“The Mission of the Office of Emergency Management (OEM) is to execute the Governor’s responsibilities to maintain an Emergency Services System as defined in ORS 401, by planning, preparing, and providing for the prevention, mitigation and/or management of emergencies or disasters that present a threat to the lives and property of the citizens of, and visitors to, the State of Oregon.”
FEMA Public (Infrastructure) Assistance Process
Overview
Major Declaration Process

Part I – Initial Damage Assessment for Public Infrastructure

• What is the purpose and process of the IDA?
• Who completes the forms and what should they capture?

Part II – Preliminary Damage Assessment for Public Infrastructure

• What is the purpose and process of the PDA?
Initial Damage Assessments

- This is a two step process: 1\textsuperscript{st} IDA and 2\textsuperscript{nd} PDA by Joint State/FEMA teams to verify costs and validate damages
- Damage estimates are consolidated by County to determine if federally mandated thresholds (Public Infrastructure) by County has been reached ($3.50 FY14)
- Additional statewide threshold must be met to be considered for federal financial assistance ($1.39 FY14)

- \textit{Even if the damage costs do not meet the county threshold, the sum of the smaller damages will add to the state total (threshold).}
Local & State Governments conduct Initial Damage Assessment (IDA)

Counties summarize data and submit to State

State assess initial data and determines if event exceeds local/state capabilities

Governor requests joint PDA or other assessment

Event
Initial Damage Assessment (IDA)

What?

- Initial = best guess/estimate of damage/costs and impacts
- County summarizes the IDA information submitted by cities, special districts, private nonprofits (PNPs)
- Looks at damage, impacts, and needs
- Provides information to analyze options for addressing disaster needs (types of federal assistance)
- Provides documentation to support request for assistance from the State
- Provides information to respond to media and other requests for disaster statistics
IDA - Why?

- To gain broad overall situational awareness
- To inform others
  - Provides information to respond to media and other requests for disaster statistics
  - Provides information in order for the State to analyze options for addressing disaster needs
- Complete on smaller incidents to maintain skills and provide training to staff
Public Assistance IDA
Who?

• **Infrastructure Data Collection Forms**

• **Who should collect and provide the information?**
  – Governmental Departments (Public Works, Parks, emergency service agencies, etc.)
  – Private nonprofits (utilities, hospitals, schools)
  – Special districts (irrigation, school, utilities)
  – Local governments
  – Tribal governments
Initial Damage Assessment (IDA)
Public (Infrastructure) Assistance (PA)

Infrastructure Data Forms
- Public works
- Private nonprofits (utilities, hospitals, schools)
- Special districts (irrigation, school, utilities)
- State agencies
- Local governments
- Tribal governments

County Summary Form
- Local Emergency Manager or his/her designee
- Tribal governments
OREGON EMERGENCY MANAGEMENT

INFRASTRUCTURE (PUBLIC ASSISTANCE) INITIAL DAMAGE ASSESSMENT DATA COLLECTION FORM

NAME OF PUBLIC (GOVERNMENT) OR PRIVATE NONPROFIT AGENCY: ____________________________ COUNTY: ____________________________

(List damage and emergency response costs for only one agency on each form. Use more than one form per agency if necessary. Only certain private nonprofits should be included on this form. Additional instructions for this form may be found on the reverse side.)

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<th>Category</th>
<th>Brief Description of Damage or Cost</th>
<th>Location</th>
<th>Estimated Cost</th>
<th>Comments</th>
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Inspector’s Name: ____________________________ How to contact: ____________________________ Date: ____________________________
Public Assistance IDA By Category

- **Category A**  Debris Removal
- **Category B**  Emergency Protective Measures
  - Cat A & B  OT labor only if using own work force (Force Account)
- **Category C**  Roads and Bridges
- **Category D**  Water Control Facilities
- **Category E**  Buildings and Contents
- **Category F**  Utilities
- **Category G**  Parks and Other
Category A – Debris Removal

• Estimate quantities by sampling
• Estimate cost based on force account or contract
• Use historical or local area unit cost
• Focus on debris on public property
• But, if warranted include potential debris brought to curb
• Private roads/gated communities may not be eligible
• Include debris removal on FHWA-Rural Major Collector and above (change in eligibility, FEMA Fact sheet 9580.214, 10/28/12)
Category B – Emergency Protective Measures

• Examples of Emergency Work
  – Protective Measures
    • Barricading
    • Sandbagging
    • Boarding Up Windows
    • Temporary Roof Coverings
  – Fire, Police Activities
  – Temporary Relocation
  – Mutual Aid
  • See FEMA Policy 9523.6
Eligibility Reminders
Category A & B

• Only disaster related work
• If costs unavailable, estimate labor/equipment
• Only overtime labor
• What materials used
• Contract costs for eligible work
**Description (Category A):**
High winds deposited estimated 10,000 CY of debris city wide. Force Account OT and equipment total for clearance, pick up and disposal est. $120,000.

