

FEMA DR-4255-TX
**TEXAS DIVISION OF EMERGENCY
MANAGEMENT**

Applicant's Public Assistance Briefing
Step 1 of Future Potential Reimbursement

Step 2 is FEMA Kick-off meeting

Step 3 is Your Responsibility



Declared Disaster Summary

- Number: DR 4255
- Declared: February 9, 2016 (PA & HM)
- Type: Severe Storms, Tornadoes, Straight-line Winds and Flooding
- Incident Period: December 26 2015 to January 21 2016 inclusive
- Cost Share: 75% Federal Share and 25% Non-federal/Local Share



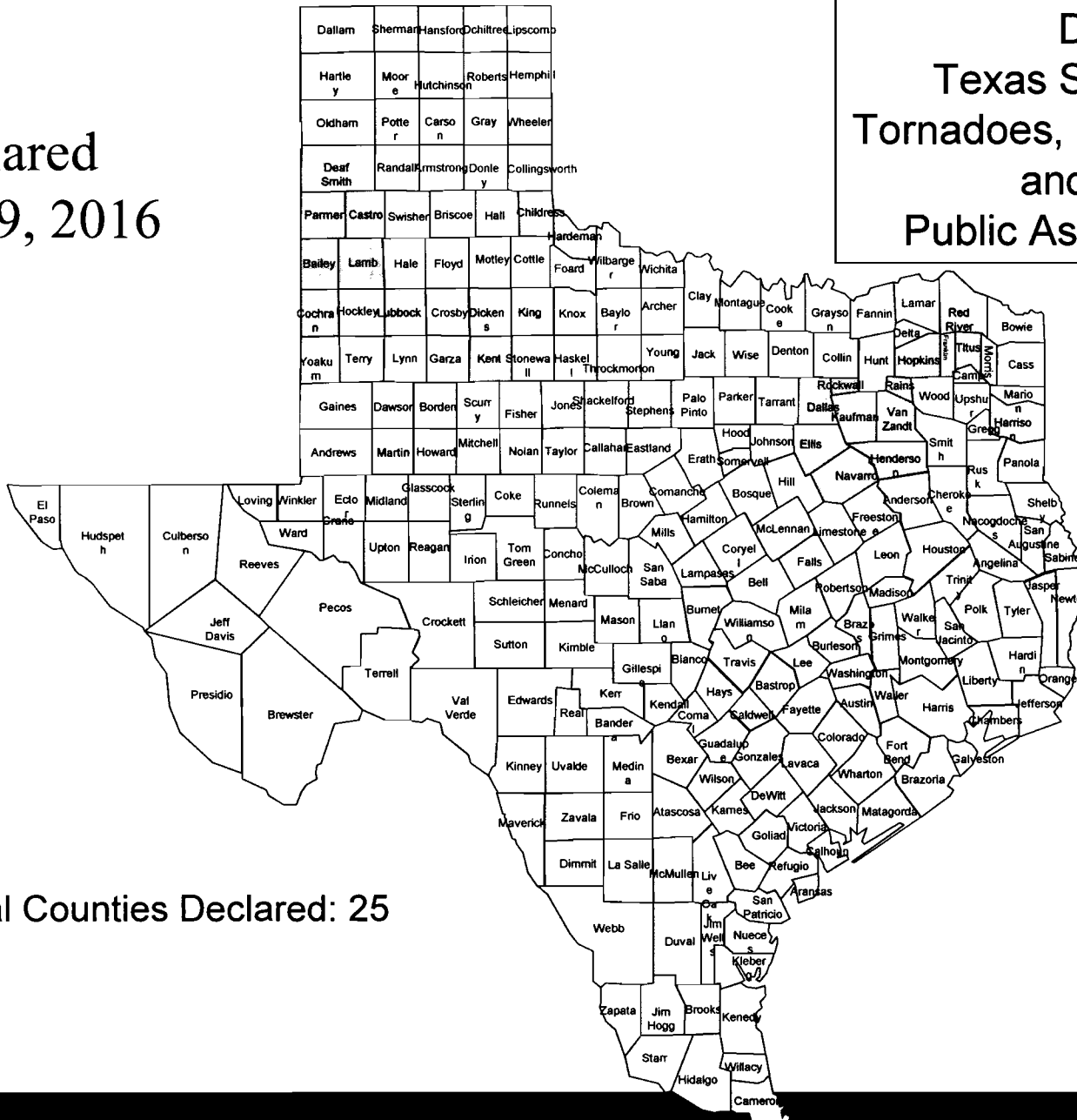
Declared Disaster Summary

- Types of Public Assistance (PA)
 - Categories A – G
- Number of Declared Counties:
 - 25 (Bailey, Castro, Childress, Cochran, Dallas, Deaf Smith, Dickens, Ellis, Hall, Hardeman, Harrison, Henderson, Hopkins, Kaufman, Kent, King, Lamb, Lubbock, Navarro, Parmer, Rains, Red River, Rockwall, Titus, Van Zandt)
 - Possible future add-ons



Declared
Feb 9, 2016

DR 4255
Texas Severe Storms,
Tornadoes, Straight-line Winds
and Flooding
Public Assistance Eligible



