

# FEMA PUBLIC ASSISTANCE PROGRAM GUIDANCE

## PNP Organizations

PNP organizations or institutions that own or operate facilities that provide certain services otherwise performed by a government agency are eligible for assistance. These organizations, their facilities and services must meet additional eligibility criteria beyond that which apply to governmental type applicants. (See FEMA Policy 9521.3, Private Nonprofit Facility (PNP) Eligibility)

Qualifying PNPs include those that provide education, medical, custodial care, emergency, utility, and other essential governmental services, including museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, shelter workshops, and health and safety services such as low-income housing, alcohol and drug treatment centers, residences and other facilities offering programs for battered spouses, facilities offering food programs for the needy, and daycare centers for children or those individuals with special needs (such as those with Alzheimer's disease, autism, and muscular dystrophy). Eligible PNPs are identified in the regulations §206.221(e), summarized on the table on page 10 of this guide.

In order to be eligible for public assistance, PNP organizations are required by law and regulation to provide certain types of services and to follow special procedures. PNP organizations must have an effective ruling letter from the U.S. Internal Revenue Service granting tax exemption or certification from the State that the organization is a non-revenue producing, nonprofit entity organized or doing business under State law. Further, the specific facility for which the PNP organization is requesting funding must be used primarily for an eligible purpose consistent with the services identified above.

### ***Open to the General Public***

Certain types of PNPs are not required to be open to the public. These include PNPs that provide educational, utility, emergency, medical, or custodial care services, as further described in 44 CFR 206(e). For instance, a school run by a religious-oriented PNP that restricts enrollment to students of a particular religious faith will be eligible for assistance if the school is *primarily used* for secular educational purposes. All other types of PNPs are required to be open to the public. These include eligible irrigation facilities as well as those providing certain essential governmental services to the general public as defined in 44 CFR 206.221(e)(7).

To be eligible for assistance, the primary purpose of a PNP must be to provide a public service that is not restricted by a specific definition or by prohibitive fees. If access to the use of PNP services is restricted, the PNP is not eligible.

Examples of ineligible PNPs are those restricted to:

- a certain number of members smaller than the legal occupancy of the facility;
- members that have a financial interest in the facility, such as a condominium association; or
- a geographical area smaller than the community it could expect to draw users.

Membership requirements or restrictions on services that do not disqualify PNPs for public assistance include:

- fees that cover only administrative processing costs;
- fees that can be waived upon demonstration of need; or
- restriction to a group of users where at least one parameter is open ended, such as all youth under age 16.

### ***Application Requirements for PNPs***

***Emergency Work.*** All PNPs that are eligible for FEMA assistance, as described above and in 44 CFR 206.221(e), may apply directly to FEMA for emergency assistance under 44 CFR 206.225.

***Permanent Work.*** Eligible PNPs seeking reimbursement for permanent repairs and restoration from FEMA may apply for disaster assistance according to the following requirements, depending on whether they are deemed "critical" or "non-

critical” PNPs by the Stafford Act:

- **Critical PNPs** are defined in the Stafford Act as those providing power, water, sewer and wastewater, communications, emergency medical, fire protection and emergency services. Critical PNPs may apply directly to FEMA for permanent repair and restoration assistance. All other PNPs are considered “non-critical” and must follow the application process described below.
- **Non-Critical PNPs** are those eligible organizations that do not qualify as critical service facilities. Non-critical PNPs must first apply to the Small Business Administration (SBA) for a low-interest loan for repair of disaster damages.

Private Nonprofit Facilities		
Eligible Facilities		Ineligible Facilities
Critical Services	Non-Critical Services	
<ul style="list-style-type: none"> <li>• Power facilities for generation, transmission and distribution of electric power</li> <li>• Water facilities for treatment, transmission and distribution by a water company supplying municipal water. Water provided by an irrigation company for potable, fire protection or electricity generation purposes.</li> <li>• Sewer and wastewater facilities for collection, transmission and treatment</li> <li>• Communications facilities for transmission, switching and distribution of telecommunications traffic</li> <li>• Emergency Medical Care facilities that provide direct patient care to including hospitals, clinics, outpatient services, nursing homes</li> <li>• Fire Protection/ Emergency services; fire and rescue companies including buildings and vehicles essential to providing emergency services, and ambulance companies</li> </ul>	<ul style="list-style-type: none"> <li>• Alcohol and drug treatment facilities</li> <li>• Animal control facilities directly related to public health and safety</li> <li>• Community Centers</li> <li>• Custodial Care</li> <li>• Daycare centers for children or those individuals with special needs (e.g. those with Alzheimer’s disease, autism, muscular dystrophy, etc.)</li> <li>• Educational</li> <li>• Food programs for the needy</li> <li>• Homeless shelters</li> <li>• Libraries</li> <li>• Low-income housing (as defined by Federal, State , or local law or regulation</li> <li>• Museums</li> <li>• Residences and facilities offering services for battered spouses</li> <li>• Senior Citizen Centers</li> <li>• Shelter Workshops</li> <li>• Zoos</li> </ul>	<ul style="list-style-type: none"> <li>• Advocacy or lobbying groups not directly providing health services</li> <li>• Cemeteries</li> <li>• Conference facilities</li> <li>• Daycare centers for those other than included as eligible</li> <li>• Job counseling and training centers</li> <li>• Irrigation facilities used solely for agricultural purposes</li> <li>• Job counseling and training centers</li> <li>• Parking garages</li> <li>• Performing arts facilities</li> <li>• Political education facilities</li> <li>• Property owners associations’ facilities such as roads and recreational facilities, except those facilities that could be classified as utilities or emergency facilities</li> <li>• Public housing, other than low income</li> <li>• Recreation facilities</li> <li>• Facilities for religious services or religious education</li> </ul>

The SBA loan application process for "non-critical" PNP facilities will generate one of three outcomes:

1. If the PNP is declined for an SBA loan, then the PNP may apply to FEMA for public assistance.
2. If the SBA loan fully covers eligible damages from the disaster event, then no assistance from FEMA is available.

