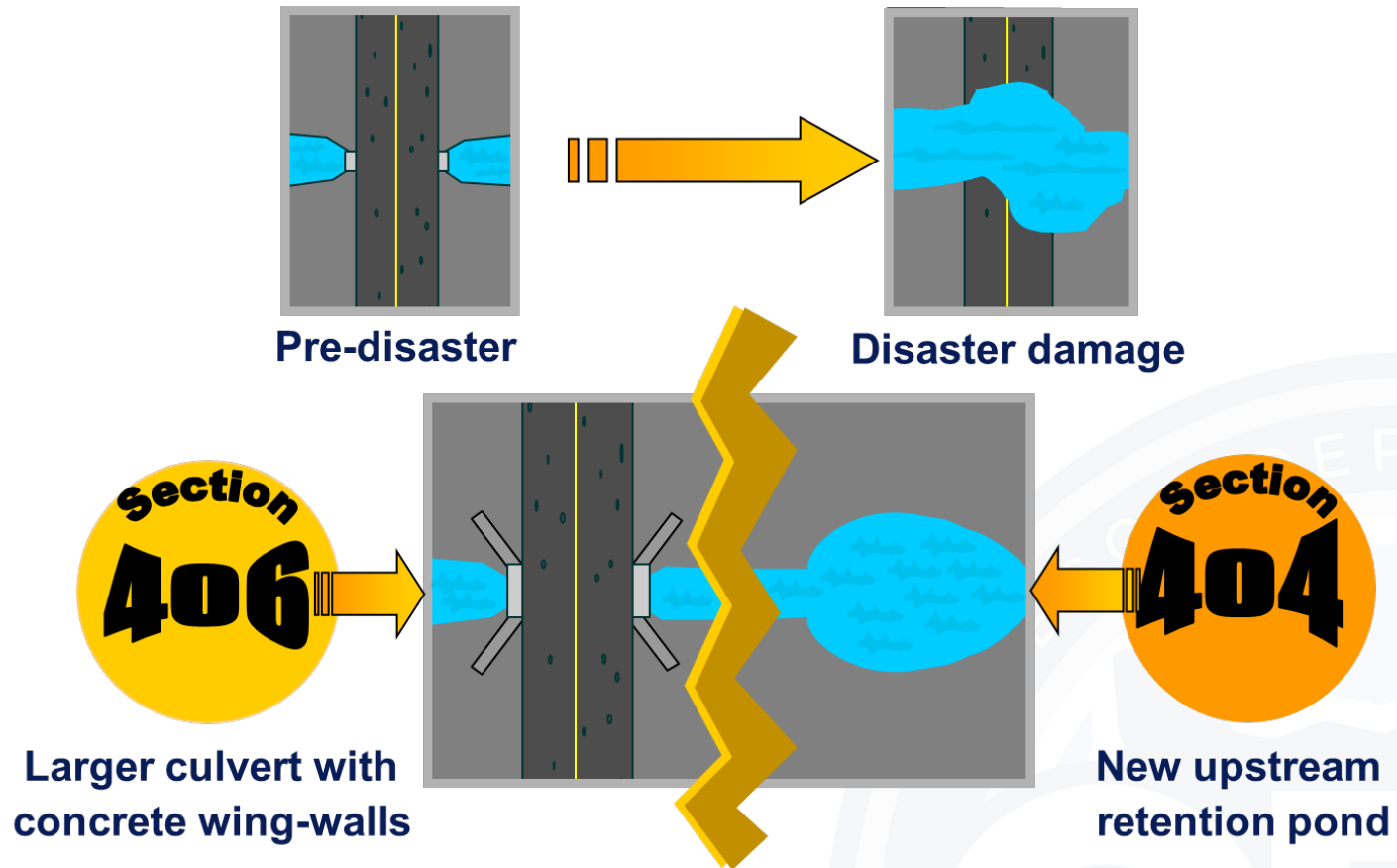
971-332-0005

Stephen.j.Richardson@oem.Oregon.gov





HAZARD MITIGATION SCENARIO





HOW YOU CAN HELP!



- Make the FEMA/State Team aware of any or potential environmental issues when a project is being written
- Don't hesitate to call the responsible agency for clarification or information
- Consider mitigation (Part 406)
- Keep great records (maintain all correspondence with regulatory agencies) be prepared to submit a copy of all permit applications and/or approvals to FEMA



ELIGIBILITY PYRAMID: COST





COST

Must have \$4,000 in eligible costs and be:

- Reasonable and necessary to accomplish the work
- Compliant with federal, state, and local laws, regulations requirements for procurement
 - Title 2, Code of Federal Regulations, Part 200
- Cannot duplicate funding from other federal agencies or insurance coverage
- Reduced by all applicable credits and salvage values

**Labor (Force Account)
ST/OT**

**Contracts and
Procurement**

Materials

**Equipment (Force Account
& Rental)**



COST REASONABLENESS

- Reasonableness Criteria
 - ✓ Must be fair and equitable
 - ✓ Applicable to type of work
 - ✓ "Prudent" person decision
 - ✓ Is the cost ordinary and necessary for the facility and type of work?
 - ✓ Were actions taken in prudent manner?
- Reasonable costs can be established through
 - ✓ Historical cost data for similar work
 - ✓ Average costs for similar work in the area
 - ✓ Published unit costs (RSMeans)
 - ✓ Equipment costs derived from FEMA Equipment Cost Codes