Total Counties Declared: 25



Declared Disaster Summary

- Hazard Mitigation Grant Program (404)
 - Assistance for actions taken to prevent or reduce long term risk to life and property from natural hazards
- Declared Counties
 - All areas in the State of Texas are eligible for assistance
- Contact 512-424-5489 or email TDEM-Mitigation@DPS.Texas.Gov for additional information and assistance



Overview

- Authority - PL 93-288, as Amended, Robert T. Stafford Relief and Emergency Assistance Act
- Sandy Recovery Improvement Act (SRIA)
- 44 CFR Section 206 – Federal Disaster Assistance
- 2 CFR Section 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (super circular)
 - (Replaces OMB Circulars -87, -122, -110)



Overview

NEW: Public Assistance Program and Policy Guide,
dated January 2016
FP 104-009-2 (do search)

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

Replaces: Public Assistance Guide FEMA 322
Public Assistance Policy Digest
FEMA P-321
Public Assistance Applicant Handbook
FEMA 323



Overview

NEW: Public Assistance Program and Policy Guide,
dated January 2016
FP 104-009-2 (do search)

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

Replaces:

- Many 9500 series DAPs
- PA Debris Management Guide FEMA 325
- PA Debris Monitoring Guide FEMA 327
- PAAP for Debris Removal FAQ
- PAAP Debris Removal Mgt Plan Review Job Aid
- PAAP Permanent Work FAQ



What is the Public Assistance Program?

The Public Assistance Program is a reimbursement program that provides funding to eligible applicants who have suffered damages as a result of a Presidential disaster declaration and whose damages are within a designated area for Public Assistance. Funding under this program is limited to repairing or replacing damaged items/facilities to their pre-disaster condition at the approved cost share. Additional funding may be provided once all other financial offsets have been exhausted. (Ex: insurance; cash donations; other grant awards).

Must maximize insurance claim efforts

FEMA is funding of last resort



Local Governments

- Towns, Cities, Counties, Municipalities, Townships
- Local Public Authorities
- Councils of Governments
- Regional and interstate government entities
- Agencies of local governments

Note: **Each entity must apply and represent itself**

- A town or city cannot be represented by the county
- An ISD cannot be represented by the town



Critical and Non-Critical PNPs

Must have IRS 501 or State Charter / Articles of Incorporation as PNP

- **Critical Service
PNPs**

- Educational
- Power
- Water
- Sewer and Wastewater
Treatment
- Communications
- Emergency Medical Care
- Fire
Protection/Emergency

- **Non-Critical PNPs***

- Custodial Care
- Essential Governmental Service
- Museums
- Zoos
- Community Centers
- Libraries
- Homeless Shelters
- Senior Citizen Centers
- Rehabilitation Facilities
- Shelter Workshops
- Health & Safety Service of a
Governmental Nature

*(must be open to the general public)

Must apply to SBA first



Facility Eligibility

Any publicly or PNP-owned building, works, system, or equipment or certain improved and maintained natural features.

- General eligibility requirements:
 - Eligible applicant must be legally responsible for the repair of the damaged facility or performance of eligible emergency services
 - Must be in active use at the time of the disaster
 - Caveat: Temporary use issue



Work Eligibility

- General eligibility requirements that apply
 - Direct result of the incident
 - Must be in the designated area
 - Must be the legal responsibility of the applicant
- Each entity must apply for itself

Complete & Submit RPA NLT March 9, 2016!



Cost Eligibility

Generally, costs that can be directly tied to the performance of eligible work.

- Costs must be:
 - Reasonable and necessary to accomplish the work
 - Compliant with Federal, State, and local requirements for **competitive procurement**
 - Reduced by all applicable credits, such as insurance proceeds and salvage values
 - **You must maximize all other \$ resources**



How to apply for assistance



Request for Public Assistance (RPA)

- All eligible applicants
- **Must** be submitted to the State Within **30 Days** of a County's Designation (NLT March 9, 2016)
- Must include **DUNS #** (<http://www.dnb.com/get-a-duns-number.html>)

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY REQUEST FOR PUBLIC ASSISTANCE				O.M.B. NO. 1660-0017 Expires April 30, 2013	
PAPERWORK BURDEN DISCLOSURE NOTICE					
Public reporting burden for this form is estimated to average 10 minutes. Burden means the time, effort and financial resources expended by persons to generate, maintain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (OMB Control Number 1660-0017). You are not required to respond to this collection of information unless it displays a valid OMB number. NOTE: Do not send your completed questionnaire to this address.					
APPLICANT (Political subdivision or eligible applicant)				DATE SUBMITTED	
COUNTY (Location of Damages. If located in multiple counties, please indicate)				DUNS NUMBER	
APPLICANT PHYSICAL LOCATION					
STREET ADDRESS					
CITY		COUNTY		STATE	ZIP CODE
MAILING ADDRESS (if different from Physical Location)					
STREET ADDRESS					
POST OFFICE BOX		CITY		STATE	ZIP CODE
Primary Contact/Applicant's Authorized Agent			Alternate Contact		
NAME			NAME		
TITLE			TITLE		
BUSINESS PHONE			BUSINESS PHONE		
FAX NUMBER			FAX NUMBER		
HOME PHONE (Optional)			HOME PHONE (Optional)		
CELL PHONE			CELL PHONE		
E-MAIL ADDRESS			E-MAIL ADDRESS		
PAGER & PIN NUMBER			PAGER & PIN NUMBER		
Did you participate in the Federal/State Preliminary Damage Assessment (PDA)? <input type="checkbox"/> YES <input type="checkbox"/> NO					
Private Non-Profit Organization? <input type="checkbox"/> YES <input type="checkbox"/> NO					
If yes, which of the facilities identified below best describe your organization?					
Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." *Other essential governmental service facility means museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public."					
Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.					
OFFICIAL USE ONLY: FEMA -		-DR-		FIPS#	DATE RECEIVED