- If the maximum loan for which the facility is eligible does not fully cover eligible damages, then the PNP may apply to FEMA.

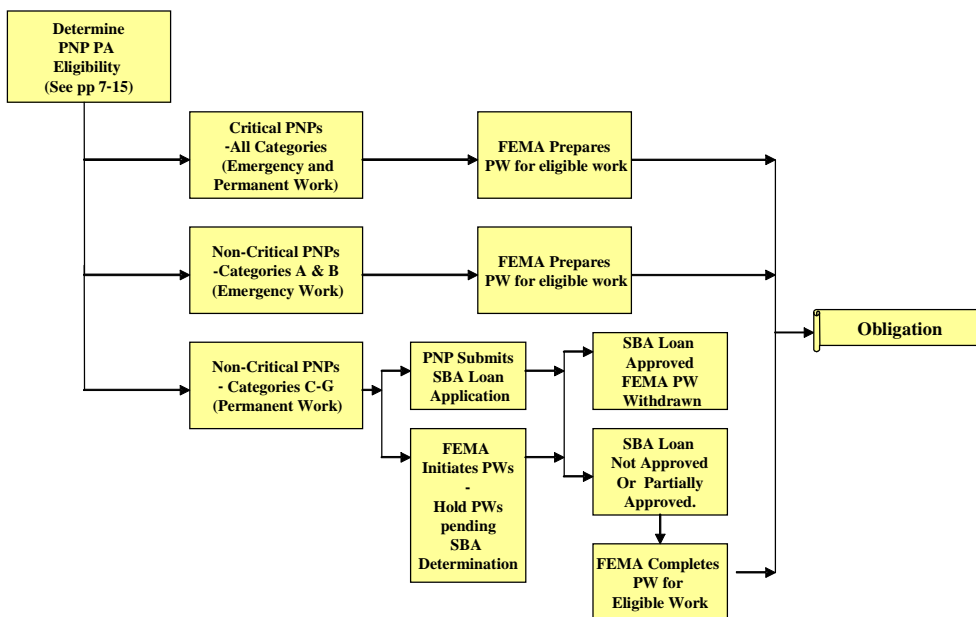
As noted on page 10 of this guide, both Critical and Non-Critical PNPs should apply to FEMA for **emergency assistance** (debris clearance and emergency protective measures). The requirement to apply for an SBA loan only applies to Non-Critical PNPs seeking assistance for permanent repair or restoration of damaged facilities.

PNPs that provide Non-Critical Services (see table on page 10 of this guide) are responsible for taking **both** of the following actions as soon as possible after a disaster has damaged their facilities:

- Apply for FEMA assistance.** It is important that a PNP apply to FEMA immediately after a disaster so that FEMA can inspect the disaster damages and prepare a PW. The PW will be held by FEMA until a loan decision is made by the SBA.
- Apply for a disaster loan from the SBA.** If an SBA loan is declined or does not fully cover the eligible damages, the PNP may be eligible for FEMA assistance. In such cases, FEMA may not be able to fairly estimate the damages unless the PNP had applied to FEMA shortly after the disaster occurred (see 1 above).

When a PNP receives a loan determination from the SBA and the loan has been declined or will not fully cover the damages, the PNP should immediately notify FEMA in order to reactivate its request for public assistance. The SBA typically provides FEMA a copy of the loan determination, but the PNP must notify FEMA of its intention to seek disaster assistance.

Figure 1 on the following page depicts the application process for PNP applicants.



## Figure 1 – Private Nonprofit Application Process

### ***PNP Eligible Services***

***PNP Education.*** Educational institutions are defined in terms of primary, secondary, and higher education schools. For primary and secondary schools, an educational institution is a day or residential school that provides primary and secondary education as determined under State law. This generally means that the school satisfies State requirements for compulsory attendance. For higher education facilities, an educational institution is defined as an institution in any State that:

- admits as students persons having a high school diploma or equivalent;
- is legally authorized to provide education beyond the secondary level;
- awards a bachelor's degree or a two-year degree that is acceptable as full credit towards a bachelor's degree; and
- is accredited by a nationally recognized agency or association. The PAO should consult with FEMA's Office of General Council (OGC) for institutions that are not accredited.

A higher educational institution is also defined as any school that provides not less than a one-year training program to prepare students for gainful employment in a recognized occupation and that meets the provisions of the criteria set forth in the first, second, and fourth bullets above.

Organizations that offer classes that qualify for credit at an accredited institution but do not meet the above defining requirements are not eligible applicants.

Eligible facilities include buildings housing classrooms plus related supplies, equipment, machinery, and utilities of an educational institution necessary or appropriate for instructional, administrative, and support services. It does not include buildings, structures, or related items used primarily for religious purposes or instruction.

