

Unit 8

Public Assistance



Portal Questions

This unit discusses FEMA's Public Assistance (PA) Program.

If you believe you already know this information, answer the questions below and check your answers on the next page. If you answer correctly, you may proceed to the next unit. If you miss any questions, or if you answer correctly but want to increase your knowledge, read this unit before proceeding.

1. What entities are eligible applicants in the Public Assistance (PA) Program?
2. List by title four of the seven work categories recognized in the PA Program.
3. When a PA project is formulated, it will be designated as one of four types. List the types with a brief description.
4. List two Executive Orders with which PA projects must comply.

Portal Questions

Answer Key

1. What entities are eligible applicants in the Public Assistance (PA) Program?
 - *State government agencies*
 - *Local government agencies*
 - *Special districts*
 - *Certain private non-profit agencies with public facilities*
 - *Native American and Alaskan Native Tribal governments*
2. List by title four of the seven work categories recognized in the PA Program.
 - *Category A: Debris Removal Emergency Work*
 - *Category B: Emergency Protective Measures*
 - *Category C: Road Systems*
 - *Category D: Water Control Facilities*
 - *Category E: Public Buildings and Equipment*
 - *Category F: Public Utilities*
 - *Category G: Parks, Recreational, and Other*
3. When a PA project is formulated, it will be designated as one of four types. List the types with a brief description.
 - *Small Project: Cost estimate less than \$52,000 (FY 2002)*
 - *Large Project: Cost estimate greater than \$52,000 (FY 2002)*
 - *Improved Project: Applicant chooses to make improvements beyond disaster repairs*
 - *Alternate Project: Applicant chooses to abandon disaster-damaged facility and use funds at another facility*
4. List two Executive Orders with which PA projects must comply.
 - *Floodplain Management*
 - *Wetlands Management*
 - *Environmental Justice*
 - *Seismic Retrofit*

Objectives

At the completion of this unit, you will be able to:

1. Summarize the objectives of the Public Assistance (PA) program.
2. Explain the steps in the PA process.
3. Define the State's role in the PA program.
4. Identify key issues of Historic Preservation (HP) and Environmental Impact relative to PA.

Topics

Public Assistance Program

Public Assistance Process

State Roles and Responsibilities

State Administrative Plan for Public Assistance

Learning Check

Supplemental Materials

Public Assistance Program

The objective of the Public Assistance (PA) Program is to provide supplemental assistance to States, local governments, and selected non-profit organizations for the alleviation of suffering and hardship resulting from major disasters or emergencies declared by the President.

The Federal Government usually provides 75 percent of the funding with the State or other non-Federal source providing the remaining 25 percent.

The following pages will discuss the PA program in further detail. We will consider:

1. Who Is Eligible
2. What Is Eligible
3. Eligibility Analysis
4. Terminology
5. Work Categories



Union, MO-City employees remove playground debris from the city park.
FEMA News Photo

Who Is Eligible?

The Robert T. Stafford Disaster Relief and Assistance Act and implementing regulations define eligible applicants as:

- State government agencies
- Local governments
- Political subdivisions, such as special districts
- Native American and Eskimo tribes or tribal organizations
 - The Bureau of Indian Affairs (BIA) must recognize the tribal organizations as listed tribes.

Also eligible are certain Private Non-profit (PNP) organizations.

Examples of eligible PNPs include educational institutions, utilities, hospitals, custodial care, and emergency medical services.

An eligible PNP must:

- Have an Internal Revenue Service (IRS) or State certification as a PNP
- Be open to the general public
- Be a facility that provides essential governmental services.

What Is Eligible?

For damages to be repaired with PA funds, the following conditions must apply:

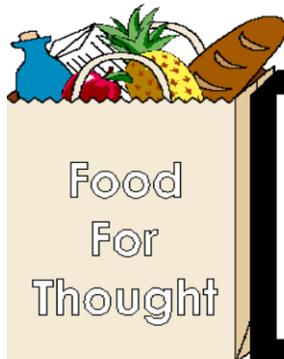
- The property must be located within the disaster area.
- The damage must be the direct result of the disaster.
- The facility must be the responsibility of the legal applicant.
- The agency/owner must not be eligible to receive compensation from another Federal agency.

Eligibility Analysis

Eligibility analysis is a four-step process. If any of these criteria are not met, funding can not be provided.

Four-Step Process

1. Is the applicant eligible? If not, there is no need to go further in the analysis.
2. Is the facility eligible? Was it the responsibility of the applicant? Was it in use before the disaster? Is it eligible for repair under the authority of another Federal agency?
3. Is the work required as a result of the disaster? Is the facility within the designated disaster area? Is the facility the legal responsibility of an eligible applicant?
4. Is the cost reasonable and necessary to accomplish the work? Does it comply with Federal, State, and local requirements for procurement? Have insurance proceeds and salvage values been deducted?



A municipal utility district is building a facility when the disaster strikes. The special district has not yet taken possession from the contractor. Can the district receive money to repair the damages through the PA Program?

Terminology

Every program has its own terminology. The PA program defines and uses these terms.

Large Project

When the estimated cost of repairs and/or replacement exceeds \$52,000 (FY 2002), the project is defined as a large project. The funding is based on the actual cost rather than the estimated cost. The threshold value changes annually, so confirm the current amount at <http://www.fema.gov>.