FEMA Form 90-09 AUG 10

REPLACES ALL PREVIOUS EDITIONS



Request for Public Assistance (RPA)

- All eligible applicants
- **Must** be submitted to the State Within **30 Days** of a County's Designation
- **(NLT Mar 9, 2016)**
- Must include **DUNS #**
(<http://www.dnb.com/get-a-duns-number.html>)

SUBMIT TO:

Rebekah Kennedy
Rebekah.Kennedy@dps.texas.gov
512.284.3463 C

COPY TO:

Todd McGinnis
Todd.McGinnis@dps.texas.gov
512.413.8745 C



Applicant Eligibility Determination

- Applicants for Public Assistance
 - Completed RPA
 - Debarment checks (www.SAM.GOV)
 - Entity must be registered in SAM.GOV





USER NAME PASSWORD **LOGIN**
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[Create an Account](#)

[HOME](#) [SEARCH RECORDS](#) [DATA ACCESS](#) [GENERAL INFO](#) [HELP](#)

Login

[Content Glossary](#)

Login
Please Enter your Username and Password to login to SAM. If you do not remember your Username or Password, please use the respective [Forgot Username?](#) and [Forgot Password?](#) links provided below.

Username :

[Forgot Username?](#)

Password :

[Forgot Password?](#)

LOGIN



Additional PNP Information

- Must have IRS 501 or State Charter
- Articles of Incorporation and By-laws as PNP
- Open to the General Public
- Must complete PNP Questionnaire

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY PNP FACILITY QUESTIONNAIRE		O.M.B. NO. 1660-0017 Expires December 31, 2011
PAPERWORK BURDEN DISCLOSURE NOTICE		
Public reporting burden for this form is estimated to average 30 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing, reviewing, and submitting the form. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (1660-0017). Please do not send your completed survey to the above address.		
FEMA and State personnel will use this questionnaire to determine the eligibility of specific facilities of an approved Private Non-Profit (PNP) organization (See 44 CFR 206.221). Owners of critical facilities (i.e., power, water (including providing by an irrigation organization or facility, if it is not provided solely for irrigation purposes), sewer, wastewater treatment, communications and emergency medical care) can apply directly to FEMA for assistance for emergency work (debris removal and emergency protective measures) and permanent work (repair, restore or replace a damaged facility). Owners of non-critical facilities can apply directly to FEMA for assistance for emergency work, but must first apply to the U. S. Small Business Administration (SBA) for assistance for permanent work. If the owner of a non-critical facility does not qualify for an SBA loan or the cost to repair the damaged facility exceeds the SBA loan amount, the owner may apply to FEMA for assistance.		
1. Name of PNP Organization _____		
2. Name of the damaged facility and location _____		
3. What was the primary purpose of the damaged facility _____		
4. Is the facility a critical facility as described above? <input type="checkbox"/> Yes <input type="checkbox"/> No		
5. Who may use the facility _____		
6. What fee, if any, is charged for the use of the facility _____		
7. Was the facility in use at the time of the disaster? <input type="checkbox"/> Yes <input type="checkbox"/> No		
8. Did the facility sustain damage as a direct result of the disaster? <input type="checkbox"/> Yes <input type="checkbox"/> No		
9. What type of assistance is being requested? _____		
10. Does the PNP organization own the facility? <input type="checkbox"/> Yes <input type="checkbox"/> No		
11. If "Yes" obtain proof of ownership; check here if attached <input type="checkbox"/>		
12. Does the PNP organization have the legal responsibility to repair the facility? <input type="checkbox"/> Yes <input type="checkbox"/> No		
13. If "Yes", provide proof of legal responsibility; check here if attached. <input type="checkbox"/> Yes <input type="checkbox"/> No		
14. Is the facility insured? <input type="checkbox"/> Yes <input type="checkbox"/> No		
15. If "Yes", obtain a copy of the insurance policy; check here if attached. <input type="checkbox"/>		
Additional information or comments: 		
CONTACT PERSON		DATE

FEMA Form 90-121, FEB 08



Designation of Applicant's Agent Form (DAA)

- Applicant DAA will remain the primary point of contact and must be included in and authorize all decision-making
- Expertise may be limited but know who to forward to
- Form must be completed and submitted to TDEM