LABOR ELIGIBILITY

Emergency Work Labor Eligibility		
Budgeted Employees	Overtime	Straight-Time
Permanent employee	✓	
Seasonal employee working during normal season of employment	✓	
Unbudgeted Employees	Overtime	Straight-Time
Essential employee called back from administrative leave	✓	✓
Permanent employee funded from external source	✓	✓
Temporary employee hired to perform eligible work	✓	✓
Seasonal employee working outside normal season of employment	✓	✓



LABOR DOCUMENTATION CONSIDERATIONS

- Jurisdictions must track labor and equipment hours for each employee and any additional temporary staff
- Jurisdictions must keep accurate hourly records for each employee and temporary staff assigned to debris activities or any eligible PA activity
- Jurisdictions may be required to provide pre-disaster labor agreements and/or policies to support costs claimed

FEMA Summary forms are available to help organize costs: see "labor: regular and overtime reimbursable" on resource page



EQUIPMENT

Force Account

Costs of applicant owned equipment:

- ☐ Both regular time and overtime
- ☐ Equipment rate type used (FEMA, state or local)
- ☐ When local rate is developed, reimbursement based on local rate or FEMA's rate, whichever is lower
- ☐ Standby time not eligible
 - Intermittent use half day or more

Equipment rates include:

- ☐ Cost of operation
(Operator costs covered under FA labor)
- ☐ Insurance and depreciation
- ☐ Maintenance and fuel

Rental

Invoice - Subrecipients/Applicants must identify:

- ☐ What was done
- ☐ When
- ☐ Where
- ☐ How long
- ☐ What kind of equipment was used
- ☐ Charges per project



MATERIALS

The cost of supplies, including materials, is eligible if:

- Used for eligible work
- Purchased or from stock
- Costs are sufficiently documented (invoices, historical data, area vendor quotes, etc)



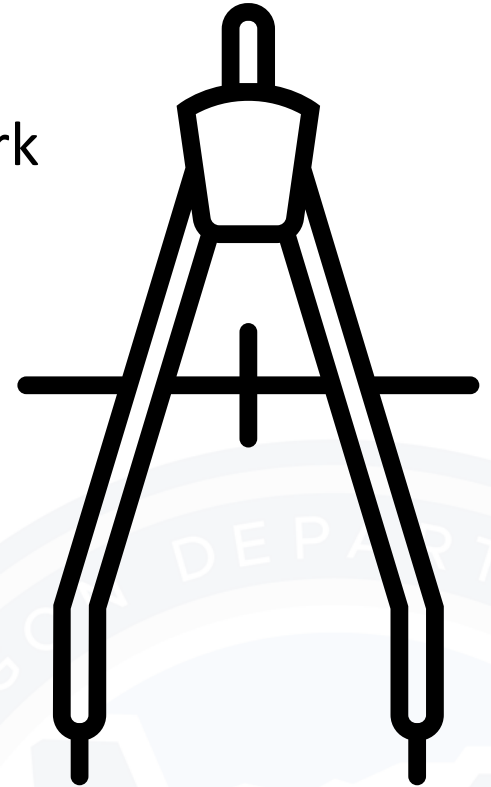
FEMA summary forms
are available to help
organize costs.



ENGINEERING/DESIGN SERVICES

- ☐ Necessary to complete eligible work
- ☐ Typically for large projects
- ☐ Use percentage of costs or cost estimate to determine available A&E funding, work with your PDMG to formulate

Also known as: A&E (Architectural and Engineering)





PUBLIC ASSISTANCE REQUIREMENTS FOR CONTRACTS AND PROCUREMENT

The non-federal entity must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the policy conforms to applicable Federal law and the standards identified in this section (2 CFR 200.318-200.327).

In addition, include the applicable contract clauses found in 2 CFR 200.326 and 2 CFR Part 200, Appendix II, Required Contract Clauses.