Small Project

If the project cost estimate is less than \$52,000 (FY 2002), it is a small project. Funding is made available upon approval of project.

Improved Project

This is a project on which some non-disaster related work is also done. FEMA funding is capped at disaster damage estimate. Improved projects must be in compliance with the National Environmental Policy Act (NEPA).

Alternate Project

If an applicant chooses to abandon a facility rather than make disaster repairs, the applicant may use the PA funds (to the limit of the approved Federal cost estimate) at another facility. There is a 25 percent reduction in the FEMA funds for alternate projects (if unstable soils are present at the site, the reduction is 10 percent).

Insurance

Proceeds from insurance policies must be deducted from costs of repair before FEMA funding. Insurance is required on the repaired facility before funding is approved.

Hazard Mitigation

Any measure to eliminate or reduce damage in future disasters is mitigation. Some PA projects may be eligible for Hazard Mitigation funding as well as PA funds when mitigation actions are taken during repairs.

Work Categories

For tracking and management purposes, damages and reimbursable activities are divided into seven categories, and you will hear these mentioned during and after disasters.

1. Category A: Debris Removal Emergency Work
2. Category B: Emergency Protective Measures
3. Category C: Road Systems
4. Category D: Water Control Facilities
5. Category E: Public Buildings and Equipment
6. Category F: Public Utilities
7. Category G: Parks, Recreational, and Other

In particular, note Category A: Debris Removal Emergency Work. This is an extremely high priority item with FEMA, and should be with State and local governments as well. The potential is high for waste, fraud, and abuse. Local governments sometimes spend a great deal of money that is never reimbursed. Know what you are doing when you contract for debris services. FEMA does not certify or approve any contractor, nor does any contractor have authority to make eligibility determinations. Make sure the costs are reasonable. FEMA and most States can provide technical assistance for debris operations.

Following Hurricane Andrew, 43 percent of all PA funds were spent on debris removal.

Read through the category descriptions on the following pages.

Category A: Debris Removal Emergency Work

A. Public Interest Determination by FEMA

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

B. Private Property Debris Removal

When it is in the public interest for an eligible applicant to remove debris:

- An applicant should remove debris from urban, suburban, and rural property.
- An applicant should remove debris from large lots, living, recreational, and working areas except areas used for crops and livestock, or unused areas.
- No assistance will be provided to individuals or private organizations for removing debris from their own property except for eligible private non-profit applicants.
- An eligible local or State government may pick up and dispose of disaster-related debris placed at the curb by those private individuals.
- If debris on private business and residential property is so widespread that public health, safety, or the economic recovery of the community is threatened, the actual removal of debris from the private property may be eligible.
- Right of Entry Agreement must be obtained to indemnify Federal, State, and local governments against any claim arising from such removal.

Category B: Emergency Protective Measures

A. General

Measures to save lives, to protect public health and safety, and to protect improved property are eligible for reimbursement. To be eligible, emergency protective measures for property must eliminate or lessen immediate threats of significant damage to improved public or private property through cost-effective measures.

FEMA may require certification by local, State, and/or Federal officials that a threat exists, including identification and evaluation of the threat and recommendations of the emergency work necessary to cope with the threat.

B. Emergency Access

Emergency access may be provided when emergency repair or replacement of a non-public facility economically eliminates the need for temporary housing. The work is limited to that necessary for the access to remain passable through events that are immediate threats (5-year storm). The work must be performed by an eligible applicant and it is subject to cost-sharing.

Permanent Restoration of Facilities

A. General Eligibility

Facilities will be restored based on their design as they existed immediately before the disaster and in conformity with applicable standards.

Codes and standards must be in writing and formally adopted before project approval, and they must apply uniformly to all similar types of facilities within the jurisdiction.

FEMA may require cost-effective hazard mitigation measures. Any requirement for hazard mitigation placed on applicants by FEMA will be eligible. Applicants are encouraged to suggest hazard mitigation measures.

A facility is considered repairable when disaster damages do not exceed 50 percent of the cost of replacing a facility so that it can resume functioning as well as it did immediately before the disaster. Conduct a repair versus replacement analysis if repairs to a facility would appear to cost 50 percent or more of the cost of replacing the facility. For more information, see FEMA 286, Public Assistance Guide, pages 50–54.

Relocation may be approved by FEMA when a facility is subject to repetitive damage, and it is cost-effective to relocate. When FEMA requires relocation, eligible work includes land acquisition and ancillary facilities such as roads and utilities. For more information, see FEMA 322, Public Assistance Guide, pages 31–32.

Category C: Road Systems

A. Repairs and Replacements

The damage must be directly related to the disaster. It cannot be a pre-existing condition nor caused by an event after the official period of incidence. Repairs to structures may be made when the estimated repair cost is less than the estimated replacement cost, unless the structure is damaged greater than 50 percent. If a structure is damaged to the extent that repairs exceed 50 percent of the replacement costs, funding may be provided to replace the structure. The applicant also may choose to make repairs; however, the funding provided will be limited to the cost of replacement.

B. Road Repairs

On gravel roads, loss of gravel must be evident. Potholes and rutted surfaces must be shown to be a result of the disaster event.

See FEMA publication 322, Public Assistance Guide.

C. Paving

Loss of paved surface is eligible. Alligatored surface is generally a sign of normal deterioration and is not eligible, unless shown to be exclusively disaster-related.