DESIGNATION OF APPLICANT'S AGENT PUBLIC ASSISTANCE Texas Department of Public Safety - Division of Emergency Management			
Organization Name (hereafter named Organization)			
Primary Agent		Secondary Agent	
Agent's Name		Agent's Name	
Organization		Organization	
Official Position		Official Position	
Mailing Address		Mailing Address	
City, State, Zip		City, State, Zip	
Work Phone	Fax Number	Work Phone	Fax Number
E-Mail Address		E-Mail Address	
Cellular Phone	Pager	Cellular Phone	Pager
The above Primary and Secondary Agents are hereby authorized to execute and file Application for Public Assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or otherwise available. This agent is authorized to represent and act for the Organization in all dealings with the State of Texas for all matters pertaining to such disaster assistance required by the agreements and assurance.			
Chief Financial Officer		Certifying Official	
Name		Official's Name	
Organization		Organization	
Official Position		Official Position	
Mailing Address		Mailing Address	
City, State, Zip		City, State, Zip	
Work Phone	Fax Number	Work Phone	Fax Number
E-Mail Address		E-Mail Address	
Cellular Phone	Pager	Cellular Phone	Pager
Applicant's State Cognizant Agency for Single Audit purposes (if a Cognizant Agency is not assigned, please indicate):			
Applicant's Fiscal Year (FY) Start			
		Month	Day:
Applicant's Federal Employer's Identification Number			
Applicant's State Payee Identification Number			
Certifying Official's Signature / Date			



Applicant's Agent ...

Chief Elected Official is ultimately responsible!


I have hired a consultant:

- Provide TDEM a letter identifying and giving permission to contact
 - All correspondence will go to DAA w/copy to consultant
 - Consultants are requested to include TDEM on all communications and correspondence regarding project formulation and progress



Direct Deposit Authorization

Must be submitted
to the State before
funding is paid

 14-107 (Rev. 1/13)		Vendor Direct Deposit / Advance Payment Notification Authorization	
This form may be used by vendors or individual recipients - to receive payments from the state of Texas by direct deposit - to change or cancel existing direct deposit information		For State Agency Use <input type="checkbox"/> Advance Payment Notification <input type="checkbox"/> International Payments Verification <input type="checkbox"/> Interagency Transfer	
Transaction Type SECTION 1 <input type="checkbox"/> New setup (Sections 2, 3, 4 and 5 - Section 6 is optional) <input type="checkbox"/> Change financial institution (Sections 2, 3, 4 and 5 - Section 6 is optional) <input type="checkbox"/> Change account number (Sections 2, 3, 4 and 5 - Section 6 is optional) <input type="checkbox"/> Change account type (Sections 2, 3, 4 and 5 - Section 6 is optional) <input type="checkbox"/> Cancellation (Sections 2 and 4 - Sections 7 and 8 for state agency use)			
Payee Identification SECTION 2 Social Security Number (SSN) or Employer Identification Number (EIN) _____ Payee name (Please print name) _____ Mailing address _____ Phone number () _____ ext. _____ Mail code (If not known, leave blank) _____ State _____ Zip code _____			
Financial Institution (Completion by financial institution is recommended.) SECTION 3 Financial institution name _____ City _____ State _____ Routing transit number (9 digits) _____ Customer account number (maximum of 17 characters) _____ Type of account _____ Financial representative's name (optional) _____ Title (optional) _____ <input type="checkbox"/> Checking <input type="checkbox"/> Savings Financial representative's signature (optional) _____ Phone number (optional) () _____ ext. _____ Date (optional) _____			
Authorization for Setup, Changes or Cancellation (required) SECTION 4 I authorize the Texas Comptroller of Public Accounts to deposit my payments from the state of Texas to my financial institution electronically. I understand that the Texas Comptroller of Public Accounts will reverse any payments made to my account in error. I further understand that the Texas Comptroller of Public Accounts will comply at all times with the National Automated Clearing House Association's rules. (For further information on these rules, please contact your financial institution.) Authorized signature _____ Printed name _____ Date _____ sign here			
International Payments Verification (required) SECTION 5 Will these payments be forwarded to a financial institution outside the United States? <input type="checkbox"/> YES <input type="checkbox"/> NO			
Authorization for Advance Payment Notification Setup (optional) SECTION 6 I authorize the Texas Comptroller of Public Accounts to send an email notification one business day prior to the payment posting to my account. Contact name (Please print) _____ CONTACT PHONE NUMBER () _____ ext. _____ Email address _____			
Cancellation by Agency (for state agency use) SECTION 7 Reason _____ Date _____			
Authorized Signature (for state agency use) SECTION 8 Signature _____ Date _____ sign here Phone number () _____ ext. _____ Agency number _____ Agency name _____ Comments _____			
Please return your completed form to:			



Project Application

- Federal/State Assurances
- Grant Conditions

No funding will be provided until all grant agreement documents are completed and filed with TDEM



Project Development



Public Assistance Program Project Preparation

- This Applicant's Briefing – TDEM
- Kick-Off Meeting – Joint FEMA/TDEM
 - Review of Categories with FEMA and explanation of Project Worksheet formulation and development
- **YOU** provide list of damages w/in 60 days
 - If inaccessible or not able to determine damage, provide description & list of areas