**Comments (Category A):**
Existing debris endangers residents, and impedes traffic. Public works is now clearing for emergency vehicles.
Permanent Work

• Category C: Road Systems
• Category D: Dams and Levees
• Category E: Buildings
• Category F: Utilities
• Category G: Parks and Other
Category C - G

For IDA work:

- Identify if facility is under another federal authority such as FHWA, USACE or NRCS
- These are NOT ELIGIBLE:
  - Increased operating costs
  - Lost revenue
  - Deferred maintenance
  - Natural features
  - Landscaping
Category C-G

For IDA work:

- Estimate whether or not the facility is more than 50% damaged
  - If not estimate repair costs
  - If so, use estimated replacement costs
- Do not expend effort on investigating applicable codes and standards. There is insufficient time during an IDA
- Identify if facility is covered by insurance (note deductible amount)
- Repair to pre-disaster design, capacity, and function
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<th>Brief Description of Damage or Cost</th>
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Description (Category A):
High winds deposited estimated 10,000 CY of debris city wide. Force Account OT and equipment total for clearance, pick up and disposal est. $120,000.

Comments (Category A):
Existing debris endangers residents, and impedes traffic. Public works is now clearing for emergency vehicles.

Description (Category C):
Erosion of subgrade caused road failure 130 ft x 24 ft x 10 ft, estimate contract cost $250,000

Comments (Category C):
Road closure necessitates alternate routes in excess of 5 miles
## OEM's Public Infrastructure Summary

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20
Public Assistance
Joint PDA
Preliminary Damage Assessments

• A Preliminary Damage Assessment (PDA) identifies the initial cost estimate of damages for governmental agencies, private non-profits, and tribal governments.

• This is a two step process: 1\textsuperscript{st} IDA by counties, 2\textsuperscript{nd} PDA by Joint State/FEMA teams to verify costs.

• Damage estimates are consolidated by county to determine if federally mandated thresholds by county has been reached ($3.50 FY14).

• Additional statewide threshold must be met to be considered for disaster aid ($1.39 FY14).
Disaster Declaration Criteria
Public Infrastructure Assistance

Primary factors considered when evaluating the Governor’s request for a declaration

- Cost *(for eligible work)*
- Local impacts
- Existing insurance coverage
- Hazard Mitigation
- Recent disaster history
- Other federal programs

23
Process of Joint Infrastructure PDA

BACKGROUND - FACTORS CONSIDERED (1 OF 2)

- Estimated cost of eligible assistance
  - Statewide per capita impact of $1.39 *(FFY 14)*
  - Countywide per capita impact of $3.50 *(FFY 14)*
  - Minimum of $5 million statewide - 44 CFR 206.48 (a)(1)
    - Memorandum from Executive Associate Director, 9/30/13

- Localized impacts
  - Consider extraordinary concentration of damages
  - Consider impact to critical facilities - 44 CFR 206.48 (a)(2)

- Insurance coverage
  - Consider amount in force *(and should be in force with regards to flood insurance)*
  - Reduce damage cost by anticipated proceeds - 44 CFR 206.48 (a)(3)
Process of Joint IS PDA

BACKGROUND - FACTORS CONSIDERED (2 OF 2)

- Hazard mitigation
  - Consider extent mitigation efforts reduced disaster damages - 44 CFR 206.48 (a)(4)

- Recent multiple disasters
  - Consider past 12-month disaster history locally and statewide
  - Stafford Act assistance and declarations by the Governor - 44 CFR 206.48 (a)(5)

- Other Federal programs
  - Consider availability of other appropriate Federal assistance - 44 CFR 206.48 (a)(6)
Types of Information

Examples of Impacts

Q. How do you determine impacts?

A. Ask questions to determine severe impacts.
   ✓ “What life, health and safety threats exist?”
   ✓ “Are there isolated segments of the population?”
   ✓ “What local resources were committed?”
   ✓ “What are the effects on business and commerce?”
   ✓ “How will repairs be made? Scheduled? Paid for?”
   ✓ “What happens if no federal assistance is made available?”

Examples of impacts
   ✓ Existing debris endangers residents, and impedes traffic
   ✓ Emergency vehicles cannot pass
   ✓ Road closure necessitates alternate routes in excess of 5 miles
   ✓ No additional local and county resources exist
   ✓ Severe loss to tax base
   ✓ Limited water treatment capacity exists
### Preliminary Damage Assessment (PDA) Summary Form

#### A. General Impact

1. **Identify and Describe Damages Which Constitute a Serious Health and/or Safety Hazard.**
   - Debris has restricted road access and presents a health hazard due to potential rodents and other insects. Bridge failure resulted in loss of access to residences, bus route lost. Restricted access on damaged roads is a safety hazard for emergency vehicles and local residents. Building unstable, potential for failure. Water supply threatened. Water supply pump station off-line.