D. Standards

Bridge and road standards that have been formally adopted and are in practice, or adopted and placed in effect prior to project approval by the applicant, are eligible. The standards must apply to work accomplished using all sources of funds, and not limited to work receiving State and/or Federal aid. A copy of standards and council meeting minutes approving the standards should be maintained in the permanent applicant file.

E. On-System Facilities

Facilities funded by other Federal agencies, such as the Federal Highway Administration (FHWA), are not eligible for permanent repair. Debris removal and emergency measures are eligible on Federal-aid roads except where the Emergency Relief (ER) program of the FHWA is activated. For more information, see FEMA publication 286, Public Assistance Guide.

F. Scheduled Replacement

Facilities are not eligible if scheduled for replacement within the next 12 months using Federal funds.

Category D: Water Control Facilities

A. Levees and Dams

If the levee or dam meets the definition of a flood control work and falls within the authority of the U.S. Army Corps of Engineers (USACE) or Natural Resources Conservation Service (NRCS), it is not eligible.

B. Drainage Channels

Restore to pre-flood hydraulic capacity. The USACE or NRCS may be involved in some flood channels; in these cases, drainage channels are not eligible. Man-made channels must show evidence of routine maintenance. Appropriate documentation should be placed in permanent applicant file.

C. Natural Streams

Debris removal from natural streams is not usually eligible for assistance. Only debris that causes a threat to lives, public health and safety, or damage to improved property from a 5-year flood event, is eligible. Work to protect improved property must have a favorable benefits-to-costs ratio. Any work in natural streams must also be closely reviewed and monitored to minimize undesirable environmental effects.

D. Seeding and Sodding

Seeding, grass, and sod will be eligible only when necessary to stabilize slopes and minimize sediment runoff. Seeding, grass, and sod will not be eligible for cosmetic purposes.

E. Debris

Disaster-caused debris in catch basins and channels is eligible for removal when the pre-existing condition can be established.

Category E: Public Buildings and Equipment

A. Restoration

Buildings are to be restored to pre-disaster design capacity in accordance with present codes and standards.

B. Use and Occupancy

The building must have been in active use before the disaster. If only part of the building was occupied at the time of the disaster, or if the building was being used for a less demanding function than its original purpose, then replacement will be made at the reduced size, or restoration will be limited to that required to resume the immediate pre-disaster use.

C. Extensive Damage

If repairs to a facility would cost 50 percent or more of the cost of replacing the facility to its pre-disaster design, then the facility is eligible for replacement. This is known as the “50% Rule” and is discussed in detail on pages 28–31 of FEMA 322, Public Assistance Guide.

D. Insurance

Check on insurance presently in force. Insurance coverage pays first. Uninsured losses are eligible. If repair costs exceed \$5,000, an applicant must obtain and maintain insurance to cover the facility for the hazard that caused the damage; this should be equal to the amount of damages, at a minimum.

E. Equipment

Office equipment and furniture should be replaced with used or surplus, if available. Repair if feasible.

F. Supplies

Consumable supplies will be replaced to pre-disaster quantities.

G. Vehicles

Special equipment, such as two-way radios, is eligible. Blue book prices should be used and salvage taken. Check for comprehensive insurance.

H. Grounds

Grounds around buildings may be included with building structure if it is to be handled as a single project, except trees and other plantings, which are not eligible.

I. Cleaning

For buildings with minimal damage, cleaning and painting is eligible.

J. Worship Facilities

Buildings that are used primarily for worship or religious education purposes are not eligible.

Category F: Public Utilities

A. Electrical

Restore to pre-disaster condition in the most economical manner. Extra pole structures are sometimes necessary to restore the function when erosion has destroyed stream banks and ground clearance has to be maintained over longer distances.

B. Sewer Collapse

Visual evidence of ground subsidence indicating infiltration into the pipe must be present.

C. TV Inspection

Limited TV inspection is eligible when damage is apparent. Use of TV inspection to search for problems is not eligible.

D. Cleaning

Cleaning of disaster-related debris from sewer lines is eligible only when necessary to restore adequate functioning of the system in specific reaches when the pre-existing condition can be established.

E. Revenues

Loss of revenue is not eligible. Added costs or charges for providing regular utility services are not eligible.

Category G: Parks, Recreational, and Other

A. Grass

Grass, seeding, and sod are eligible only when necessary to stabilize slopes and minimize sediment runoff. Grass, seeding, and sod are not eligible for cosmetic purposes.

B. Trees

Trees and other plantings are not eligible.

C. Damage Estimates

All structures and damage sites within a park may be included as a single project if repair or contract is being handled that way. They can be claimed separately, if desired.

D. Beaches

To be eligible, a beach must have been improved and regularly maintained prior to the disaster. Maintain documentation in permanent applicant file. Permanent restoration of the sand on natural beaches is not eligible. (Also see Emergency Protective Measures.)

Public Assistance Process

The PA process may start with the Preliminary Damage Assessment (PDA) and entry of that data into National Emergency Management Information System (NEMIS).

The part of the sequence we will discuss briefly begins after the Presidential Declaration, in which a Federal Coordinating Officer (FCO) is designated.

The FCO assigns a Public Assistance Officer (PAO). The Governor's Authorized Representative (GAR) or State Coordinating Officer (SCO) will appoint a State PAO.