***PNP Medical.*** A medical facility is any hospital, outpatient facility, rehabilitation facility, or facility for long-term care, as defined below. A medical facility is also any facility similar to those listed below that offers diagnosis or treatment of mental or physical injury or disease. Eligible components include the administrative and support facilities essential to the operation of the medical facility, even if not contiguous.

*Hospitals* include general, tuberculosis, and other types of hospitals and related facilities, such as laboratories, outpatient departments, nursing home facilities, extended care facilities, facilities related to programs for home health services, self-care units, and central service facilities operated in connection with hospitals. This category also includes education or training facilities for health profession personnel operated as an integral part of a hospital. A medical organization that primarily furnishes home-based care is not considered a hospital under this definition.

*Outpatient facilities* are defined as facilities located in or apart from a hospital for the diagnosis or treatment of patients who are not actually admitted to a hospital. Such a facility may be one operated in connection with a hospital, or one in which patient care is under the professional supervision of a doctor licensed in the State.

*Rehabilitation facilities* are defined as facilities that are operated for the purpose of assisting the rehabilitation of disabled persons through a program of medical evaluation and services; and psychological, social, or vocational evaluation and services that are under competent professional supervision. The major portion of these services should be furnished in the facility.

*Facilities for long-term care* are defined as facilities providing inpatient care for convalescent or chronic disease patients who require skilled nursing care and related medical services. Such facilities may be in a hospital, operated in connection with a hospital, or be in a location where services performed are under the supervision of a licensed doctor.

Medical office buildings that are owned by PNP organizations but contain offices leased to for-profit practices of doctors and other services are subject to special eligibility criteria. If the for-profit practices lease more than 50 percent of the building, the building is not eligible for public assistance. However, if at least 50 percent of the building is used for medical service activities associated with the PNP organization, FEMA will consider damages to the entire facility, not just to the portion occupied by the eligible service. However, such assistance would be

pro-rated based on the percentage of space occupied by the PNP organization. Contents within the ineligible space (that are occupied by the for-profit services) would not be eligible for any assistance. See PNP Mixed-Use Facilities on page 15 of this guide for further discussion and examples.

**PNP Custodial Care.** Custodial care facilities are those buildings, structures, or systems, including those essential administration and support buildings, that are used to provide institutional care for persons who do not require day-to-day care by doctors or by other professionals, but do require close supervision and some physical constraints on their daily activities.

**PNP Emergency.** Emergency facilities include fire departments, search and rescue teams, and ambulances. Damages to and protective measures for buildings, vehicles, and other equipment used directly in performing emergency services are eligible.

**PNP Utility.** A utility includes facilities necessary for the generation, transmission, distribution, and maintenance of electric, power, telephone, sewer and water, and gas services.

**PNP Other.** Essential governmental services not falling in one of the categories described above are:

- museums;
- zoos;
- community centers;
- libraries;
- homeless shelters;
- senior citizen centers;
- shelter workshops; and
- health and safety services.

Facilities that provide health and safety services of a governmental nature include:

- low-income housing;
- alcohol and drug treatment centers;
- residences and other facilities offering programs for battered spouses;
- facility offering food programs for the needy; and
- daycare centers for children or those individuals with special needs (such as those with Alzheimer's disease, autism, and muscular dystrophy).

For additional guidance regarding PNP community center and museum eligibility, see FEMA Policy 9521.1, Community Center Eligibility and FEMA Policy 9521.2, Private Nonprofit Museum Eligibility, respectively.

### **PNP Mixed-Use Facilities**

Community centers that are open to the general public without restrictions, established and primarily used as gathering places for a variety of social, educational enhancement, and community service activities also may be eligible. However, facilities established or primarily used for religious, political, athletic, recreational, vocational or academic training, artistic, conference, or similar activities are not eligible.

The community center must be established by the organization's charter or by-laws, and used for regularly scheduled activities, rather than simply offering space to a community organization. It may be necessary to obtain materials such as the organizational charter, articles of incorporation, activity logs, and other documents to verify use and eligibility.

A community center includes the building and associated structures and grounds. Each component must be evaluated in its entirety to determine eligibility. For example:

If a community center complex consists of three buildings, two that serve as eligible community centers and one

that serves as an administrative building, only two buildings are eligible for public assistance, as the administrative building does not provide an eligible activity.

“Primarily used”, as stated above, means that for facilities with mixed usages, the facility is used over 50 percent of the time for eligible activities, or over 50 percent of its space is used for eligible activities. FEMA will then consider damages to the entire facility, not just to the portion occupied by the eligible service. However, assistance would be pro-rated based on the percentage of space used for eligible purposes. Contents within the ineligible space would not be eligible for any assistance.

### ***PNP Ineligible Services or Facilities***

Examples of ineligible services or facilities are:

- recreational facilities;
- job counseling or job training;
- facilities for advocacy groups not directly providing health services;
- conference facilities;
- centers for the performing arts;
- political education;
- advocacy or lobbying;
- religious service or education;
- facilities for social events;
- roads owned and operated by a property owners association; and
- irrigation unless the facility provides water for fire suppression, drinking, or generating electricity.

### **Limitations for PNPs**

Assistance for all PNPs is limited to repair or replacement of damaged eligible facilities and related costs, such as protective measures to prevent damage to the facility or contents. A protective measure might be to move the facility contents to temporary storage. The provision of temporary facilities and moving costs must be evaluated according to the criteria for temporary relocation outlined below. The moving costs, as well as necessary alterations at the new location, might be eligible if the continued operation of the facility was necessary to eliminate immediate threats to life or property. If the PNP were located in a rented facility, repairs to the facility would not be eligible unless the written lease placed such responsibility on the PNP. If a PNP must vacate a rental facility while repairs are made, and the PNP is not legally responsible for repairing the facility, the expenses of renting a temporary facility would not be eligible, even if those expenses exceed the pre-disaster rate.