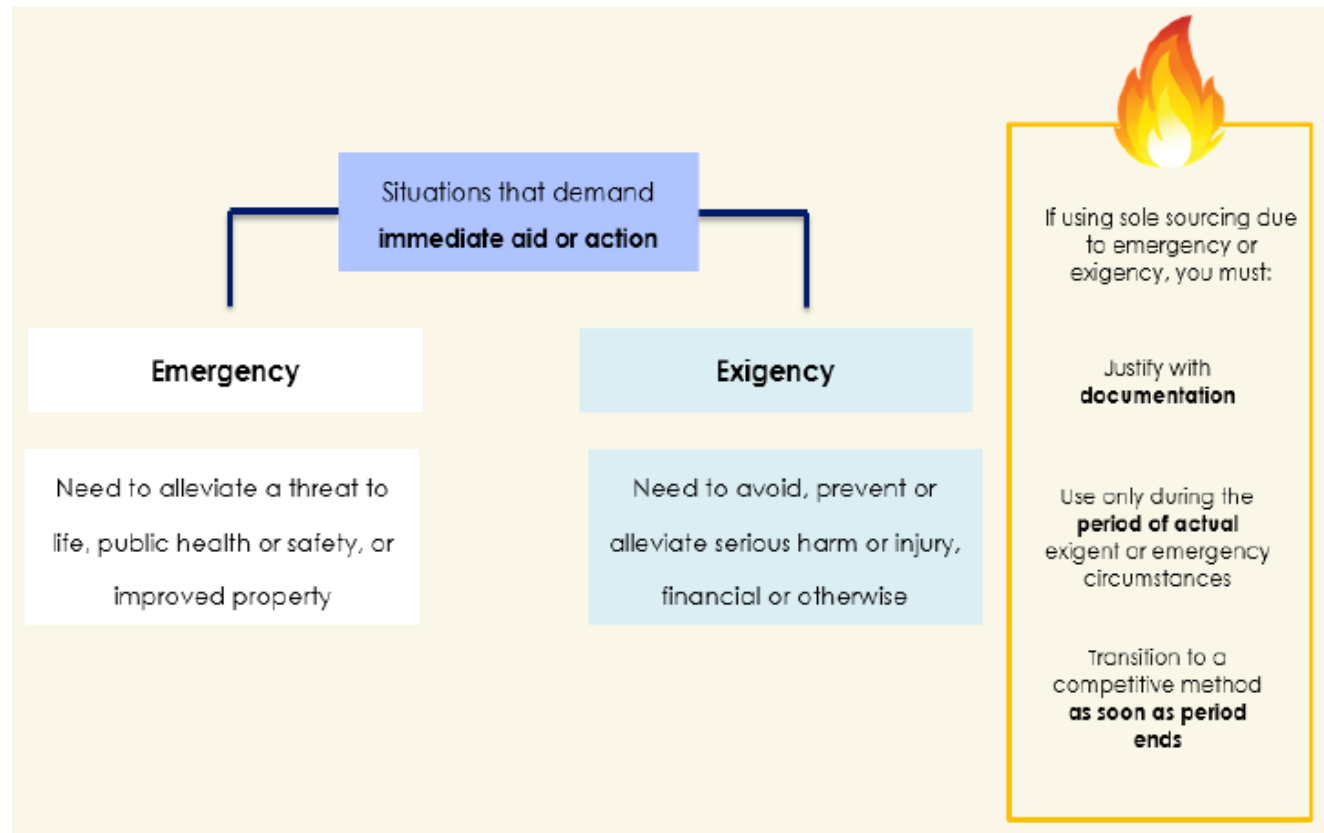
For further information on procurement, please see the Procurement Disaster Assistance Team (PDAT) website:

<https://www.fema.gov/procurement-disaster-assistance-team>



SOLE-SOURCE PROCUREMENT UNDER E&E

FEMA Procurement under Emergency and Exigent Conditions Fact Sheet



<https://www.fema.gov/grants/procurement/understand-exception>



CONTRACTS AND PROCUREMENT

NON-STATE SUBRECIPIENTS

GENERAL REQUIREMENTS AND BEST PRACTICES

- ★ Document everything.
- ★ Retain all documents related to procurement.
- ★ Include FEMA's required clauses and provisions in contracts.
- ★ Take the required six affirmative steps to encourage small and woman/minority-owned businesses to participate in contracting process.
 - Local Small Business Administration (SBA) office can help with DBE (Disadvantaged Business Enterprise Program) outreach.
- ★ Avoid piggybacking projects off existing contracts.
- ★ Conduct and document a cost/price analysis justifying reasonability of proposed price for work to be performed, and selection of the contractor.



CONTRACTS AND PROCUREMENT

NON-STATE SUBRECIPIENTS

DECISIONS THAT CAN RESULT IN THE INELIGIBILITY OF PROJECT COSTS.

Do Not:

- ★ Enter into contracts conditional on federal funding.
- ★ Award contracts to disbarred or suspended contractors registered on SAM.gov.
- ★ Award contracts to contractors that assisted in design requirements or plans for the project, or the advertisement.
- ★ Award time and material contracts for work not related to an ongoing emergency or exigency situation, unless no other option exists.
(Cancel existing time and materials contracts awarded during emergency as soon as threat has been mitigated, and rebid remaining work using a fixed price, or unit price contract.)
- ★ Award cost plus percentage of cost contracts.
FEMA will not reimburse for these contracts regardless of the circumstance.



TYPES OF PROJECTS

small projects

LARGE

PROJECTS

Improved

PROJECTS

ALTERNATE
PROJECTS



OEM SMALL PROJECT PROCEDURES & THRESHOLDS

SMALL PROJECT

\$4,000 < \$250,000

- Enhanced Project Checklist required.
- Must retain supporting documentation.
- Uncompleted work - Quarterly Progress Report (QPR) may be required.
- Monitoring may be required (based upon results of Risk Assessment)

SMALL PROJECTS

\$250,000 < \$1,062,900

WORK COMPLETED

- Enhanced Project Checklist is required; payments made upon obligation.
- Must retain supporting cost and compliance documentation.
- Insurance documentation must be provided if applicable
- Monitoring Checklist may be required based upon Risk
- Project is complete so no QPR required.
- Submit Closeout Certification (P.4)

WORK TO BE COMPLETED

- Must complete an Enhanced Project Checklist Prior to Payment.
- Must retain supporting cost documentation.
- EHP compliance documentation IS required and must be provided.
- Insurance documentation must be provided if applicable.
- Monitoring required
- OEM requires QPR.