2. **Population Adversely Affected Directly or Indirectly by the Loss of Facilities or Damages?**
   - Bridge failure, access to residences limited on rough roads, hazardous to emergency vehicles. Loss of county police station.

3. **What Economic Activities Are Adversely Affected by the Loss of Public Facilities or Damages?**
   - Loss of county police station, major risk to public. County police have been meeting in court house.

#### B. Response Capability: Can the Applicant Respond and Recover from the Damages Quickly and Without Degradation of Public Services? Describe.

No, damage is extent enough to take from county employee's normal routine.

#### C. Impact on Public Services If Declaration Is Not Made:

- e.g., Deferral of permanent repairs, impact on ongoing services and capital improvements, etc. Describe.
  - Significant hardship on remaining budget - 3/4 of fiscal year remaining with only half of budget available. Disaster damages would require more than remaining maintenance budget.

#### Part II - Cost Estimate - Summary (Complete Site Estimate Before Summarizing Below)

<table>
<thead>
<tr>
<th>Category</th>
<th>NO. of Sites</th>
<th>Types of Damage</th>
<th>Cost Estimate</th>
<th>Potential Local Funds for Recovery</th>
<th>FUND/ACCOUNT</th>
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<td>E</td>
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<td>Buildings and Contents</td>
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<td>Parks &amp; Other</td>
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**Total:** $17,906,399.00

#### Part III - Disaster Impacts (Use Separate Sheets If Necessary)

- **Debris Removal:** $179,000.00
- **Emergency Protective Measures:** $65,089.00
- **Bridge Destroyed:** $1,500,000.00
- **Washouts/Culverts:** $162,750.00
- **Water Control Facilities:** $213,460.00
- **Buildings and Contents:** $14,720,000.00
- **Public Utilities:** $966,100.00
- **Parks & Other:** $100,000.00

[http://www.oregon.gov/OMD/OEM/Pages/fin_rec/IDA.aspx](http://www.oregon.gov/OMD/OEM/Pages/fin_rec/IDA.aspx)
## PDA Summary of Damages

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<th>Jurisdiction</th>
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<td>$ 576,108</td>
<td>$ 3,758,089</td>
<td>5,117.07</td>
<td>$ 0.73</td>
</tr>
</tbody>
</table>

**For this example state per capita impact of $0.73**

**Total estimated damages**

**Total state population**
Local Representative’s Role

• Provide knowledgeable person to accompany team

• Provide overview and specific disaster damage data

• Provide summary of disaster impacts

• Have cost documentation ready - make copies of cost documentation (provide rationale for cost estimate)

• Provide additional relevant information
PDA Cost Limitations

- **Only** Damages Occurring within the *Identified Event Period*
- Cost to return back to pre-disaster *Condition, Function, and Capacity*
PDA Cost Limitations

- Cannot recognize potential mitigation (pre-disaster only)
- Negligence
- Inactive facility
- Contingencies
- Other Federal Authorities
- Insurance
State’s Role

- Collect Initial Damage Assessment data
- Identify need for Preliminary Damage Assessment (PDA) for public facilities
- Request and participate in Joint PDA with FEMA
- Coordinate PDA collection with counties, State agencies, and potential applicants
- Prepare Governor’s letter of request to President for a Major Disaster Declaration

*OEM has 30 days from date of disaster to request Major Presidential Declaration*
Joint PDA Team Visit

• Federal/State team(s) checks in with County Emergency Management Office

• Federal team typically consists of
  - FEMA Project Officer
  - FEMA Environmental Officer
  - FEMA Mitigation Specialist
  - FEMA Technical Specialist (pending damage)
  - State Representative
  - Local Representative
Conducting the PDA

- When possible, use same local inspectors as those used in the IDA
- The team may need transportation to sites
- Other program PDAs will most likely be in process - One group of teams will assess dwellings and businesses
- Other teams will assess infrastructure and emergency response costs (PA, FHWA)
Conducting the PDA

- 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 (USACE, DSL).
- Make all environmental information available.
- Consider mitigation (Part 406).
- Keep good records (maintain all correspondence with regulatory agencies).
Need to Make Repairs before FEMA arrives?

Document by:

- **Take pictures** – photos, videos, digital
- Immediately repair only what is needed to preserve health and safety – take pictures *before* repairs
- Crews need to **document damages** and **actions taken** in daily logs
- Track labor costs by person by project
- Track equipment and material costs by site
- Keep a log of correspondence with regulatory agencies
Need to Make Repairs cont..?

- Historic Properties (45 years or older?)
  - Don’t demolish
  - Only do bare minimum

- Archeological – Call (SHPO) before you dig (altering a previously undisturbed area, or preparing debris staging sites)

- Within 150 feet of waterway? – complete Hazard Notification form to USACE
Need to Make Repairs cont..?

Environmental /Historic precautions

• **Document emergency contacts** with USACE, DSL and SHPO...
  
  (Who, what, where, when, and why) Follow up with letter or email.

• Document! Document! Document!