PA Process

1. The State PAO schedules Applicants' Briefings and notifies applicants. The Federal PAO supports this effort and, if invited, assists in the briefing.
 - The State PAO and staff conduct the Applicants' Briefings to explain the PA process to all potential applicants following a disaster.
 - State PA staff must provide potential applicants with the help they need to apply and to complete their Project Worksheets (PW).
 - The Applicants' Briefing Checklist, PA Application Checklist, and a Request for PA form can be found in the Supplemental Materials. The entire PA Guide Book is online, and FEMA provides a slide show that you can customize and use for your Applicants' Briefings.
2. Applicants submit their Requests for Public Assistance (RPA) with the State. Applicants are assigned a State PA Liaison (PAL) and a Federal Public Assistance Coordinator (PAC).
3. The PAC holds a Kickoff Meeting with the applicant and the State Liaison.
4. The applicant formulates projects based on the guidance received in the Kickoff Meeting. Assistance is provided by the PAC and the State PAL. Projects are separated into large or small, depending upon the cost of repair.
5. PWs for small projects are submitted by the applicant for closure and validation.
6. PWs for large projects are prepared by FEMA in cooperation with the applicant. A Project Officer is assigned to the large projects.
 - Samples of PWs and related material can be found in the Supplemental Materials.

Applicants are required to keep documentation for a minimum of 3 years following the date the State closes out the project. Additional information on documentation can be found in the Supplemental Materials section.

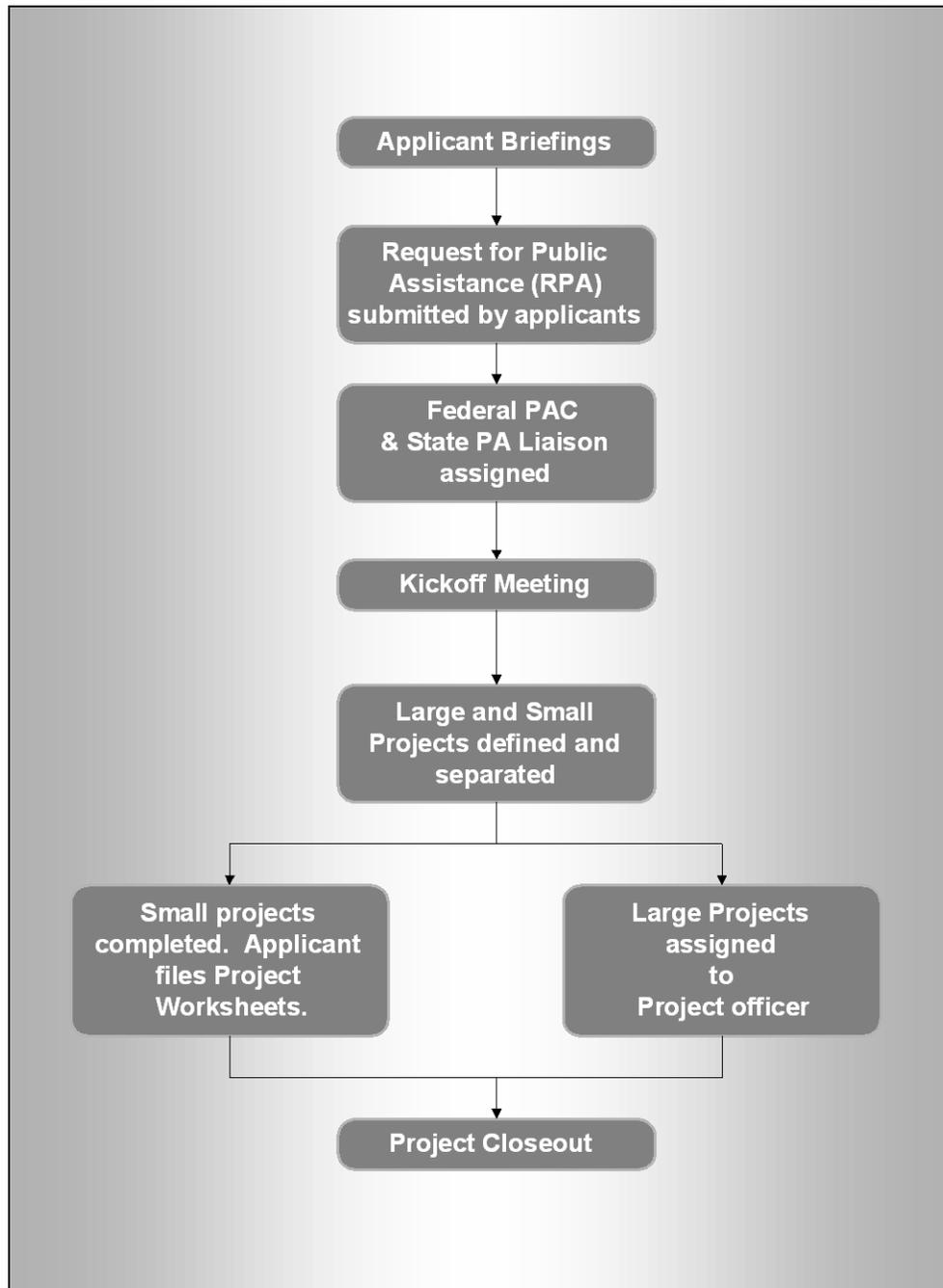
For permanent work, the time for completion is 18 months, and the State can grant a 30-month extension, if justified.