LARGE PROJECT

> \$1,062,900

- Enhanced Project Checklist is not required, Large Project Standard Request for Reimbursement (RFR) process applies.
- Must maintain supporting documentation and submit to Grantee for payment/cost reconciliation/ closeout.
- QPR required.



SMALL PROJECT CHECKLIST

- OEM staff will contact the Subrecipient to discuss the checklist and review any compliance-related concerns. The checklist must be completed by the Subrecipient and returned to OEM prior to payment being issued.
- Subrecipients must maintain supporting documentation that shows costs were allowable, reasonable, and incurred during the authorized project period.

PUBLIC ASSISTANCE SUBRECIPIENT SMALL PROJECT CHECKLIST				
Subrecipient:		Date of Obligation:		
Subrecipient Type (City, PNP, etc.):		Total Eligible Obligated:		
FIPS#:		Total Federal Share Obligated:		
Event#:		Federal Share (%):		
PW#:		Non-Federal Share (%):		
	Yes	No	N/A	Initial
1. Has the Subrecipient submitted their Risk Assessment Questionnaire?			X	
2. Does the Subrecipient acknowledge the project is within the period of performance of work?				
3. Does the Subrecipient acknowledge the following of the procurement and contract provision requirements of 2 CFR 200.317-.326 or local, state, which ever is most restrictive.				
4. Does the Subrecipient acknowledge that FEMA only adjusts the approved amount on individual Small Projects if one of the following conditions applies? a) The Subrecipient did not complete the approved scope of work (SOW); b) The Subrecipient requests additional funds related to an eligible change in SOW c) The Project contains inadvertent errors or omissions; or d) A duplication of benefits (e.g., insurance proceeds or other duplicative funding) exists. In these cases, FEMA only adjusts the specific cost items affected.				
5. Does the Subrecipient acknowledge that if costs exceed the total amount obligated for all their small projects, the Subrecipient may request additional funding through a Net Small Project Overrun (NSPO) appeal? The appeal must be submitted within 60 days of the completion of the Subrecipient's last small project. Refer to FEMA Public Assistance Program and Policy Guide, page 199 for details.				
6. Does the Subrecipient acknowledge their responsibility for the non-federal share on this project?				
7. Does the Subrecipient anticipate that this project will be an improved or alternate project? If no, advance to Question 9.				
8. Has the Subrecipient requested a project amendment and if so, does the Subrecipient acknowledge payment(s) may not progress until an amendment is obligated by FEMA?				
Environmental and Historical Preservation Requirements (EHP)	Yes	No	N/A	Initial
9. Does the Subrecipient acknowledge that they have read the Record of Environmental Consideration (REC) and are aware of any "Extraordinary Circumstances"?				
10. Does the Subrecipient acknowledge they are aware of all applicable EHP and permitting requirements?				
11. Does the Subrecipient acknowledge that they must provide all supporting documentation regarding EHP compliance (including any permits) and upload into FEMA Grants Portal with notification to OEM before closeout of this project?				
Insurance & Duplication of Benefits	Yes	No	N/A	Initial
12. Does the Subrecipient acknowledge that if they receive insurance proceeds, OEM must be notified, and the proceeds may result in a change to the awarded amount?				
13. If FEMA has imposed Obtain and Maintain (O&M) requirements on the project (Category E only), does the Subrecipient acknowledge them and that failure to comply may jeopardize funding?				