PNP operating costs are not eligible, even if increased by the disaster event. In addition, labor, material, and equipment costs for providing assistance services, even if the services are for disaster victims or not the same as the organization's basic mission. However, if the organization is providing services under contract to a local government or State agency, the work may be eligible if it is claimed by that government or agency.

This limitation for PNPs does not apply to certain critical facilities that provide emergency protective measures or health and safety services. Examples of eligible and ineligible PNP services resulting in increased operation costs include:

Eligible Services:

- A PNP Fire Department that responds to fire calls resulting from the disaster.
- A PNP Fire Department that provides equipment and labor to pump flooded basements.

Ineligible Services:

- A PNP Senior Citizen Center that provides food service to disaster victims.
- A PNP Medical facility that incurs increased administrative and operational costs due to increased patient load and emergency medical treatment performed in the facility.

## **Temporary Relocation**

When buildings that house essential services, such as school classrooms, police and fire department facilities, government offices, and certain PNP functions, such as critical health facilities, are damaged extensively enough that they cannot be used until repairs are made, temporary relocation of the essential services may be necessary. Temporary relocation may also be necessary in instances where such buildings are undamaged but inaccessible due to disaster-related conditions in the immediate vicinity. The criticality of the service and safety of the facility are the factors used to determine the need for temporary relocation.

The costs associated with temporary relocation are eligible but are subject to cost comparisons of alternate methods of providing facilities. Such costs include the rental or purchase of temporary space and equipment. The decision whether to rent or purchase space and equipment must be based on cost effectiveness. Maintenance and operating costs of the temporary facility are not eligible.

The length of time that rental costs are eligible will be based on the time estimated to complete repair work that will bring the damaged facility to pre-disaster design, not including time for completion of improvements. Normally, the period of time for which temporary relocation assistance may be provided is 6 months, based on the regulatory time limitation for the completion of emergency work. However, the Governor's Authorized Representative (GAR) may recommend a time extension based on information provided by the applicant documenting extenuating circumstances beyond the control of the applicant, complete design drawings, and the revised timeline for the permanent restoration project. Time extensions may not exceed an additional 6 months (12-months total) and must be approved by FEMA. (See FEMA Policy 9523.3, Provision of Temporary Relocation Facilities)

## **Public Entities**

Certain public entities also may be eligible applicants. Public entities are those organizations that are formed for a public purpose but are not political subdivisions of a State or a local government. To qualify for assistance, these types of applicants must receive the majority of their funding from the State or a political subdivision of the State. Application for public assistance, as with assistance for facilities that serve rural or unincorporated communities, must be made by a State or a political subdivision of the State that will be responsible for the completion of work at the facility.

## ***Homeowners' Associations***

Homeowners' Associations are generally formed for the specific purpose of managing, maintaining and governing the use of property within a specific defined area for and on behalf of the homeowners of that area. Services sometimes include emergency services such as fire and ambulance; utilities such as power, water and sewer, and sewage treatment; medical clinics; roadways within the defined community area; and/or recreational facilities (golf, tennis, pools), parks and lakes, and community centers.

A Homeowners' Association may be eligible for public assistance for some facilities if the Association meets the eligibility criteria for a PNP applicant. Eligible facilities are then limited to those eligible for a PNP applicant, and must be open to the general public. Roadways and recreational facilities are not eligible PNP facilities.

In addition to permanent restoration, eligible facilities owned by a Homeowners' Association (e.g., a sewage treatment plant) are eligible for debris removal and other protective measures. The work must be done by either the Homeowners' Association or by an eligible local or State level government entity. Removal of debris from non-eligible facilities, such as roadways within the community, is only eligible if performed by an eligible local or State level government entity.

Homeowners' Associations generally have membership dues and prohibit access by those who are not members or by citizens outside the geographic community area. Under these circumstances, the services and facilities are not considered to be open to the general public and, therefore, are not eligible for public assistance.

# **Applicants , Frequently Asked Questions**



# Applicant's Frequently Asked Questions

## Table of Contents

<b>Public Assistance:</b> .....	<b>3</b>
• What is the Public Assistance program? .....	3
• Who is responsible for the Public Assistance reimbursement program? .....	3
• Have the Public Assistance rules changed? .....	3
<b>What Needs to be Done:</b> .....	<b>4</b>
• What do I need to do when a Disaster Strikes? .....	4
• How do I apply for Public Assistance? .....	4
• Who do I contact about an Applicant Briefing? .....	4
• What will be covered at the Applicants' Briefing? .....	4
• What is a Funding Agreement? .....	5
• How do I schedule a Kickoff Meeting (Project Formulation meeting)? .....	5
• What are completion deadlines? .....	5
• How can <a href="http://floridapa.org">floridapa.org</a> be used? .....	5
<b>Local Government:</b> .....	<b>6</b>
• Why are some Local Governments getting paid faster than others? .....	6
• How can Local Governments speed up the process for reimbursement? .....	6
• What qualifies as administrative costs? .....	6
<b>Reimbursement:</b> .....	<b>6</b>
• What type of work is eligible for reimbursement? .....	6
• Why does the reimbursement process take time? .....	6
• Can you explain the reimbursement process? .....	7
<b>Project Worksheet:</b> .....	<b>8</b>
• What is a Project Worksheet? .....	8
• Are there different types of projects? .....	8
• What information do I need for a project? .....	9
• What information is needed in a Project Description? .....	9
• What is required to define a Project Location? .....	10
• Do I need to define the Cause of the Damage? .....	10
• What are Special Consideration Issues on the Project Worksheet? .....	10
• What is needed for Cost Estimates? .....	11
• What are the Common methods used for estimating projects? .....	11
• What do Competitive Bid Contracts consist of? .....	11
• Do I need to Monitor Work Performed as it is related to my PWs? .....	12
<b>Applicant Documentation:</b> .....	<b>12</b>
• What type of Documentation do I need to keep? .....	12
• What type of records do I need to keep for Completed and Estimated Work? .....	13
• Why should I maintain my records? .....	13
• What records do I need to keep and for how long? .....	14
<b>Closeout:</b> .....	<b>14</b>