Many states are now closing disasters in 24 months or less.

Emergency work should be completed in 6 months, and the State has the option to give another 6 months if an extension is justified.

On the following page is a flowchart illustrating the PA process.

Public Assistance Process



State Roles and Responsibilities

For disaster operations to proceed efficiently and for applicants to receive funding in the minimum amount of time, FEMA and the State must work together. The State's role is to:

- Provide technical support and assistance to applicants.
- Ensure that potential applicants are educated about the PA Program and are aware that the assistance is available.
- Collect damage information and prepare cost estimates with FEMA assistance.
- Grant funds to applicants.
- Manage the grants through project monitoring, inspection, and reconciliation.

State Administrative Plan for Public Assistance

The State is required to develop a State Administrative Plan to manage the PA Program. The plan should include the designation of responsibilities for State agencies and staffing for the PA Program.

An approved State Administrative Plan must be on file with FEMA before grants will be approved for any major disaster. The approved State Administrative Plan should be incorporated into the State's emergency plan.

The State Administrative Plan should also include procedures for:

- Notifying potential applicants
- Conducting Applicants' Briefings
- Assisting FEMA in determining applicant eligibility
- Participating in the damage assessment and project application processes
- Processing appeals
- Determining compliance with 44 CFR Parts 13 and 206
- Determining compliance with audit requirements
- Processing advances of funds and reimbursement, and budget requirements
- Determining staffing and budget requirements

In putting together the administrative plan and working on the disaster, be aware that FEMA is required to comply with Federal laws, regulations, and executive orders.

The two most well known are:

- NEPA
- The National Historic Preservation Act (NHPA)

The following page contains additional information on these acts.

FEMA also is required to comply with other laws and regulations, including:

- Coastal Barriers Resources Act (COBRA)
- Coastal Zone Management Act
- Endangered Species Act
- Clean Water Act
- Clean Air Act
- Resources Conservation and Recovery Act

Four executive orders apply to the PA process, including:

- Floodplain management
- Wetlands management
- Environmental justice
- Seismic retrofit

The Federal and State PAOs must be very knowledgeable on all these issues. As SCO, you should be sufficiently conversant on the issues to know what impact they might have on the disaster you manage.

National Environmental Policy Act (NEPA)

The NEPA requires that all Federal agencies consider the effect of proposed actions and alternatives on the environment before deciding to fund and implement those actions. Note the term “before.” There have been problems where applicants construct projects without considering this requirement—and no funding is eligible.

You need to be aware that some actions are excluded from the NEPA requirement either by statute or by category. There are courses on this subject, so we won't go into detail here, but look at 44 CFR, Part 10.

Other laws also must be considered, and we will cover those shortly.

NEPA compliance is especially of concern for alternate projects, improved projects, and hazard mitigation projects. Be sure there is coordination with FEMA on any of these.

National Historic Preservation Act

The NHPA requires Federal agencies to:

- Identify historic properties that may be affected by a project.
- Evaluate the effects of the proposed work on historic properties.
- Consult with the State Historical Preservation Officer (SHPO), the Tribal Historic Preservation Officer, the Advisory Council on Historic Preservation, and other interested parties such as private owners, Native American Groups, local historic societies, etc.
- Proceed only after completing the historic review process.

The NHPA encourages FEMA to establish “programmatic agreements” with State Emergency Management Agencies, SHPOs, and the Advisory Council. Such an agreement outlines roles and responsibilities, streamlines the process for compliance with Section 106 of the NHPA for certain types of projects and identifies types of projects that are excluded from NHPA review.

Unit 8 Learning Check



1. The PA Program is funded:
 - a. 50% State and 50% Federal
 - b. 25% State, 25% Local, and 50% Federal
 - c. 75% State and 25% Federal
 - d. 25% State and 75% Federal

2. Which entities are eligible to apply for PA? Circle all that apply.
 - a. State governments and agencies
 - b. Local governments
 - c. Special districts
 - d. All private non-profit agencies
 - e. Native American and Eskimo tribes listed with BIA

3. What is the threshold between small and large projects (for FY 2002)?
 - a. \$48,800
 - b. \$52,000
 - c. \$99,999
 - d. \$24,999

4. Matching: Match the project with the work category.

PROJECT	WORK CATEGORY
Repair city bandstand and gazebo	Category A: Debris Removal Emergency Work
Rebuild sewer ponds	Category B: Emergency Protective Measures
Rebuild county court house	Category C: Road Systems
Rebuild collapsed freeway overpass	Category D: Water Control Facilities
Remove fallen trees from firehouse driveway	Category E: Public Buildings and Equipment
Remove debris caught in bridge structure, damming stream	Category F: Public Utilities
Place sandbags around public school	Category G: Parks, Recreational, and Other

5. List two federally-legislated Acts with which PA projects must comply.

Please see Appendix A, pages A.13 and A.14, to check your answers.

Supplemental Materials

Applicants' Briefing Checklist

Begin the briefing with a welcome and have applicants and speakers sign in. Introduce each person who will be participating in the briefing.