• Understand your local and Federal contracting procedures
Prepare for Future Disasters

- Establish disaster accounting system
  - Track damage repair by sites
  - Keep event cost separate from normal activities
- Create list of agencies/departments/sites that need to be contacted for IDAs – identify points of contacts
- Pre-identify who will be responsible for collecting and collating IDA information for your jurisdiction
Prepare for Future Disasters

• Pre-identify the major components of your infrastructure that need to be checked for damage after event:

  -- Water  -- Surface Water Drainage
  -- Sewer  -- Roads
  -- Electrical  -- Natural Gas
  -- Parks  -- Telecommunications
  -- Solid Waste  -- River Revetments
  -- Buildings  -- Fairgrounds
Prepare for Future Disasters

• Donated Resources (often not documented)
  – Labor, Equipment, Materials
  – CERT; Search and Rescue; Sandbagging
    (time in/out)
Federal Emergency Management Agency
Public Assistance Grant Program & Cost Documentation
Authorities & Purpose

• Stafford Act – Law
• Sandy Recovery Improvement Act (SRIA) of 2013 - adds section 428 to the Stafford Act
• 44 CFR – Regulation
• FEMA Policies 9500 Series
• FEMA Publications & disaster specific guidance

Sandy Recovery Improvement Act (SRIA) of 2013

Two New Pilot Programs in place:

• Alternative Procedures for Debris Removal
• Alternative Procedures for Permanent Work

Specific Goals

• Reduce costs to the Federal Government for providing assistance through the PA program
• Increase flexibility
• Expedite Assistance
• Provide incentive/disincentive for timely, cost-effective completion of projects
Public Assistance Grant Program

Mission: To provide supplemental financial assistance to state, local and tribal governments, and certain private non-profit organizations for response and recovery activities required as the result of a declared disaster.

Funding is cost shared at a federal share of no less than 75% of eligible costs.
Overview of the PA Process

1. Disaster
2. Emergency Response
3. IDA - PDA
4. Request for Declaration
5. Presidential Declaration
   - JFO established
6. Small Project PW >$68,500 (FY14)
7. Large Project PW >$68,500 (FY 14)
8. Project Formulation
   - Small
   - Large Project Worksheets (PW)
9. Applicant Briefing
   - Request for Public Assistance (30 days)
10. Kickoff Meeting
    - List of projects (60 days)

Grantee (OEM)
Subgrantee (Applicant)
Eligible Applicants

- Native American Tribal Governments and Tribal Organizations
- State
- County
- City / Town / Village
- Other political subdivision of the State
- Certain Private Non-Profit Organizations

A **grantee** is a State or tribal government that is responsible for administering Public Assistance grants.

A **subgrantee** is an eligible applicant that receives a Public Assistance grant as reimbursement for performing eligible disaster work.
Facility Means

Any publicly or privately owned building, works, system, or equipment, built or manufactured, or an improved and maintained natural feature. Land used for agriculture purposes is not a facility (44 CFR 206.201.)
To be eligible, the facility must:

- Be the legal responsibility of an eligible applicant
- Have been in active use at the time of the disaster
- Be damaged as a result of the declared disaster
- Be located in the designated disaster area
Work Eligibility

To be eligible, the work must:

- Be disaster related
- Be located in the designated disaster area
- Be the applicant’s responsibility
- Not be fundable by another federal agency
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—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
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
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

<table>
<thead>
<tr>
<th>Debris Removal Completed (Days from start of incident period)</th>
<th>Federal Cost Share</th>
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<tr>
<td>0 - 30</td>
<td>85%</td>
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<tr>
<td>31 - 90</td>
<td>80%</td>
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<tr>
<td>91 - 180</td>
<td>75%</td>
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</table>

Federal dollars will NOT be provided for debris removal after 180 days (unless time extension by FEMA granted)
SRIA 2013 – Recycling Revenues (Debris)

- Applicant may retain revenues received through recycling eligible disaster debris
  
  • The State (Grantee) must receive notification and documentation of the revenue received, to include description of quantity and types of debris recycled and the cost to recycle
  
  • The cost to establishing and managing the recycling program or process cannot be claimed as a direct project cost
  
  • Applicant can use revenues from debris recycling only for approved purposes
Applicants can use revenues for only the following purposes:

– to meet the local share of Public Assistance grant funding for debris removal;

– to develop comprehensive disaster preparedness and assistance plans, programs, and capabilities;

– to conduct activities that reduce the risk of future damage, hardship or suffering from a major disaster;

– or to improve future debris removal operations or planning.
Activities that improve future debris removal operations and planning may include:

- Developing debris management plans
- Updating or revising existing plans
- Enhancing jurisdiction landfill-management sites
- Purchasing debris recycling equipment
- Purchasing software and hardware products to facilitate quantifying disaster debris
- Purchasing software for debris load management to assist in tracking trucks, drivers and routes

If revenues are not used for an authorized purpose, grant funding will be reduced by the amount of that revenue as program income.
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 Management Plans

An Applicant with a FEMA-reviewed Debris Plan prior to the incident period: FEMA will provide a one-time incentive of 2 percent cost share adjustment applied to debris removal work completed within 90 days.