OEM SMALL PROJECT MONITORING

PA Small Project Monitoring Documentation Checklist		
DR: _____ PW/Project#: _____ Project Title: _____		
PA Review by: _____	Monitoring Date: _____	Finance Review by: _____ Monitoring Date: _____
NOTES: A complete file includes the following: • Each Subrecipient must have a Risk Assessment on File to determine the level of monitoring and sampling of documentation size • All documents must be legible and permanent. • Off-site backup of records to a risk management Best Practice. • This checklist will be utilized during monitoring visits/inquiries and/or part of quarterly report review. • This Checklist may also be utilized in the BFR Process to satisfy program eligibility of Small projects. • Reviewer to provide note Y/N in checklist if listed N provide comment in notes. If not applicable enter, "N/A" • Providing the documentation requirements will satisfy monitoring and support eligibility review of Small projects. • If sampling results are inadequate another sampling shall occur and for additional monitoring. This checklist will be stored in the Subrecipients file.		
GENERAL DOCUMENTATION REQUIREMENTS		
Y/N	ITEM	Regulation or Policy Reference
	Insurance policy in force at time of event	44 CFR 5206.250-253
	Insurance settlement documents (copy of settlement check and litigation documents, if any)	44 CFR 5206.191 Public Assistance Program and Policy Guide, page (PAPPG)V4, 93 and PF 204-085-1
	Insurance policy in force at time of Closeout (Category E only for obtain and maintain [O & M] requirements)	44 CFR 5206.252(d) and 5206.253(b)(1)
	Insurance Commissioner's Certification (ICC) (waiver, if applicable)	44 CFR 5206.252(d) and 5206.253(b)(1)
	Evidence of proper procurement (see Procurement section below)	Public Assistance Program and Policy Guide V4, page 78 and 2 CFR 200.317-200.326
	Applicant's Policies- Labor and Procurement Policy	Public Assistance Program and Policy Guide V4, page 69 (labor) and page 78 and 2 CFR 200.317-200.326 (procurement)
	Proof of payment (to vendor, general ledger may be acceptable if applicable) - may be applicable at closeout and/or part of monitoring plan	2 CFR 5200.403 44 CFR 5205(a) Public Assistance Program and Policy Guide V4, page 199
WORK PERFORMED BY FORCE ACCOUNT LABOR (FAL) - Sampling if applicable. FEMA Forms may be utilized documenting sampling or subrecipients format if required information is displayed		
	Force Account Labor Record FEMA form 104-FY-21-137 or equivalent (FEMA form preferred)	FEMA form 104-FY-21-137
	Fringe benefit breakdown (Applicant's Benefits Calculation Worksheet FF-104-FY-21-135) (FEMA form preferred)	Public Assistance Program and Policy Guide V4, page 68 and 2 CFR 200.431
	Pre-existing Overtime Policy	Public Assistance Program and Policy Guide V4 page 69
	Timekeeping documentation that supports the Force Account Labor Record form	Public Assistance Program and Policy Guide V4 page 69

Payroll records and/or check register	Public Assistance Program and Policy Guide V4 page 69
WORK PERFORMED USING FORCE ACCOUNT EQUIPMENT (FAE)	
Force Account Equipment Record FEMA form 104-FY-21-141 or equivalent (FEMA form preferred)	Public Assistance Program and Policy Guide V4, page 72 - 73, 44 CFR 5206.228(a)(1)
Proof of equipment usage	Public Assistance Program and Policy Guide V4, page 72
WORK PERFORMED USING FORCE ACCOUNT MATERIALS (Materials In Inventory) OR PURCHASED FOR THE DISASTER	
Force Account Materials Summary Record FEMA form 104-FY-21-138 or equivalent (FEMA form preferred)	Public Assistance Program and Policy Guide V4, page 74 - 75
Invoices/receipts for restocking inventory & evidence of proper procurement	Public Assistance Program and Policy Guide V4, page 74 - 75 and 2 CFR 200.453
RENTED EQUIPMENT	
Rented Equipment Record FEMA form 104-FY-21-140 or equivalent (FEMA form preferred)	Public Assistance Program and Policy Guide (PAPPG) V4, page 74 and 2 CFR 200.453
Rental agreement, invoices/receipts and evidence of proper procurement and reasonable costs (e.g. cost of leasing vs purchasing) (See Procurement section below)	2 CFR 200.318(d) and Public Assistance Program and Policy Guide V4, page 55
WORK PERFORMED BY CONTRACTORS	
Contract Summary Record FEMA form 104-FY-21-140 or equivalent (FEMA form preferred)	Documentation - Public Assistance Program and Policy Guide (PAPPG) V4, page 85 and page 200-201 (closeout)
Invoices/certified pay applications/receipts	Documentation - Public Assistance Program and Policy Guide (PAPPG) V4, page 85 and page 199-202 (closeout)
Executed contract with all applicable amendments and change orders	Documentation - Public Assistance Program and Policy Guide (PAPPG) V4, page 199-202 (closeout)
Contractor and subcontractor timesheets and materials invoices for time and material contracts and Mutual Aid Agreements (MAAs)/Memorandum of Understandings (MOUs)	Documentation - Public Assistance Program and Policy Guide (PAPPG) V4, page 199-202 (closeout)
Contract Provisions	2 CFR 200.327, Appendix II Also see FEMA Contract Provision guide for applicability
Load tickets and truck certifications (required for debris contracts)	Documentation - Public Assistance Program and Policy Guide (PAPPG) V4, page 199-202 (closeout)



LARGE PROJECTS

Final payment for large projects is based on actual eligible final cost documentation submitted with the payment request.

- Payment request forms can be submitted for progress payments, or a single final payment request can be submitted after the project is completed.
- Subrecipients must submit the Project Certification and Completion Report (P.4) and Statement of Documentation (SOD) when requesting final payment. OEM is required to close all large projects within 180 days of the project completion date.



IMPROVED PROJECT

With OEM/FEMA approval, the Applicant may restore pre-disaster function and make improvements (for which the applicant is financially responsible.) *Proposed improvements 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
- Will require environmental review
- Reduced to **90% of federal share*** or actual cost of alternate project, whichever is less



**Participation in 428 Alternate Procedures will eliminate the reduced rate*



PROJECT COMPLETION TIMELINES

Start date (date of major disaster declaration): January 1, 2025

Type of work	Time from start date
Debris removal	6 months
Emergency work	6 months
Permanent work	18 months

Notify OEM immediately if a time extension may be required.