Categories of Work

- A** Debris Removal
- B** Emergency Protective Measures
- C** Roads and Bridges
- D** Water Control Facilities
- E** Buildings and Equipment
- F** Utilities
- G** Parks, Rec. Facilities & Other Items



Small vs. Large Project

- Small \leq \$121,800
- Large $>$ \$121,800
- Projects $<$ \$3,050 unfunded
- Small Project development
 - Requirements and validation
- Large Project development
 - FEMA/TDEM will assist



Project Worksheet Development

- Applicant is required to identify/report damages related to the incident
- **Must** report all damages within **60 days** of the **Kick-Off Meeting – provide list**
- Still under water – description, coordinates, FEMA memo in Applicant file, notify State, FEMA called back in
- **60 Days is Not related to PW writing or funding (Sooner the better)**



FEMA Cost Codes and Equipment Rates

The screenshot shows the FEMA website's 'Schedule of Equipment Rates' page. The page header includes the FEMA logo and a search bar. The main content area is divided into several sections:

- Plan, Prepare & Mitigate**: Before, During & After a Disaster
- Disaster Survivor Assistance**: Apply for Assistance, Disaster Declarations
- Response & Recovery**: Tools, Teams, Individual & Public Assistance
- Topics & Audiences**: Grants, How to Help, Private Sector, Tribal
- Blog, Newsroom, Videos & Photos**: News Releases, Social Media, FEMA App
- About FEMA**: Offices, Careers, Employee Info, Policies, FAQs

The main heading is **Schedule of Equipment Rates**. Below it, there is a paragraph explaining that the rates are for applicant-owned equipment in good mechanical condition, complete with all required attachments. Each rate covers all costs eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, et seq., for ownership and operation of equipment, including depreciation, overhead, all maintenance, field repairs, fuel, lubricants, tires, OSHA equipment and other costs incidental to operation. Standby equipment costs are not eligible.

Equipment must be in actual operation performing eligible work in order for reimbursement to be eligible. **LABOR COSTS OF OPERATOR ARE NOT INCLUDED** in the rates and should be approved separately from equipment costs.

Information regarding the use of the Schedule is contained in 44 CFR § 206.228 *Allowable Costs*. Rates for equipment not listed will be furnished by FEMA upon request. Any appeals shall be in accordance with 44 CFR § 206.206 *Appeals*.

FEMA Code ID	Equipment Description	Specifications	Size	HP	Notes	Unit	2015 Rates
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<http://www.fema.gov/schedule-equipment-rates>



Special Considerations

- Insurance
- Mitigation - 406 vs 404
- Environmental/Historic Preservation
- Codes and Standards

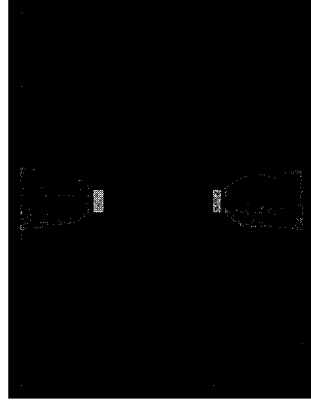


406 Mitigation

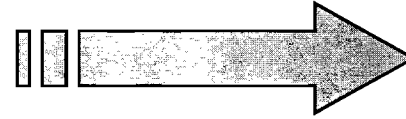
- Mitigation can occur in the following areas:
 - Roads
 - Culverts
 - Bridges
 - Buildings
 - Utilities



Hazard Mitigation Scenario

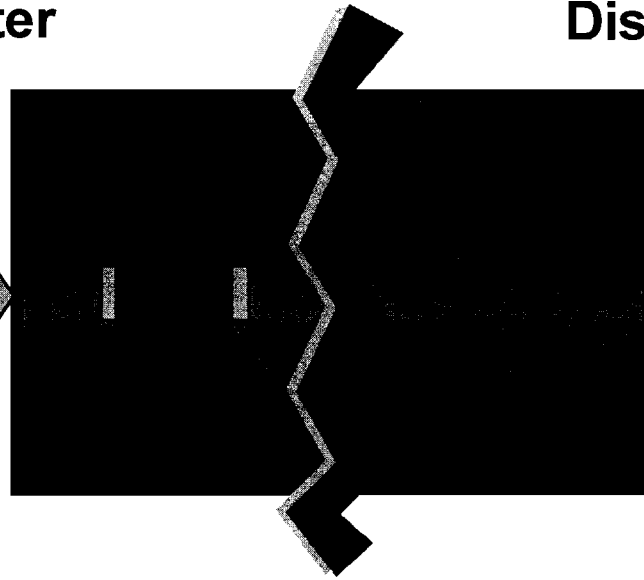


Pre-disaster



Disaster damage

Larger culvert with
concrete wing-walls



New upstream
retention pond

406

404



Project Administration and Documentation Requirements

- 2 CFR 200
 - “Super Circular”
 - OMB reform of regulations, streamlining the language from eight existing OMB circulars into one consolidated set of guidance.
 - Effective: December 26, 2014
 - Replaces 44 CFR § 13 Uniform Administrative Requirements for Grants and Cooperative Agreements to State & Local Governments



Project Administration and Documentation Requirements

If it is on paper, keep it.