- FEMA will review plans presented through the grantee
- This one time incentive will not be available to the same Applicant again during the course of the pilot
- Plans must be reviewed and accepted by FEMA prior to the event
- Must have at least one or more pre-qualified debris contractors and must comply with Federal procurement requirements
SRIA 2013 – Debris Management Plans

Plans should include all the following 12 elements (FEMA’s checklist):

• Debris Management overview
• Events and assumptions
• Debris collection and removal plan
• Debris disposal locations and debris management sites
• Debris removal on private property
• Use and procurement of contracted services
• Use of force account labor
• Monitoring of debris operations
• Health and safety requirements
• Environmental considerations
• Public information
• Identification of one or more prequalified debris removal contractors
All Applicants that participate in the pilot program must submit 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 or large projects participating in pilot*
Emergency Work- Category B

Emergency Protective Measures are actions taken by a community before, during, and following a disaster to save lives, protect public health and safety, or eliminate immediate threat of significant damage to improved public and private property through cost effective measures.
New FEMA Guidance

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
FHWA & FEMA

- Applies **only** to debris removal from Federal-aid highways
- FHWA ER program will not fund debris removal when the county is declared for PA
- Applicants still need to track:
  - location and quantity of debris
  - temporary staging areas
  - final disposal locations
  - costs
Federal Emergency Management Agency
Response and Recovery Directorate Policies

**Donated Resources # 9525.2**
- Offset the cost of the non-Federal share on Category A and B Only (capped)
- Applies to eligible emergency work only

**Labor Costs, Emergency Work# 9525.7**
- *Only Overtime & OT benefits are eligible (Force account)*
- Temporary employees (disaster direct hire) straight and OT rate eligible
- Contract costs are eligible

Mutual Aid Agreements & *SRIA Alternate Procedures Pilot Program – Debris Removal*
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
- All labor, equipment, and material donations must issue from “disinterested third parties”. The value of any donation cannot be claimed as project costs by the claimant or any other Public Assistance applicant.
Donated Resources...

- Eligible donated services can only be actual working time for **protective efforts in Category A or B**.
- Valued at the same rate as paid workers for similar work
- Record the same as Force equipment
- Value determined by FEMA Equipment Rates
- Record the same as purchased materials
- Value at current commercial rate
- Materials donated by Federal Agency not eligible
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
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 ($68,500 for FY 2014) the project is processed as a small project. If the project cost equals or exceeds the threshold the project is processed as a large project.

<table>
<thead>
<tr>
<th>Small Projects</th>
<th>Large Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Federal cost share is paid upon project approval</td>
<td>- Federal cost share is paid as work is accomplished</td>
</tr>
<tr>
<td>- Funding is based on an initial cost estimate</td>
<td>- Final assistance is based upon actual costs incurred or approved estimate</td>
</tr>
<tr>
<td></td>
<td>- Quarterly Reports Required on all open large projects!</td>
</tr>
</tbody>
</table>
Improved Projects

With FEMA/State approval, the applicant may restore pre-disaster function, and make improvements

- Applicant is financially responsible for improvement

* SRIA, exception of Alternate Procedures – subgrant based on fixed estimate
Large or Small Alternate Projects

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

- Must receive FEMA/State prior approval.
- Require environmental review.
- Reduced to *90% of federal share

*For elimination of reduced eligible funding, participation in SRIA - Alternate Procedures Subgrant based on fixed estimate is required.

Note: SRIA is available for Large Projects only.
Participation in the permanent work pilot is based on a Subgrantee agreeing to a fixed estimate subgrant (PW); This pilot procedure includes:

**Grants Based on Fixed Estimates**
- Consolidated Applicants (multiple projects with different categories)
- Elimination of Alternate Project Penalty
- Use of Excess Funds

- Applicants are responsible for costs above the fixed estimate
- Applicants have flexibility in use of funds within the fixed estimate
SRIA 2013 - Alternative Procedures
Pilot Permanent Work

• Voluntary.
• Alternative procedures are only for large projects, on a project by project basis.
• **To participate, the Applicant must agree to participate in the grants based on fixed estimates procedure before having access to other alternative procedures.**
• FEMA does not require all features to be selected to participate in the pilot program.
• Eliminates the mandatory Federal cost share reduction for alternate projects
• This alternative procedure is a requirement to gain access to the other procedures.
• FEMA will approve funding for a large, uncompleted, permanent work projects on the basis of a fixed estimate.
• Applicant accepts responsibility for costs above estimate.
• FEMA review for compliance with environmental and historical-preservation laws, executive orders, and other regulations must be completed before work can take place.
FEMA, the State and the Applicant must agree on the damage description and scope of work before completing the cost estimate. **Cost estimate agreement must be reached within 9 months of the declaration date.**