# Applicant's Frequently Asked Questions

## Public Assistance:

### What is the Public Assistance program?

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) coordinates federal assistance after disasters. Under the Public Assistance (PA) program, FEMA provides supplemental aid in the form of grants to communities and states to help them recover from disasters. Assistance is available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act).

### Who is responsible for the Public Assistance reimbursement program?

The PA program is based on a partnership between FEMA, state, and local officials.

- FEMA is responsible for managing the program, approving grants, and providing technical assistance to the state and applicants.  
The State educates potential applicants, works with FEMA to manage the program and is responsible for implementing and monitoring the grants awarded under the program.  
Local officials are responsible for identifying damage, providing information necessary for FEMA to approve grants and managing the projects funded under the program.

### Have the Public Assistance rules changed?

The rules do not change. The PA program is based on a hierarchy of statute, regulations and policies.

- Statutes are laws passed by the U.S. Congress and signed by the President. The law governing FEMA is the Stafford Act and cannot be changed by FEMA or any other government agency.  
Regulations are created to outline program operations and have the same effect as laws and must be complied with once they are published in final form.
  - FEMA regulations are published in 44 CFR (Code of Federal Regulations) Part 206. They govern the PA program and outline program procedures, eligibility and funding.  
Policies are issued by FEMA headquarters so that the regulations are interpreted consistently across the nation and from disaster to disaster. These documents govern the eligibility criteria through which FEMA provides funds for public assistance.  
Florida applicants are encouraged to visit [www.floridapa.org](http://www.floridapa.org) for information on the PA program.

# Applicant's Frequently Asked Questions

## What Needs to be Done:

### What do I need to do when a Disaster Strikes?

When disaster strikes, your community will spend financial and human resources on such things as search and rescue, mass evacuations, demolition of damaged buildings, debris removal, reconstruction of damaged facilities, and other tasks to permanently restore your community. To ensure that work performed is well-documented both before and after a disaster is declared, you should:

- Designate a person to coordinate the accumulation of records.
- Establish a file for each project where work has been or will be performed.
- Maintain accurate disbursement and accounting records to document the work performed and the costs incurred.

### How do I apply for Public Assistance?

Request for Public Assistance:

- At the Applicant's Briefing you will be provided with the first form require to apply for the program called the Request for Public Assistance (RPA). You are not required to wait until the applicant's briefing for the RPA. You can view and submit the RPA at [floridapa.org](http://floridapa.org).

The RPA establishes you as an applicant and initiates the PA process on your behalf.

The RPA must be submitted within 30 days of the declaration/area designation date.

### Who do I contact about an Applicant Briefing?

Contact your county Emergency Management Agency to obtain the schedule for the County's Applicant's Briefing. If you are unable to attend, or have missed the briefing, you can view the notes from the presentation at [floridapa.org](http://floridapa.org).

### What will be covered at the Applicants' Briefing?

- Informational packages should be distributed to each applicant.
- Topics of discussion will include incident period and declared disaster.
- PA/Infrastructure Support Programs will be discussed.
- Discussion of applicant's eligibility, work eligibility, and cost eligibility.
- Private and nonprofit qualifications.
- Work categories.
- Types of funding options.
- Insurance requirements.
- 406 Hazard Mitigation
- Preparation for the Project Worksheet (PW) process.
- Preparation and submission of Request for Public Assistance (RPA).
- Preparations for the Kickoff Meeting.
- FEMA's Public Assistance Coordinator's (PAC) role.
- The Appeal process.
- Requirements and the process of the PW.

# Applicant's Frequently Asked Questions

Record keeping and documentation requirements.  
Contracting procedures.  
Mitigation requirements.  
Small and large project requirements.  
Review and approval process.  
Definitions and terms.  
Deadlines.  
Final inspections.  
Final claims.  
Closeouts.

## What is a Funding Agreement?

Once deemed an eligible applicant, you will be provided a Funding Agreement.

- This is the contract between your agency and the Department of Community Affairs, allowing recovery funds to be passed to your agency. Regardless of eligibility or approved projects, no funds can be provided to your agency prior to execution of the Funding Agreement.

## How do I schedule a Kickoff Meeting (Project Formulation meeting)?

Based on the submitted RPA, you will be assigned a Public Assistance Coordinator (PAC).

- This PAC will schedule your first meeting called a Kickoff Meeting.
- At the Kickoff meeting you will receive one-on-one technical assistance and identify the best process formulating your Project Worksheets (PW's).