OBTAINING A PA PROGRAM GRANT



Applicant submits:

- Request for Public Assistance (Grants Portal)
- Contract between OEM and the Applicant (Applicant becomes Sub-recipient)
- Risk Assessment Questionnaire
- Base documentation (procurement policy, insurance policy(s), labor policy/relevant collective bargaining agreements)
- Proof of active registration on SAM.gov
- PNP eligibility documentation (IRS tax exemption letter, bylaws, proof of ownership or legal responsibility for damaged facility)



REQUEST FOR PUBLIC ASSISTANCE (RPA)

The RPA is an application for the Public Assistance Program (PA).

- If an applicant (SLTT) government entity or private non-profit (PNP) wishes to seek PA funding, it must first submit an RPA to FEMA.
- FEMA accepts RPAs through Grants Portal.
- PNPs must submit additional supporting documentation showing proof of tax exemption status & ownership of damaged facilities.



SAM.GOV REGISTRATION



<https://sam.gov/content/entity-registration>

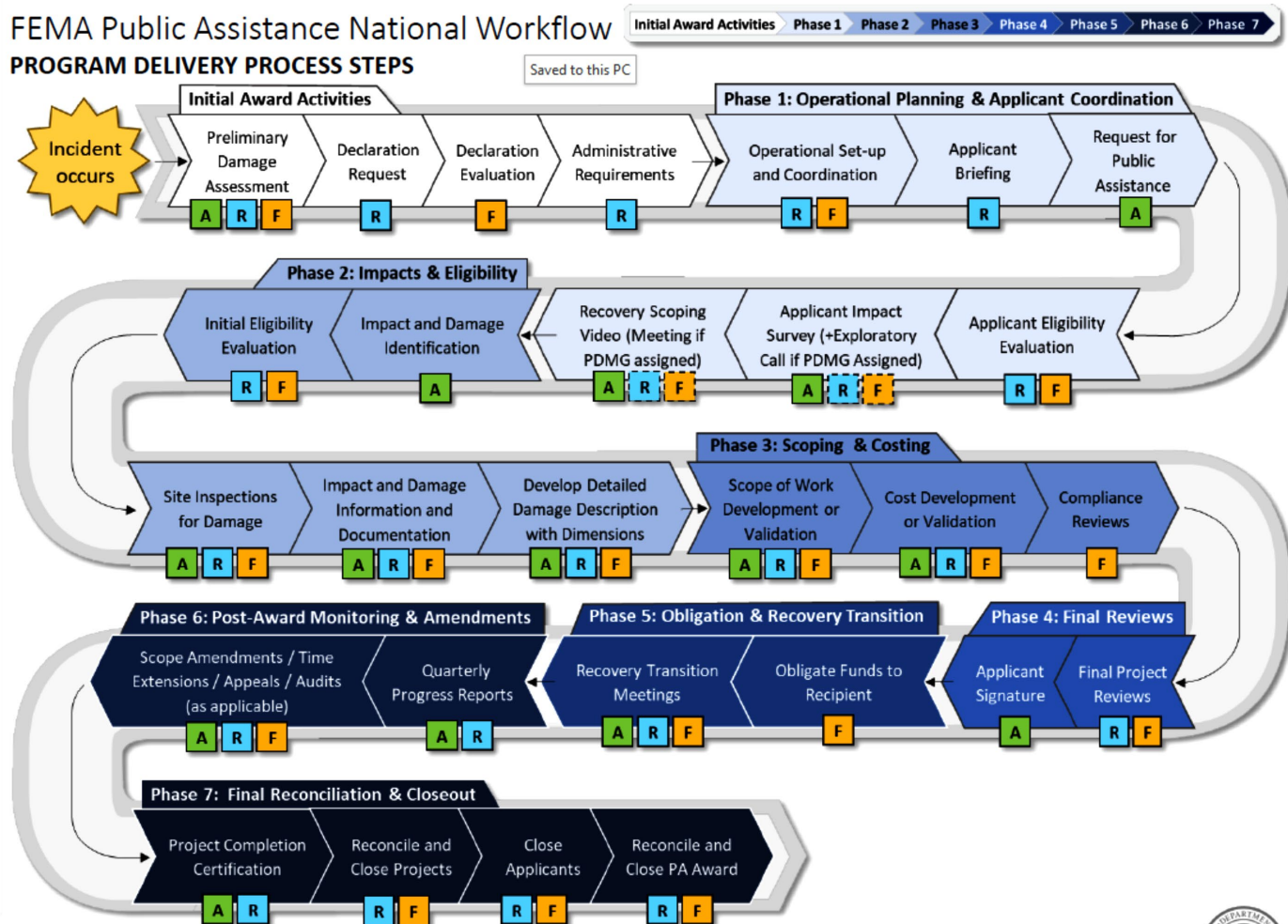
- On April 4, 2022, the federal government stopped using the DUNS number to uniquely identify entities. Now, entities doing business with the federal government use the Unique Entity ID (UEI) created in SAM.gov.
- All Applicants are required to have an active UEI number and registration in SAM.gov
- Reimbursement for obligated projects cannot be provided if an active registration is not maintained
- **Registration is ALWAYS FREE**, SAM.gov will never initiate contact with an entity directly. Beware of scams and reach out to OEM if unsure of processes or requests.