- FEMA will conduct all applicable reviews of the project in accordance to standard procedures, including EHP compliance.
- Cost estimates for individual site or facilities may include approved Section 406 hazard mitigation.
SRIA 2013 - Cost estimates for Grants Based on Fixed Estimate

- Either FEMA or a applicant may prepare estimates for fixed estimate PWs
- FEMA will prepare estimates using CEF
- FEMA will consider applicant-prepared cost estimates that:
  - Have been prepared by a professionally licensed engineer, mutually agreed upon by FEMA and the applicant.
  - Are properly conducted and certified
  - Comply with regulations, policy and guidance
SRIA 2013 – Consolidated of Grants Based on Fixed Estimate Projects

- Applicant may consolidate projects from different categories of work (C – G).
- Applicant may divide consolidated funds among several different facilities or sites.
- Applicant must notify FEMA/State within 12 months of declaration date.
- FEMA must ensure compliance with applicable EHP laws, regulations, and executive orders before the Applicant initiates construction.
- Funds may not be used for facilities or equipment not otherwise eligible for PA program funding.
SRIA 2013- Use of excess funds

When the actual cost of a project is less than the fixed estimate, a applicant can use the excess funds for PA program-related purposes. The Applicant will notify the State in writing of its intent to use the excess funds. FEMA will prepare a new project worksheet to document the use of these funds.

Allowable uses:

• Hazard mitigation activities
• Activities that improve future PA program permanent operations,
• For consolidated projects - otherwise-eligible PA program project activities, such as improved projects, alternate projects, etc..
SRIA 2013 – Use of excess funds

Unacceptable uses include:

• Payment of debts
• Payment of non-federal share of PA program projects or other federal grants
• Operating expenses
• Cost overruns in other PA program projects (that are not part of the consolidated projects)
• Incorporations into a community’s General Fund
• Restoring or repairing a facility not damaged in the declared disaster (hazard mitigation excepted)
• Restoring or replacing a facility that would not otherwise be eligible for PA program funding.
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 (most be reviewed/approved by FEMA/State)

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
Cost Eligibility

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
Costs & Reasonable Reimbursement

• Normal procedures must not be altered because of the potential for reimbursement from Federal funds

• Reasonableness Criteria
  – Must be fair and equitable
  – Applicable to type of work
  – “Prudent” person decision
  – Is cost ordinary and necessary for facility and type of work?
  – Were actions taken in prudent manner?

• Reasonable costs can be established through
  – Historical documentation for similar work
  – Average costs for similar work in the area
  – Published unit costs (RS Means)
  – FEMA cost codes
Eligible Contracts

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

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

Make sure all parties know that the contract involves federal funds
Federal Contracting Standards

• Must maintain records in sufficient detail to reflect history of procurement, including rationale for the method of procurement, the basis of contractor selection, and the basis for the contract price

• Prohibited from using Time and Materials contracts unless there is no other contract suitable and the contract includes a ceiling price that the contractor exceeds at its own risk (FEMA discourages)

• **Prohibited** from using a Cost plus Percentage of Cost contract arrangement
Federal Audit Findings & Issues

• Noncompetitive contracts continuing after emergency periods
• No cost or price analysis for noncompetitive contracts
• Use of inappropriate contracts – Cost plus Percentage of Cost, Verbal, and Time & Materials
• Poor contract monitoring
• Absence of procurement history (documentation)
• Unreasonable contract prices
• Failure to ensure compliance with federal contract provisions
• Lack of Internal Controls (contract administration)
Accepted Procurement Methods

• Small purchase procedures
• Sealed bids
• Competitive proposals
• Non-competitive proposals
Small Purchase Procedures

- Small purchase procurement is an informal method for securing services or supplies that do not cost more than $100,000 by obtaining several price quotes from different sources.

NEED TO WORK ON

Always use the most restrictive limit in effect for your jurisdiction.
Sealed Bids

• This is a formal contracting method where:
  – The bids are publicly advertised and solicited
  – Cost analysis is required
  – The contract is awarded to the lowest responsible bidder and lowest price
  – This method is the preferred method for procuring construction contracts
Competitive Proposals

• Similar to sealed bid procurement
• Cost analysis is required
• Contracts are awarded on the basis of contractor qualifications instead of on price
• This method is generally used for procuring architectural or engineering professional services

Note: Consultant agreements and Personal Services contracts fall into this category
Non-Competitive Proposals

• A proposal is received from only one source
• Document why you chose this type of contract
• Cost-analysis is required
• Only use when the award of a contract is not feasible under small purchase procedures, sealed bids, or competitive proposals, and one of the following circumstances applies:
  – The item is available only from a single source
  – There is an emergency requirement that will not permit delay
  – FEMA may authorize noncompetitive proposals
  – Solicitation from a number of sources has been attempted, and competition is determined to be inadequate.
Emergency Contracting