- Fulfill your State's responsibilities when you:
 - Schedule and conduct the briefing with FEMA assistance if requested.
 - Notify potential applicants, including pre-identification of PNP organizations.
 - Control access to the briefing and maintain and certify an attendance register.
 - Prepare and distribute informational packages.
- Discuss key topics, including incident period and declared disaster.
- Discuss PA/Infrastructure Support Programs, including:
 - Identification of applicant's eligibility, work eligibility, and cost eligibility
 - Private and non-profit qualifications
 - Work categories
 - Types of funding options
 - Insurance requirements
- Discuss preparations for the PW process, including:
 - Preparation and submission of RPA
 - Preparations for the Kickoff Meeting
 - PAC Role
 - Appeal process
- Discuss requirements and the process of the PW, covering:
 - Record keeping and documentation requirements
 - Contracting procedures
 - Mitigation requirement.
 - Small and large project requirements
 - Review and approval process
- Review and summarize:
 - Definitions and terms
 - Deadlines
 - Final inspections
 - Final claims
 - Closeouts

Public Assistance Application Checklist

This checklist was prepared to make the process of applying for and receiving disaster assistance as easy as possible. If you have any questions, contact the State Emergency Management Agency.

ADMINISTRATION

- Attend the Applicants' Briefing.
- Contact other potential applicants within your county who sustained disaster-related damages/costs and have them contact the State Emergency Management Agency within 30 days from the date the county was declared.
- Ensure that an applicant's agent is designated by the county or city.
- Submit appeals in a timely manner.
- Check on insurance coverage and determine settlement. Submit a proof of loss statement and copies of all insurance checks to the State Emergency Management Agency.

WORK MONITORING

- 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.

DOCUMENTATION

- 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

Request for Public Assistance

Purpose

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

General Instructions

- Fill out the form completely, providing accurate phone numbers and contact information.
- Submit the form to your State representative at the Applicants' Briefing. You may also Fax or mail it.
- As soon as FEMA receives your request, you can receive assistance in assessing damages and help in completing additional paperwork.

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

FEMA RPA Form

FEDERAL EMERGENCY MANAGEMENT AGENCY REQUEST FOR PUBLIC ASSISTANCE	
<p>Submittal of the Request for Public Assistance Form is the initial step in filing for disaster assistance. After a Presidential Disaster Declaration, State and local government agencies, Native American Tribal organizations, and eligible private non-profit organizations interested in filing must complete and submit this form to the State. The submittal deadline for this form is no later than 30 days after your area is designated eligible for Public Assistance.</p>	
Applicant: Political subdivision or eligible applicant.	Date Submitted: _____
County: Location of damages. If located in multiple counties, please indicate.	
Applicant Physical Location: Street: _____ City: _____ County: _____ State: _____ Zip Code: _____	
Mailing Address: If different than Physical Location. Street: _____ PO Box: _____ City: _____ State: _____ Zip Code: _____	
Primary Contact / Applicant's Authorized Agent Name: _____ Title: _____ Business Phone: _____ Home Phone: _____ FAX Number: _____ Cell Phone: _____ E-mail Address: _____ Pager & Pin Number: _____	Alternate Contact Name: _____ Title: _____ Business Phone: _____ Home Phone: _____ FAX Number: _____ Cell Phone: _____ E-mail Address: _____ 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 describes your organization?	
<p style="text-align: center;">I.</p> <p>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.</p> <p>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.</p>	

Project Worksheets

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.

How do I complete the 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. The damage description and scope of work should be listed in the areas provided on the PW. 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 when known).
- 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.

How do I describe the 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.

The following are examples of possible location descriptions for different types of facilities:

- **Building**—Provide the address to include street name and community (e.g., 1235 Ashnut Lane, Reston, VA).
- **Street, road, or bridge**—Name the intersecting street boundaries, where applicable (e.g., Main Street between Elm and Third Streets).
- Provide other information that documents the exact location of the facility (e.g., Miller Avenue Bridge, 1/3 mile north of City limit, mile marker No. 24).
- A rural road should be identified by township, range, section, and road number (e.g., T7S, R14W, Sec. 28, TR 108).
- **Water or sewer line**—Identify the closest street address along with the proximity of the line to that location (e.g., sewer, 201 N. Cedar Street, on west side of street at alley).

How do I complete the description of damage (including dimensions and quantities)?

The damage must be described in terms of the facility, features, or items requiring repair. Note the differences in the damage descriptions in the following examples:

Example 1:

- **Incomplete:** Two classroom buildings sustained water damage.
- **Complete:** Floodwater inundated two classroom buildings to a depth of two feet, damaging drywall, tile flooring, and books in all rooms.

Example 2:

- **Incomplete:** Floodwaters caused damage to the parking lot.
- **Complete:** Floodwaters undermined the northwest corner of the parking lot. This caused the asphalt surface and gravel sub-base to settle over a 200 sq. ft. area, resulting in broken asphalt and compromised sub-base requiring complete replacement.

All damaged elements of a facility must be clearly defined in quantitative terms with physical dimensions (e.g., 800 ft. by 16 ft. by 4 in., aggregate surface). Without appropriate dimensions, proper estimates of material quantities and costs cannot be developed. Note the differences in the dimensions defined in the following examples:

Example 1:

- Incomplete: High winds and hail destroyed a wooden storage shed.
- Complete: High winds and hail destroyed a 20'L×20'W×14'H wooden storage shed.