PA DELIVERY PROJECT PHASES

FEMA Public Assistance National Workflow

PROGRAM DELIVERY PROCESS STEPS



Key:

Applicant



Recipient



FEMA



FEMA



PHASE 1 – OPERATIONAL PLANNING & APPLICANT COORDINATION

What to expect at your Exploratory Call:

- Introductions with assigned FEMA and State Program Delivery Managers
- High-level discussion of disaster-related impacts and their associated damages
- Discussion of Applicant priorities
- Scheduling of RSM





PHASE 1 - CONTINUED

What to expect at your Recovery Scoping Meeting (RSM):

- Identification of all known disaster-related impacts and associated damages
 - Damage Inventory must be completed within 60 days of the Recovery Scoping Meeting (RSM)
- Discussion of work completion status for all damages
- Initial grouping of damage sites / line items into projects
- Discussion of potential 406 mitigation projects
- Discussion of potential environmental or historic preservation issues
- Identify potential Site Inspection needs
- Discussion of state-side processes and initial documentation needs.



PROJECT WORKSHEET (PW) DISAGREEMENTS

- Applicant agents will review and approve damage description as written by site inspectors
- Applicant agents will review all project worksheets prior to submitting to the Consolidated Resource Center (CRC) for processing and prior to obligation
- If there is non-concurrence between FEMA and the Applicant, the Applicant may request a meeting with FEMA and OEM to resolve any disputes.





TIME LIMITS

- Applying for a Public Assistance Grant - Applicant must submit a Request for Public Assistance by January 30, 2025.
- Identifying and Formulating projects- Applicant must identify damages within 60 days of the Recovery Scoping Meeting (RSM).
- Deadline for Emergency Work Completion
 - The deadline to complete Emergency Work is 6 months from the declaration date (extension requested from OEM, can approve an additional 6 months with justification)
- Deadline for Permanent work – 18 months from the declaration date (OEM can approve up to an additional 30 months with justification)
- Project Completion- Projects must be closed with FEMA within 180 days of approved project completion date.



GRANTEE FUNDING PROCESS

Oregon Emergency Management Infrastructure Contract (Public Assistance Contract):

In order to pass through FEMA Public Assistance funds, OEM must have a signed infrastructure contract with the Subrecipient.

- Upon approval/obligation of Project Worksheets (PWs) OEM will send a Grant Acceptance Package for each approved PW with instructions on how to initiate payment and close out the PW. In some cases, additional documentation will be required prior to payment.
- **Notify OEM immediately if:**
 - A change to the Scope of Work is required **prior to beginning work**
 - If a time extension is required
 - There are any cost increases/overruns that deviate from the FEMA approved Project Worksheet.



PAYMENTS

Payments may be issued via check (warrant) or electronic deposit

Small Projects	Large Projects
<p>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).</p> <p>Payment will be processed upon review for compliance/conditions required on the approved PW.</p>	<p>Final payment for large projects is based on actual eligible final costs submitted with payment request.</p> <p>Payment request forms can be submitted for progress payments, or a single payment request form can be submitted after the project is completed.</p>
<p>The applicant must submit certification of completion (P.4) for each of its small project as soon as the project is completed. OEM is required to certify completion and compliance of the Applicant's small projects within 180 days of the applicant's last small project completed.</p>	<p>All costs claimed and certification of completion (P.4) and Statement of Documentation (SOD) must be submitted with claim of final payment. OEM is required to close the Large project with FEMA within 180 days of the project completion date.</p>
	<p>A final inspection may be conducted on the site and documentation is required.</p>



QUARTERLY REPORTS, CLOSEOUT, APPEALS, AND AUDITS

Quarterly Progress Reports

A tool for FEMA and OEM to track the progress of open Large Projects on a quarterly basis

Project Reconciliation and Closeout

The purpose of closeout is for the Applicant and OEM to certify that all work has been completed in accordance with the project's Scope of Work and compliance requirements.

Appeals

Applicants may appeal any FEMA determination related to an application for, or the provision of, assistance under the PA Program.

Audits

Recipients and Subrecipients are subject to Federal and non-Federal audits.



FEMA PA MANAGEMENT COSTS OVERVIEW

- ☐ FEMA awards Management Costs up to five percent of actual eligible Public Assistance project costs, including the non-federal share, after insurance and any other deductions. Management Costs are funded at 100 percent federal share via Category Z PWs.
- ☐ Applicants may request reimbursement for actual costs up to 5% of capped amount
- ☐ Category B Donated Resources PWs are not included in the total used to calculate the Category Z amount.



FEMA PA MANAGEMENT COST EXAMPLES

Management Costs are identified as indirect, direct, and other administrative labor costs related to developing eligible Public Assistance projects and receiving reimbursement.