• Emergency Proclamation must waive the competitive bid process and be in place prior to signing any emergency contracts
• Document all contract procurement actions
• Ensure Cost Analysis is performed
• Get your contracting office involved ahead of time
• Follow up within a short period with open, competitive process
Acceptable Contracts

- Lump Sum Contracts
- Unit Price Contracts
- Cost Plus a Fixed Fee Contracts
Lump Sum Contracts

• Competitive process
• Can be either sealed or competitive negotiation
  – Sealed Bid: Contractors bid a firm fixed price bid including all labor, equipment, materials, overhead, & profit
  – Competitive: Contractors submit proposals based on pre-stated factors
• Well defined & reasonable scope of work
• Amendments or Change Orders are by exception
• Except for rare amendments, contract price will not change
Unit Price Contracts

- Often used when quantities needed to do the work are not known in advance
- Units of work determined in advance by unit of measure; i.e. CY, LF
- Competitive process
- Bid price is “in place” cost including labor, materials, equipment, overhead, & profit
- Bid price is all-inclusive - **not broken out**
- Often awarded on an annual basis to multiple firms to insure availability & price competition
- Prices must be deemed reasonable
Time & Materials Contracts

• Local & State procurement guidelines must be followed
• Accepted only in very limited situations
• Generally not more than 70 hours for work that is necessary immediately after a disaster when a clear scope of work cannot be developed
• Requirements
  – Must have a written scope
  – Must have a cost ceiling or “not to exceed” provision
  – Strict monitoring & documentation of expenses
  – Cost must be reasonable & work must be approved and within the scope
  – Prescribed duration for emergency work only
Time & Materials Contracts

• Cost structure for labor to include overhead & profit
  – Overhead and profit **must not** be broken out separately
• Use FEMA approved equipment rates
• Competition still a requirement unless emergency occurs that requires immediate response or there is no available competition
• Check on debarred/suspended status
Piggyback Contracts

• A concept of expanding a previously awarded contract.
• Does not meet the requirements of 44 CFR 13
  – it is non-competitive
  – may have an inappropriate price structure
• This type of contract is not eligible.
  – However, FEMA may separately evaluate and reimburse costs it finds fair and reasonable. This is extremely rare!
  – Limited dollar amount
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
Two Ways to Complete Work

- By Contract
- By Force Account
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
# Eligible Labor Costs...

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

*Regular time eligible for subgrantee participation in SRIA Debris Removal Pilot (Category A only)
Eligible Cost Equipment

- Performing Eligible Work – all eligible usage
- FEMA Equipment Rates or Applicants, whichever is less
- Rental - Invoice
- Auto/Truck – Mileage or Hourly Rate
- Other equipment – Hourly Rate
Eligible Cost Materials

- Used for eligible work
- Purchased or from stock
- Invoices, historical data or area vendor quotes
& The FEMA SUMMARY FORMS
From The Get Go

Documentation should begin immediately, at the very beginning of your disaster response.

- Start record keeping during the response
- Separate files for each work site
- 3 damaged streets – 3 files

The primary reason that local governments fail to receive reimbursement is the lack of properly documented disaster costs. Since federal payments are based on Project Worksheets, final inspections and audits, the proper documentation of costs is an absolute requirement.
Documentation

*In Summary*

- Create a filing system
- Designate a specific person to coordinate the accumulation of records
- Separate Action/Project related activities from normal activities – do not combine Actions/Projects
- Summarize costs by Action/Project
- Update and close Action/Project
Who Documents Costs?

- Central Record Keeper
  - Appoint in advance
  - Train *(OEM offers online “Go To Meeting Training”)*
  - Forms
  - Computer version or manual version
- Field Records
  - Supervisors
  - Train
  - Forms/daily logs
FEMA Project Worksheet Workbook

The MS Excel FEMA Summary Forms

- Payroll Data (Fringe Benefits)
- Applicant’s Benefits Calculation Worksheet
- Force Account Labor Summary Record
- Equipment Inventory Form
- Force Account Equipment Record
- Force Account Materials Summary Record
- Contract Summary Record
- Rented Equipment Record
Fringe Benefit Rate Sheets

- Accrued annual leave
- Sick leave
- Administrative leave
- Holiday leave
- Compensatory leave

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

Fringe is often overlooked, should be calculated in advance. Take note, that certain items in a benefit package may not be dependent on hours worked (i.e., health insurance), the fringe rate for overtime hours should be significantly lower than regular hours.
### Payroll Data Sheet (individual employee)

- **Employee name**
- **Job classification or description**
- **Hourly base rate**
- **Benefits for regular and overtime**

Based upon pre-disaster regular, overtime compensatory & exempt payroll policies.
**Benefit Calculation sheet**

*Based upon average for agency*

- Accrued annual leave
- Sick leave
- Administrative leave
- Holiday leave
- Compensatory leave
- Retirement
  