Example 2:

- Incomplete: Floodwaters washed away a 20-foot section of earthen road embankment.
- Complete: Floodwaters washed away a 20'L×5'W×10'H section of earthen road embankment.

How do I describe the cause of 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 affect eligibility determinations. For instance, consider the two situations described below:

- Damage from wind-driven rain may be covered by a general insurance policy, but damage from floodwaters may require a flood insurance policy. The difference could affect the insurance coverage reduction applied to the grant.
- Widespread alligator cracking is not usually eligible for repair because it generally indicates a lack of maintenance. However, cracking in specific areas due to settlement from soils saturated by floodwaters is eligible for repair.

How do I complete the Description of Eligible Work?

The scope of work necessary to repair the damage must be completely described and correspond directly to the cause of damage. The work should be specified with quantifiable (length, width, height, depth, capacity) and be in descriptive (brick, wood, asphalt, timber deck bridge) terms. The scope of work should not be described only as

“restore to pre-disaster condition.” If part of the work is completed before project approval, the actual work that was performed should be distinguished from the work remaining. See the following examples:

Example 1:

- Incomplete: 100'L×75'W section of gym floor sustained water damage when facility was inundated with 6' of floodwater. Restore to pre-disaster condition.
- Complete: 100'L×75'W section of gym floor sustained water damage when the facility was inundated with 6' of floodwater. Sand and refinish 100'L×75'W×75"D damaged area; re-paint lines for basketball court (100 sq. ft. of surface area).

Example 2:

- Incomplete: High winds toppled and destroyed six 40' power poles and one transformer. Connecting wires were knocked down along a 0.25 mile stretch of River Road, but were not broken. Replace the damaged parts in the system.
- Complete: High winds toppled and destroyed six 40'H power poles and one (12 KVa) transformer. Connecting wires were knocked down along a 0.25 mile stretch of River Road, but were not broken. Remove and dispose of destroyed power poles and transformer. Replace six 40' power poles and one (12 KVa) transformer. Re-string all connecting wires.

Example of a Completed Project Description:

Damaged Facility—Township Road 415 is an 18-foot wide gravel road with a uniform surface course consisting of 2 inches of crushed limestone aggregate.

Work Complete as of 2/17/98—10%

Location—The road was damaged at the crossing of Mill Creek approximately 2.5 miles south of the intersection of Township Road 415 and State Route 5 in Jones Township, Wayne County.

Latitude 62.885471 **Longitude** -149.095545

Damage Description and Dimensions—Floodwaters from Mill Creek destroyed a 24-foot section of 48-inch CMP culvert and rock slope protection around both ends of the culvert. Floodwaters also washed out the road around the culvert for a distance of 20

linear feet across the entire width of the road. These damages include the 8 foot high road embankment, 6-inches of aggregate base course, and 2 inches of limestone aggregate surface course. Site stabilization, clean up, and closure of the road work activities have been completed at this site.

Scope of Work—Restore washout site by placing 24 feet of 48-inch CMP culvert, 197 tons of compacted unclassified fill, 12 tons of aggregate base course, and 4 tons of crushed limestone aggregate surface course. Place 7 tons of rock slope protection around the culvert at the upstream and downstream road embankment, for a total of 14 tons.

Hazard Mitigation—Replace the destroyed 48-inch CMP culvert with a 60-inch CMP culvert to increase the capacity of the culvert.

Are there special issues I need to show on the PW?

Yes. 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. Using the nine questions on the next page as a quick reference, note any special considerations associated with each project and include that information on the PW.

Things to keep in mind:

- Keep a copy of this completed form with the other documentation on the project to show that these regulatory issues were considered. It is not necessary for you to perform extensive research in order to answer these questions. It is more important that any considerations simply be noted on the PW to alert the PAC early in the process.
- You may want to submit projects with identified special considerations concerns as soon as possible, because these projects will need to be reviewed by specialists before project approval and funding.
- Document 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.
- 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.
- Your PAC will help you with any of these concerns as they arise.

Special Considerations Questions—Sample Form

1.	Does the damaged facility or item of work have insurance coverage and/or is it an insurable risk (e.g., buildings, equipment, vehicles, etc.)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
2.	Is the damaged facility located within a floodplain or coastal high hazard area and/or does it have an impact on a floodplain or wetland?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
3.	Is the damaged facility or item of work located within or adjacent to a Coastal Barrier Resource System Unit or an Otherwise Protected Area?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
4.	Will the proposed facility repairs/reconstruction change the pre-disaster conditions (e.g., footprint, material, location, capacity, use, or function)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
5.	Does the applicant have a hazard mitigation proposal or would the applicant like technical assistance for a hazard mitigation proposal?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
6.	Is the damaged facility on the National Register of Historic Places or the state historic listing? Is it older than 50 years? Are there more, similar buildings near the site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
7.	Are there any pristine or undisturbed areas on, or near, the project site? Are there large tracts of forestland?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
8.	Are there any hazardous materials at or adjacent to the damaged facility and/or item of work?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____
9.	Are there any other environmental or controversial issues associated with the damaged facility and/or item of work?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	Comments: _____ _____

How do I complete the Cost Estimate?

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.

The many methods of estimating uncompleted work range 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 usual method of estimating maintenance and capital improvement projects.