If it is not on paper,
Put it on paper and keep it.

Documentation, Documentation,
Documentation



Procurement Requirements

- Must be of reasonable cost
- Generally must be **competitively bid**
- Must comply with Federal, State, and local procurement standards
- **“Cost plus a percentage” contracts are not eligible**
- **“Time and materials” contracts are ~~not eligible after 70 hours of work~~**
- **Competitive procurement is key!**



Procurement Requirements

“Time and materials” contracts are ~~not eligible after 70 hours of work~~

“Time and Materials” contracts now say: *“limited to a reasonable time based on circumstances during which a definitive clear scope of work could not be identified”*

You must be able to justify!



Project Management Requirements

- Set up of Grant File and individual project files by site
- Folders/tabs/electronic
- Gather copies of your policies now
- Record retention
- Grants Management System



Documentation Requirements

**DOCUMENT EVERYTHING YOU SPEND TIME &
MONEY ON!**

Categories To Prepare For:

Force Account Labor

Force Account Equipment

Force Account Materials

Rentals

**Contracts (procurement
documentation)**

**DAC (Direct
Administrative Cost)**



Documentation Requirements

Force Account Labor/Equip

- ❖ Proof of hourly or pay period rate
- ❖ Fringe rate calculations
- ❖ Timesheets
- ❖ Proof of payment
- ❖ Overtime and Comp time policy's
- ❖ Work performed
- ❖ Equipment logs identifying operator
- ❖ Operator timesheets
- ❖ Proof of equipment ownership
- ❖ Equipment rate calculations

Force Account Materials

- ❖ Purchasing procedure policy
- ❖ List of materials used with pricing
- ❖ Invoices & Purchase Orders
- ❖ Proof of payment
- ❖ Where used



Documentation Requirements

Rentals

- ❖ Rental/Lease agreement
- ❖ Invoices
- ❖ Purchase Orders
- ❖ Proof of Payment
- ❖ Equipment use logs

Contracts

- ❖ Contract procurement policy
- ❖ Bid process
- ❖ Contracts
- ❖ Invoices/Purchase Orders
- ❖ Proof of payment
- ❖ Benefit Cost Analysis
- ❖ Change Orders
- ❖ Profit Negotiation
- ❖ 2 CFR § 200.318 contract requirements
- ❖ Debarment
- ❖ **Cost Plus Percentage and Piggyback contracts are prohibited**
- ❖ **Time and Materials contract (Caution & Ceiling Price needed)**



Procurement

- Use your own documented procurement procedures which reflect applicable State and local regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 CFR Subpart D - Procurement Standards.

Competitive Procurement is key



Project Monitoring

- Actual site inspection; scope of work monitoring
- Review of documentation
- Compliance with grant agreement
- Compliance with Period of Performance and time extension
- Cost review
- Quarterly reporting



Project Funding

- Federal and non-Federal (local) share
- Small Projects \leq \$121,800
 - Approved funding for small projects will be processed for payment after:
 1. Obligated by FEMA
 2. Sub-recipient has satisfied all initial application and documentation requirements.



Project Funding

- Large Projects >\$121,800
 - **Advance** (75% of requested funds)
 - Funds needed within the next 30 days
 - Not to exceed 75% of the Fed. Share of project
 - **Reimbursement** (75% of requested funds)
 - Reimbursement of funds expended on project within the SOW
 - Not to exceed the Fed. Share of a project
 - **Working Capital**
 - Funds needed due to hardship
 - Reimbursement of funds expended on project within the SOW
 - Not to exceed the Fed. Share of a project



Project Funding

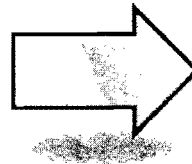
- Payment Request for Large Project
 - In order to be paid, sub-recipient must complete Payment Request form, per project, and submit to TDEM
 - If you are provided funds under the advance or working capital process, must provide documentation of expended funds before a request for additional funding is approved



Documentation Requirements

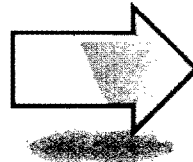
DIRECT ADMINISTRATIVE COST

Documented FAL administrative activities & materials used in direct support of this specific PW



Logs identifying specific PW:
Employee name
Date and activity performed
Duration and supplies used
See “Force Account Labor”

Documented project management team costs that can be identified to this specific PW.



Management Team
Contract Rates
Date and activity performed
Management Team invoices
Purchase orders
Proof of payment



Performing Approved Work

- Parameters
 - Scope of Work
 - Completion Date
 - Cost Estimate Overrun requires prior approval
 - Time Extensions
- Force Account Work
- Contract Work
 - Bidding Requirements
 - Engineering and Design Services
 - Debarred Contractors
 - Request for Improved/Alternate Projects



Proof of Debarment Check



USER NAME PASSWORD
[Forgot Username?](#) [Forgot Password?](#)
[Create an Account](#)

[HOME](#) [SEARCH RECORDS](#) [DATA ACCESS](#) [GENERAL INFO](#) [HELP](#)

Search Records

You can enter a DUNS number, CAGE code or Business Name to search for the entities that you are interested in reviewing. The top search bar allows you to enter any search term. You can also enter exclusion search terms to search for exclusion records. If you want to search for only a CAGE code or a DUNS number you can use the bottom two search bars. Once a search has returned results, use the filters provided to narrow results.