  *Percentage matched by employer*

- Social Security & Unemployment
  
  *Percentage paid by employer*

- Insurance
  
  *Varies by employer*

- Workman’s Compensation
  
  *Varies by employer*
Force Account Labor Summary

Permanent and temporary employees must be on payroll

Records must show:
- Pay period
- Employee name
- Job classification
- Total hours worked for pay period
- Employee hours worked each day for particular project
- Total hours worked on a particular project
- Rate of pay and breakdown of fringe benefits
## Force Account Labor Record

<table>
<thead>
<tr>
<th>Employee Name/Title</th>
<th>Status</th>
<th>Rate</th>
<th>Hours Worked Each Week</th>
<th>Number of Hours</th>
<th>Total Hours</th>
<th>Total Salary</th>
<th>Total Hours</th>
<th>Total Salary</th>
<th>Total Hours</th>
<th>Total Salary</th>
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<tbody>
<tr>
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<td>Robert Martinez</td>
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</tr>
</tbody>
</table>

**Total Hours:** 100.00  
**Total Salary:** $9,000.00

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*Note: Information is obtained from Payroll records, time logs, or other documents that are available for audit.*
Equipment Summary

Equipment used on each project (both owned & rented) must be documented.

Records must show:
- Equipment type
- Make
- Model
- Horsepower (if applicable)
- Capacity Size
- FEMA Cost Code
- Project
- Operator
- Hours used each day – total cost for each piece of equipment
Can be completed in advance

Preparing a list in advance will facilitate the determination of the correct rate to charge
Equipment must have an operator!

If a piece of equipment is used that does not have a FEMA rate, FEMA will determine applicable rate.
A record of materials and supplies purchased or taken from stock must be kept for each project.

Claims from stock must be supported by copies of the original invoice or invoice replacement of stock.
Copy of method of procurement & selection, contract and all invoices must be in the project file

Each contract invoice must include description of work done, date of work, name of contractor, invoice number, and amount billed.
Project Worksheet Administration

• Documentation !!!
• Responsibility of the subgrantee
• The Project Worksheet (PW)
  – Identifies the worksite(s)
  – Has a unique I.D. number
  – Specifies eligible costs / scope of work
  – Sets time limitations for completion
• Only approved work is eligible
Project Worksheet Development – Subgrantee (Applicant) Responsibility

• Identify and recover all eligible costs incurred as direct result of incident period (identify within 60 days from Kick-Off meeting)

• Provide the information needed for the FEMA/State team to prepare the Project Worksheet

• Have source documents and summaries readily available for validation by the FEMA/State team
The PW is a complete package of the summaries and supporting documents of the FEMA eligible project/subgrant.
Project Worksheet Development –
Subgrantee Responsibility (Applicant)...

- Provide a brief narrative describing the eligible work performed by the applicant.
- Contact regulatory agencies and document correspondence.
- Be prepared for future audits or other financial reviews.
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
Summary

• Applicant representative must keep departments informed of which projects are FEMA funded.
• If you are a PM for a FEMA project, know your jurisdiction’s applicant representative.
• Know the FEMA approved scope of work and keep the State (grantee) informed throughout the project.
• Be prepared to submit consultant agreements; 30%, 60%, 90% and 100% plans, specs, & estimates; bid tabs; and all change orders.
• **Not doing the above will jeopardize your funding**
**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
Subgrantee Administrative costs

Direct Administrative Costs (DAC) – are costs incurred by the grantee and subgrantee that can be identified separately and assigned to a specific project. Such costs can include staff’s time to conduct an initial inspection, prepare and submit a Project Worksheet (PW), prepare documentation for reimbursement and make interim and final inspections of the project. DAC costs must be task identified.

See specific FEMA Policy Disaster Assistance Policy No.9525.9 and 2 CFR 225 (OMB A-87) for details
Direct Administrative Costs

• Specific to a project
• How to track
  – Track by each individual project
  – Track hourly time for each employee
  – Use timesheet / spreadsheet*
• Includes staff time and equipment
  – Compiling labor, equipment, materials documentation
  – Compiling environmental contact documentation
  – Compiling Plans and Specification documentation
  – Compiling contract documentation
• * OEM has developed an Excel Spreadsheet for Daily DAC Log
  – (Request copy)
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.

FEMA Project Completion Deadlines

- Emergency Work (category A & B): 6 months from declaration.
- Permanent Work (category C-G): 18 months from declaration.

State has authority to grant an additional 6 months for emergency work and 30 months for permanent work.
Additional Resources

- Stafford Act
- 44 CFR
- FEMA 9500 policies series
- 2 CFR 225
- FEMA PA Publications
- Oregon Emergency Management
- FEMA Public Assistance policies & publications

SRIA Alternate procedures web link
http://www.fema.gov/alternative-procedures

IDA/PDA forms and guidance documents
http://www.oregon.gov/OMD/OEM/Pages/fin_rec/IDA.aspx
Questions?