## What are completion deadlines?

It is important that you track work and expenditures regularly so that you capture all expenses that may be eligible for funding and are prepared to meet the time limits set for completing eligible work. The completion deadlines are:

- Debris clearance work 6 months
- Emergency Protective Measures work 6 months
- Permanent work 18 months

## How can [floridapa.org](http://floridapa.org) be used?

[floridapa.org](http://floridapa.org) can be used as your resource center for managing your public assistance information needs. Through this secure website you can review your grant and check the status of your request at any time, from Step-1 to closing the grant.

You can check the status of your RPA.

A digital copy of your Funding Agreement will be made available immediately upon being approved as an eligible applicant.

You can submit additional information/forms during the Grant Management stage of the program.

# Applicant's Frequently Asked Questions

## Local Government:

### **Why are some Local Governments getting paid faster than others?**

Project Worksheets are entered in the system on a first-come-first-serve basis. Some projects are more involved and require more work than others. FEMA and the State work with local governments on their specialized problems and solutions.

### **How can Local Governments speed up the process for reimbursement?**

Understanding the PA process is key. For more information about projects go to [www.floridapa.org](http://www.floridapa.org) or speak with your PAC and/or State PA representative. The Web site helps applicants track their RPAs and PWs through the system. A completed application that contains all supporting documentation will help speed the process. Some PWs have gone through the FEMA process as quickly as two weeks, while others have taken several months. When applications are incomplete, they slow the process down.

### **What qualifies as administrative costs?**

The Stafford Act stipulates that each grant recipient be provided an allowance to meet the cost of administering the grant. The Administrative Allowance for applicants covers direct and indirect costs incurred in requesting, obtaining, and administering public assistance. No other administrative or indirect costs incurred by an applicant are eligible.

The Administrative Allowance for an applicant is calculated as a percentage of all approved eligible costs that the applicant receives for a given disaster. This percentage is calculated using a sliding scale as follows:

- First \$100,000 of net eligible costs – 3 percent of the net eligible costs;
- Next \$900,000 of net eligible costs – 2 percent of that \$900,000;
- Next \$4 million – 1 percent of that \$4 million;
- Net eligible costs in excess of \$5 million – 1/2 percent of that excess.

## Reimbursement:

### **What type of work is eligible for reimbursement?**

There are three types of work that may be eligible, with different criteria for each:

- Debris removal
- Emergency protective measures
- Permanent restoration

### **Why does the reimbursement process take time?**

The PA program is a federal grant program, and as such, federal regulations govern the reimbursement process, under subparts G, H and I of Part 206 of 44 CFR. Regulations set forth in Parts 9 (Floodplain Management and Protection of the Wetlands), 10 (Environmental Considerations), 13 ("Common Rule" of Grant

# Applicant's Frequently Asked Questions

Administration), and 14 (Audits) are also applicable to projects funded under the PA Program.

The following is the sequence of events for public assistance after a disaster has been declared:

- State and FEMA officials hold Applicants' Briefings to explain the reimbursement process.

Applicants submit a Request for Public Assistance (RPA). RPAs initiate the Public Assistance process and can be submitted to the State via Web site, fax, mail or hand. The State of Florida's Web site to submit RPAs is [www.floridapa.org](http://www.floridapa.org).

State forwards RPAs to FEMA.

Applicants attend Kickoff Meeting with a FEMA Public Assistance Coordinator (PAC) and state PA Representative.

Applicants prepare Project Worksheets (PW) – applicants work with the FEMA PACs and state PA representatives. The PW is used to develop and define the Scope of Work.

Completed applications for Federal funds are submitted to FEMA and the State along with all required supporting documentation (labor, equipment, materials, contracts and/or estimates).

FEMA is responsible for approving projects and making the federal share of the approved amount (grant) available to the State through a process known as obligation.

When the PW is developed it can be complex if an applicant has multi-million dollar projects and multiple sites. FEMA is required to perform a quality assurance review. Additional questions and documentation may be required of the applicant to make sure the PW is clear and accurate. FEMA and the State want to make certain there are no audit exceptions requiring repayment of the grant because the applicant's paperwork does not backup the claim for reimbursement.

If the PW is over \$1 million, FEMA is required to notify Congress in advance of the award. The notification is handled by FEMA headquarters to the Department of Homeland Security, Office of Management and Budget and then to Congress.

Once the PW is obligated, the grant money goes into the State's Smartlink account and becomes the responsibility of the State to administer.

Applicants can go online at [www.floridapa.org](http://www.floridapa.org) to check the status of their PWs.

## Can you explain the reimbursement process?

The State uploads information from NEMIS into the State database.

- A financial specialist prepares and sends a payment package to the applicant.
- If the PW is less than \$54,100, a **Small Project**, there is no further action required by the applicant. The state will process the payment without further action by the applicant.

# Applicant's Frequently Asked Questions

If the PW is greater than \$54,100, a **Large Project**, these are the requirements:

- The applicant must submit a Request for Reimbursement (RFR) supported by a Summary of Documentation (SOD) to pull funds for that project.
- If the applicant has not spent any funds on that project, they may submit a Request for Advance (RFA) for up to 90 days worth of expenditures.
- Once the State has received the RFR or RFA, they develop a Request for Payment (RFP) package that is forwarded to the State's finance and accounting division for posting and for comptroller approval.
- After approval by the comptroller, finance and accounting will then cut the check or perform an electronic funds transfer.
- The State advises the applicant by letter describing what projects have been obligated.