Government employees must create a SAM user account with their government email address. Log in before searching in order to see FOUO information and those registrants who selected to opt out of the public search.

You can only use one search bar at a time

(Example of search term includes the entity's name, etc.)

DUNS Number Search:

CAGE Code Search:

SAM | System for Award Management 1.0

IBM v1.774.20130310-1341
W7W7

Note to all Users: This is a Federal Government computer system.
Use of this system constitutes consent to monitoring at all times.



Sandy Recovery Improvement Act

Public Assistance Alternate Procedures



Debris Alternative Procedures

- Allowed to retain program income derived from debris recycling.
- Straight time for force account labor involved in the performance or administration of debris removal is eligible

Overrides 44 C.F.R. § 206.228(a)(2), which prohibits reimbursement of straight time for an applicant's force account labor (municipal employees).



Debris Alternative Procedures

- ***Opportunities:***

- Increased Fed. Share
 - 85% share during days 0-30
 - 80% share during days 31-90
- Recycling revenues
- Reimbursed straight time FAL
- Sub-recipients with FEMA-accepted debris management plan receive one-time 2% cost share adjustment

- ***Potential Risks:***

- Must notify FEMA of intent to participate
- Cannot go back to standard procedures
- Cost of establishing recycling program is ineligible



Perm. Work Alternative Procedures

- To participate must agree to participate in the grants being based on fixed estimates procedure before having access to other alternative procedures:
- Consolidation of multiple fixed subgrants
- FEMA validation of sub-recipient-provided estimates (prior to acceptance)
- Elimination of reduced eligible funding for alternative projects (90% clause)
- Use of excess funds
- Review of estimates by an expert panel for projects with Fed. Share \geq \$5 million (prior to acceptance)



Perm. Work Alternative Procedures

- ***Opportunities***
 - *Alternate Projects* - the federal cost share reduction of 10% is waived.
 - *Cost underruns* - may be used for FEMA approved activities that reduce the risk of damage from future disasters.
 - *Participation* - can be on a project-by-project basis.
- ***Potential Risks***
 - *Timeline* - FEMA, the subgrantee, and the grantee must agree on the eligible disaster damage and scope before completing the cost estimate.
 - *Cost Overruns* - If the approved fixed estimate is less than actual costs, FEMA will not approved additional funds.
 - *Direct Administrative Costs* – Are considered part of the overall estimate, and no additional DAC will be considered at closeout of a project.
 - *Insurance* – Estimates are reduced by amount of anticipated or actual insurance proceeds and will not be revised unless actual insurance proceeds are in excess of anticipated amounts.



Private Property Debris Removal (PPDR)

- Generally, debris removal from private property is the responsibility of the property owner.
- However, large-scale disasters may deposit enormous quantities of debris on private property, resulting in widespread immediate threats to the public-at-large.
- In these cases, State or local government may need to enter private property to remove debris to: eliminate threats to life, public health, and safety; eliminate threats of significant damage to improved property; or ensure economic recovery of the affected community.
- In these situations, debris removal from private property may be considered to be in the public interest and thus may be eligible for reimbursement under the Public Assistance Program (44 CFR 206.224)



Private Property Debris Removal (PPDR)

- ***Opportunities***
 - *Reimbursement not normally eligible under the Public Assistance Program*
 - *Sub-recipients do not have to precisely follow their nuisance abatement procedures or other ordinances*
- ***Potential Risks***
 - *Requires FEMA Federal Coordinating Officer approval for each area*
 - *Specific requirements, right-of-entry, insurance, release from liability, etc, must be complied with before removal of the debris*
 - *Concrete slabs or foundations-on-grade do not represent a health or safety hazard to the general public except in very unusual circumstances*
 - *Residents must not mix garbage with debris*



Alternate Project

When public would be better served by no restoration of facility or function

- Funding is 90% of original estimate
- **Approval before commencing work**
- Demolition of original structure
- Purchase capital equipment
- Cost effective hazard mitigation
- Supplement an improved project funds
- New construction
- Repair or expansion of existing facility
- EHP involvement



Improved Project

An opportunity to make improvements to a facility while restoring its pre-disaster function and at least its pre-disaster capacity.

- Permanent restoration of large or small projects
- Ex: lay asphalt on a gravel road or replace a firehouse with one bay with one that has two
- **Approval before conducting work**
- Cost limited to the federal share of restoring the original project or cost of completing the improvement whichever is less
- EHP involvement



Time Limitations

- 30 Days to Submit RPA from date of declaration of County (NLT March 9, 2016)
- **60 Days after Kickoff meeting to identify damages to FEMA (s/sheet, list, etc.)** *Not related to PW writing*
- Emergency Work - 6 Months
- Permanent Work - 18 Months
- Time Extensions



Project Completion

- Project Completion and Certification Report (P.4)
- Claim Summary Form
- Final Project Inspection
- State compliance reviews of projects
- Quarterly reporting requirements
- Insurance requirements