What are some common methods of 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. If you have your own equipment rates approved under State guidelines, such rates are eligible up to a rate of \$75 per hour.

Labor hours should be carefully matched with equipment use hours to ensure consistency. Remember that equipment not in use is not an eligible expense even if it is on site. Also remember that FEMA provides an allowance for disaster inspection and administration costs, based on a percentage of eligible disaster work funding (total project cost), that are not to be included in the PW.

- 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:

- 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 on 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.

**FEDERAL EMERGENCY MANAGEMENT AGENCY
PROJECT WORKSHEET
INSTRUCTIONS**

The Project Worksheet must be completed for each identified damaged project.

Projects with estimated or actual cost of damage greater than \$47,100 are large projects.
Projects with estimated or actual cost of damage less than \$47,100 are small projects.

After completing all Project Worksheets, submit the worksheets to your Public Assistance Coordinator.

Identifying Information

Declaration No: Indicate the disaster declaration number as established by FEMA (i.e. "FEMA 1136-DR-TN", etc.).

Project No: Indicate the project designation number you established to track the project in your system (i.e. 1, 2, 3, etc.).

FIPS No: Indicate your FIPS number on this space. This is optional.

Date: Indicate the date the worksheet was prepared in MM/DD/YY format.

Category: Indicate the category of the project according to FEMA specified work categories. This is optional.

Applicant: Name of the governmental or other legal entity to which the funds will be awarded.

County: Name of the county where the damage is located. If located in multiple counties, indicate "Multi-County."

Damage facility: Identify the facility and describe its basic function.

Work Complete as of: Indicate the date the work was appraised in the format of MM/DD/YY and the percentage of work completed to that date.

Location: This item can range anywhere from an "address," "intersection of..." "1 mile south of ...on..." to "county wide." If damages are in different locations or different counties please list each location. Include latitude and longitude of the project if known.

Damage Description and Dimensions: Describe the disaster-related damage to the facility, including the cause of the damage and the area or components affected.

Scope of Work: List work that has been completed, and work to be completed, which, is necessary to repair disaster-related damage. Include items recorded on the preliminary damage assessment.

Does the Scope of Work change the pre-disaster conditions of the site: If the work described under the Scope of Work changes the site conditions (i.e. increases / decreases the size or function of the facility or does not replace damaged components in kind with like materials), check (✓) yes. If the Scope of Work returns the site to its pre-disaster configuration, capacity and dimensions check (✓) no.

Special Considerations: If the project includes insurable work, and/or is affected by environmental (NEPA) or historic concerns, check (✓) either the Yes or No box so that appropriate action can be initiated to avoid delays in funding. Refer to *Applicant Guidelines* for further information.

Hazard Mitigation: If the pre-disaster conditions at the site can be changed to prevent the disaster-related damage, check (✓) Yes. If no opportunities for hazard mitigation exist check (✓) no. Appropriate action will be initiated and avoid delays in funding. Refer to *Applicant Guidelines* for further information.

Is there insurance coverage on this facility: Federal law requires that FEMA be notified of any entitlement for proceeds to repair disaster-related damages, from insurance or any other source. Check (✓) yes if any funding or proceeds can be received for the work within the Scope of Work from any source besides FEMA.

Project Cost

Item: Indicate the item number on the column (i.e. 1, 2, 3, etc.). Use additional forms as necessary to include all items.

Code: If using the FEMA cost codes, place the appropriate number here.

Narrative: Indicate the work, material or service that best describes the work (i.e. "force account labor overtime", "42" RCP pipe", "sheet rock replacement", etc.).

Quantity/Unit: List the amount of units and the unit of measure ("48/cy", "32/lf", "6/ea", etc..).

Unit Price: Indicate the price per unit.

Cost: This item can be developed from cost to date, contracts, bids, applicant's experience in that particular repair work, books which lend themselves to work estimates, such as RS Means, or by using cost codes supplied by FEMA.

Total Cost: Record total cost of the project.

Prepared By: Record the name and title of the person completing the Project Worksheet.

Record Requirements

Please review the *Applicant Guidelines* for detailed instructions and examples.

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.

What are the four types of projects?

Formulated projects will result in one of four types of projects with different funding restrictions.

The four types of projects are:

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 FY 2002 the threshold was \$52,000. 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, 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 (\$52,000 for Federal FY 2002). All large projects are funded based on actual 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 NEPA and other special considerations that apply. An example of an improved project would be if a one-lane bridge were 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.

Documentation

What type of documentation does the applicant need?

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 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.

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.

How 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.
- 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 do I need to do?

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

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

All of the following 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 3 years from the date of final payment.

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

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 follow:

- 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
- Fringe Benefit Rate Sheet—Used to record fringe benefit pay for employees

May I use my own records system?

Absolutely. If you already have a system you want to use, be sure to compile your documentation according to the project number, which your PAC will assign to your PW. You should keep all documentation for 3 years following the project completion. Under the Single Audit Act, there is a possibility of an audit by State auditors and/or the FEMA Office of Inspector General.

Copies of the summary record forms and instructions are shown in the section of this book entitled “Applicant Record-Keeping Forms and Instruction.” Electronic copies of these forms are available from your PAC or may be downloaded over the Internet from FEMA’s website, <http://www.fema.gov>.

What are the 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—6 months
- Emergency work—6 months
- Permanent work—18 months