## Project Worksheet:

### What is a Project Worksheet?

A PW is the form used to document a work project.

- This form supplies FEMA with the information necessary to approve the scope of work and itemized cost estimate prior to funding.

Each project must be documented on a separate PW. The approved PW will then be the basis for funding under the PA Program.

A project is a logical grouping of work required as a result of the declared event. You may include more than one damage site in a project.

However, only one project can be listed on a PW.

### Are there different types of projects?

There are four Types of Projects:

1. **Small Project** – A small project is any project that has a cost estimate less than the current threshold for large/small projects. This threshold changes every October 1 based on the consumer price index.
  - For Federal Fiscal Year 2004 the threshold was \$54,100. Funding for small projects is based on the approved estimate to complete the scope of work.  
If the applicant discovers a significant cost overrun related to actual cost to complete all estimated small projects, then an appeal may be submitted for the additional funds within 60 days of completing the last small project.
2. **Large Project** – A large project is any project that has a cost estimate greater than the threshold for large/small projects (\$54,100 for Federal FY 2004) and must be written by FEMA.

# Applicant's Frequently Asked Questions

All large projects are funded based on actual, reasonable costs to complete the eligible scope of work.

The funding for each large project will be adjusted after all work is complete.

**3. Improved Project** – An improved project is any project (large or small) where the applicant chooses to make improvements (not required by any applicable code, standard, or hazard mitigation measure) to the facility while making disaster repairs.

- Funding for improved projects is limited to the approved Federal estimate to complete the eligible scope of work.

The State may approve an improved project; however, FEMA must review the project for compliance with the National Environmental Policy Act and other special considerations that apply.

An example of an improved project would be if a one-lane bridge was destroyed by a flood event and the applicant decided to build a two-lane bridge in its place. In this example, FEMA funding would be limited to the costs associated with building a one-lane bridge.

**4. Alternate Project** – An alternate project is any permanent restoration project (large or small) where the applicant chooses to abandon the facility rather than make disaster repairs.

- The applicant may use any Federal share funds, limited to the approved Federal estimate to complete the eligible scope of work, at another facility.

There is a 25 percent reduction in the FEMA funds for all alternate projects (if unstable soils are present at the site, the reduction is 10 percent).

FEMA must approve all alternate projects.

## What information do I need for a project?

Checklist for Each Project:

- Damage description and scope of work
- Completed Special Considerations 9 Questions form
- Estimated and actual costs
- Force account labor
- Force account equipment
- Rented equipment
- Materials and purchases
- Photographs of damage, work underway, work completed
- Insurance information

## What information is needed in a Project Description?

- The Project Description describes the facility, location, its pre-disaster function, and the disaster-related damage.

From that information, the scope of work is developed describing in detail the work necessary to return the facility to its pre-disaster condition.

# Applicant's Frequently Asked Questions

Any other information that is pertinent to the scope of work, including upgrades due to codes and standards or pre-disaster damage or maintenance problems, should be documented.

The damage description and scope of work should be listed in the areas provided on the Project Worksheet.

For a complete, accurate, and itemized damage description and scope of work you will need to:

- Describe the pre-disaster facility, function and location (including Latitude/Longitude).
- Describe the disaster-related damage to the facility.
- Describe the repairs necessary to repair the facility to its pre-disaster condition (scope of work).
- Describe any special considerations.
- Describe any change in the pre-disaster condition of the facility that is required.

## **What is required to define a Project Location?**

The exact location of the damaged facility must be described.

- This information should be specific enough to enable field personnel to easily locate the facility if a site visit is necessary.

Providing latitude/longitude coordinates will facilitate locating and mapping of your projects and should be included whenever possible.

## **Do I need to define the Cause of the Damage?**

The specific cause of damage must relate to the incident for which the disaster was declared. It is important to completely describe the cause of damage because it can impact eligibility determinations.

## **What are Special Consideration Issues on the Project Worksheet?**

The key to expedited small project review and approval is early identification of factors that affect compliance with environmental protection, disaster assistance, and historic preservation legislation.

- Submit projects with identified special considerations concerns as soon as possible, since these projects will need to be reviewed by specialists prior to project approval and funding.

When describing any special considerations issue, discuss the item with the PAC who will explain how to clearly document the issue and expedite resolution.

Use a separate paragraph within the scope of work to describe any proposed changes to the pre-disaster condition of the facility. Hazard mitigation, an improved project, an alternate project, or applicable codes and standards may result in a change to the pre-disaster condition of the facility.

# Applicant's Frequently Asked Questions

## What is needed for Cost Estimates?

The Cost Estimate is the estimated cost of repair for the damages described in the Project Description.

- For work that has already been completed at the time of project formulation, actual costs will be used.  
There are many methods of estimating uncompleted work, from professional estimating guides such as R.S. Means to time and materials estimation of a local force account crew.
  - It is very important to use a method of estimating that you are familiar with and understand.
  - Whenever possible, use your normal method of estimating maintenance and capital improvement projects.

## What are the Common methods used for estimating projects?

- Time and materials estimate for the local force account work.
  - This method may be used on projects that will be completed by your employees, using your own (or rented) equipment and material purchased by you (or from your stock on hand).
  - This method breaks costs down into labor, equipment, and materials.
  - Costs must be thoroughly documented by payroll information, equipment logs or usage records, and other records such as materials invoices, receipts, payment vouchers, warrants, or work orders.