Activities may include, but are not limited to:

- ☐ Preliminary Damage Assessments
- ☐ Meetings regarding PA Program and PA damage claims
- ☐ Organizing PA damage sites into logical groups
- ☐ Preparing correspondence
- ☐ Site inspections
- ☐ Travel expenses related to eligible PA-related activities
- ☐ Developing site-specific damage descriptions
- ☐ Evaluating Section 406 hazard mitigation measures
- ☐ Project formulation
- ☐ Collecting, organizing, filing, or submitting documents to support a project
- ☐ Reviewing Project Worksheets
- ☐ Requesting disbursement of PA funds
- ☐ Attending FEMA or OEM disaster related training
- ☐ Closeout activities



DOCUMENTATION AND RECORD KEEPING

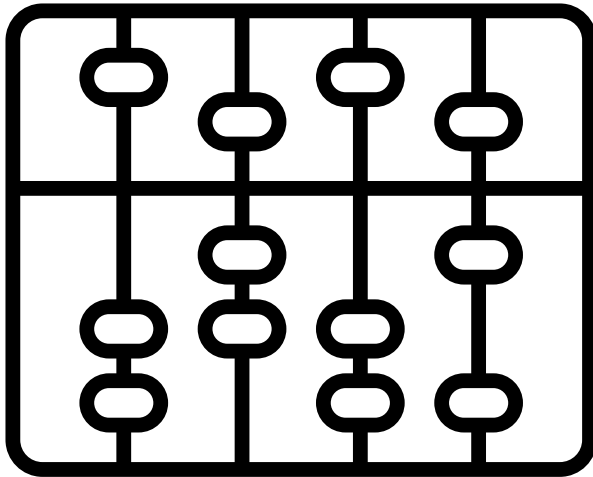
Stafford Act Section 705 - Imposes a three (3) year limit on FEMA's authority to recover payments made to state, tribal, or local government Recipients and Subrecipients unless there is evidence of fraud.

The State of Oregon requires documentation to be retained for at least 6 years.

- The Applicant must maintain all original documentation supporting project costs claimed.
- The Recipient and the Applicant must keep all financial and program documentation for 6 years after the project closeout date.
- Records are subject to audit by State auditors, FEMA, the U.S. Department of Homeland Security Office of Inspector General, and the U.S. Government Accountability Office.



SINGLE AUDIT ACT



If your organization receives \$750,000 or more of federal grant money in a fiscal year, you must perform a single or program-specific audit as required by OMB Circular A-133 and 2 C.F.R. § 200.501.



OIG AUDITS

The Office of the Inspector General (OIG), at the Department of Homeland Security (DHS), determines whether subrecipients can account for expended FEMA grant funding, per federal regulations and guidelines.

The OIG typically audits:

- ☐ Costs related to the FEMA-approved scope of work
- ☐ Procurement procedures: Federal, State, and local requirements*
- ☐ Contract costs
- ☐ Force Account Labor, Materials, and Equipment costs
- ☐ Insurance recovery costs/duplicative costs
- ☐ Other

**Procurement Training Available, see "Resources" slide.*



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 Governor's Authorized Representative (GAR) in writing of the disposition.
- Subrecipients will receive written notification from the GAR.
- Subrecipients are allowed two appeals; if a resolution is not reached the Subrecipient may request arbitration.



ENVIRONMENTAL & HISTORIC PRESERVATION

- The Federal Flood Risk Management Standard will apply to this disaster.
- Applies to any substantially damaged or substantially improved facilities, regardless of cause of damage.
- Increased elevation and/or floodproofing requirements.
- Work with your local floodplain administrator.
- Ensure that all required permits and approvals are in place **before** work begins. If there is any doubt whether a permit is required, please call USACE at 541-684-4326. **This applies to both emergency and permanent work projects with potential environmental impacts.**
 - **Failure to obtain the proper permits may jeopardize potential federal reimbursement.**



KEYS TO THE PUBLIC ASSISTANCE PROGRAM

- Submit an RPA by registering in FEMA Grants Portal and begin Damage Inventory Template
- Establish project-specific files, including all supporting project documentation, correspondence, grant agreements, and proof of payment.
- Identify priority projects
- Prepare for the FEMA-State-Applicant Exploratory Call and Recovery Scoping Meeting
- Ensure knowledgeable staff is available to work with FEMA-State PDMGs
- Create a process for tracking time spent doing business with FEMA and OEM for Management Costs project
- Two-way communication
 - Speak up, ask questions!
- Patience
 - Be aware of project milestones!
 - Monitor project status in Grants Portal



RESOURCES

- Public Assistance Program and Policy Guide (PAPPG):
<https://www.fema.gov/public-assistance-policy-and-guidance>
- Procurement Disaster Assistance Team (PDAT)
<https://www.fema.gov/grants/procurement>

Other Recommended Resources

- FEMA PA Grants Portal - Grants Manager YouTube Channel: [***FEMA's Grants Portal Video Series***](#)
- Technical and training support at FEMA's PA Grants Portal Hotline: **(866) 337-8448**
- Grants Portal inbox: ***FEMA-Recovery-PA-Grants@fema.dhs.gov***

Questions? Email : oem.pa-recovery@oem.oregon.gov