Appeals

- Any FEMA Determination (within 60 days of notice)
- Cost Overrun on Small Projects (after all small projects are completed)
 - Full financial review of all
 - FEMA can recoup over-run funds



Appeals

- Process
 - Timeframe: 60 days from notification
 - Arbitration determination memo
 - 1st time submit all the initial documents
 - No second submission



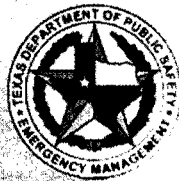
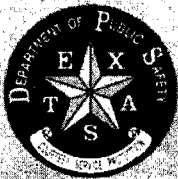
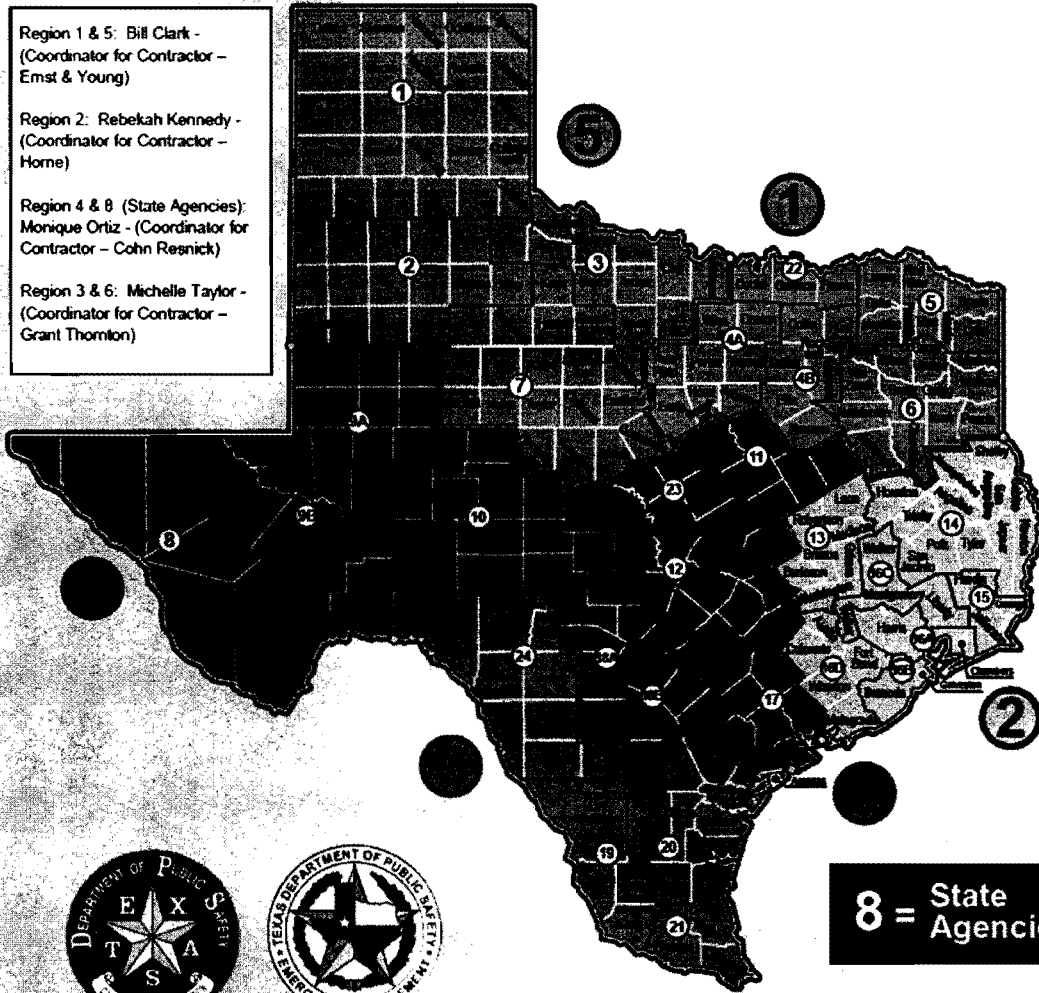
TDEM Recovery - as of February 2016

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Emst & Young)


Region 2: Rebekah Kennedy -
(Coordinator for Contractor -
Horne)

Region 4 & 8 (State Agencies):
Monique Ortiz - (Coordinator for
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Region 3 & 6: Michelle Taylor -
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8 = State Agencies




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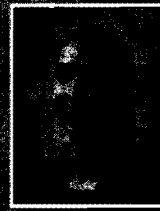
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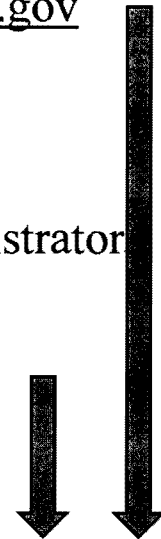
FOR GUARANTEED RESPONSE:

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DR 4255 Applicant Briefing

LAST, Your TDEM representative, whether a State employee or a State contracted representative, is your primary advocate.

FEMA does want to help you. Let your State representative help.

Include the State person in all communications with anyone regarding your claims.

FEMA requires documentation. Provide your State representative with any documentation you provide FEMA.

Questions?