FEMA publishes a listing of equipment rates based on national data. These rates are included with the FEMA cost code listing. FEMA equipment rates, however, do not include operator costs. These costs will have to be computed separately.

- FEMA rates do not apply to contracted or rental equipment, unless the equipment is rented from another public entity.
- Labor hours should be carefully matched with equipment use hours to ensure consistency.
- Equipment not in use is not an eligible expense even if it is on-site.
- Also, FEMA provides an allowance for disaster inspection and administration costs, that is based on a percentage of eligible disaster work funding (total project cost), that are not to be included in the Project Worksheet.

## What do Competitive Bid Contracts consist of?

- Competitively bid contracts are used to summarize costs for work that the applicant has obtained from an outside source.  
In general, contract costs are for work already completed, but in some cases may outline work that is just beginning or still underway. If work has not yet begun on a project but a contract has been bid or let for the eligible work, then the contract price can be used. Contracts may be:

# Applicant's Frequently Asked Questions

- Unit price – Contract for work done on an itemized basis with prices broken out per unit.
- Lump sum – Contract for work within a prescribed boundary with a clearly defined scope and a total price.
- Cost-Plus-Fixed-Fee and Percentage of Construction Cost Contracts. **These methods may not be used.**
- Cost plus a percentage of cost contracts and contracts that are contingent upon Federal assistance (called contingency contracts) **are not eligible.**
- Time and materials contracts should be avoided. They are sometimes used immediately after the disaster incident has occurred when a clear scope of work cannot be developed.
- You must carefully document contractor expenses, and a cost ceiling or “not to exceed” provision should be included in the contract.

## **Do I need to Monitor Work Performed as it is related to my PWs?**

### Monitoring Work:

- Review each PW to become familiar with the approved scope of work.
- Give appropriate supervisors a copy of each PW.
- Make approved repairs **ONLY**.
- Obtain State and/or FEMA approval before changing the approved scope of work.

Notify the State of significant cost overruns.

Follow proper bid and contract procedures. Ensure the contractor is not on the most current “List of Parties Excluded from Current Federal Procurement or Non-Procurement Programs” published by the U.S. General Services Administration.

Complete work within allowable time periods.

Request a time extension by PW if needed.

Submit a project cost summary for each large PW that is completed.

Complete the Project Completion Report once all approved work has been completed.

## **Applicant Documentation:**

### **What type of Documentation do I need to keep?**

The importance of maintaining a complete and accurate set of records for each project cannot be overemphasized. This will facilitate the validation, approval, and funding processes for all projects.

- All documentation pertaining to a project should be filed together with the corresponding worksheet and maintained as the permanent record of the project. These records become the basis for verification of the accuracy of claims in a process called validation.

# Applicant's Frequently Asked Questions

Documentation is the process of establishing and maintaining accurate records of events and expenditures related to the disaster recovery work. The information required for documentation basically describes the “who, what, when, where, why, and how much” for each item of disaster recovery work.

Maintain a separate folder for each PW.

Document repair costs at each work site as they occur.

Prepare Daily Activity Reports from supervisors' daily logs.

Keep these documents for each PW done by force account:

- Daily Activity Report for labor, equipment, and materials
- Delivery tickets
- Invoices
- Payroll journals
- Canceled checks
- Daily logs from supervisors

Keep these documents for each PW done by contract:

- Bid advertisement
- Bid summary sheet
- Contract awarded
- Invoices
- Canceled checks

Record of work inspections

## **What type of records do I need to keep for Completed and Estimated Work?**

- For all completed work, the applicant must keep the following records:
  - Force account labor documentation sheets identifying the employee, hours worked, date and location;
  - Force account equipment documentation sheets identifying specific equipment, operator, usage by hour/mile and cost used ;
  - Material documentation sheets identifying the type of material, quantity used and cost;
  - Copies of all contracts for work and any lease/rental equipment costs.

For all estimated work, keep calculations, quantity estimates, pricing information, etc. as part of the records to document the “cost/estimate” for which funding is being requested.

## **Why should I maintain my records?**

There are many ways to maintain your records. What is important is that you have the necessary information readily available, and that this information is in a usable format. It is important that you accurately document the events and expenses incurred in disaster response and recovery. Accurate documentation will help you to:

- Recover all of your eligible costs.
- Have the information necessary to develop your disaster projects.

# Applicant's Frequently Asked Questions

Have the information available, which the State and FEMA will need to see, to

Validate the accuracy of your small projects.

Be ready for any State or Federal audits, or other Federal program reviews.

## **What records do I need to keep and for how long?**

All of the records may not be applicable to every project, but everything that does pertain to a project should be filed with the corresponding PW. You should retain these records for three (3) years from the date of final payment.

## **Are there summary records to help me organize my work?**

Yes. Keeping accurate documentation will make validation quicker and easier by providing you with the information that the State and FEMA will need to see. A set of six summary records has been developed to assist you in organizing your project documentation. The summary records are:

- Force Account Labor Summary Record used to record your personnel costs
- Force Account Equipment Summary Record used to record your equipment use costs
- Material Summary Record used to record the supplies and materials that you take out of stock or purchase
- Rented Equipment Summary Record used to record the costs of rented or leased equipment
- Contract Work Summary Record used to record the costs of work you have done by contractor
- Benefit Rate Sheet used to record fringe benefit pay for employees

## **Closeout:**

Once all projects have been completed and the necessary reconciliations identified, you, as the applicant, can be closed out.