

Public Assistance Training



**The Florida Division of Emergency Management
Recovery Bureau**

9.25.2019



Training Objectives

- **Overview of the Public Assistance (PA) Program**
- **How the Public Assistance (PA) Program is Implemented**
- **Public Assistance (PA) Program Recent Changes**
- **Public Assistance (PA) Program Hot Topics**
- **Recovery Bureau Points of Contact**



Overview of the Public Assistance (PA) Program

- **This section will cover the following**
 - **Public Assistance Program**
 - **Categories of Work**
 - **Eligibility Requirements**



Overview of the Public Assistance (PA) Program

- **FEMA's Public Assistance (PA) Grant Program is responsible for helping communities recover from declared emergencies and major disasters by providing assistance to**
 - **Local Governments and Special Districts**
 - **Private nonprofits (PNPs)**
 - **Houses of Worship**
 - **Co-Op Utilities**
 - **State and Territorial Governments**
- **Federally recognized Native American Indian Tribes or authorized Tribal Organizations can apply on their own directly to FEMA or through the State**



Overview of the Public Assistance (PA) Program

- **In accordance with 44 C.F.R. 206.31-206.48 and 206.61-206.67, both Emergency and Major Disasters are declared by the President, at the request of the Governor, and authorize what type of recovery work is eligible for grant funding**



Overview of the Public Assistance (PA) Program

■ There are two types of work: Emergency and Permanent

Emergency Work

**Deadline to complete
Emergency Work is 6
months from the
declaration date**

**Within its discretion,
FDEM may grant a time
extension for Emergency
Work by 6 months
44 CFR §206.204**

Address an
immediate threat:

- A** Debris removal
- B** Emergency
protective
measures

Permanent Work

Restoration of:

- C** Roads/bridges
- D** Water control facilities
- E** Buildings/equipment
- F** Utilities
- G** Parks, recreational,
and other facilities

*Other facilities may also include Temporary Facilities when a continuity of services are provided by eligible Applicants within that facility

**Deadline to complete
Permanent Work is 18
months from the
declaration date**

**Within its discretion,
FDEM may grant a time
extension of up to 30
months for Permanent
Work on a project by
project basis
44 CFR §206.204**



Overview of the Public Assistance (PA) Program

- **Types of Declarations**
 - **Emergency Declaration (EM)**
 - Can occur before an incident
 - Usually Category A and B only
 - Provide additional emergency assistance
 - Protect against immediate threats to life, public safety, improved property
 - Removal of debris
 - Restoration of disaster damaged structures and facilities
 - **Major Disaster Declaration (DR)**
 - Usually covers all Categories of Work (A-G)



Overview of the Public Assistance (PA) Program

- Major Disaster Declarations typically occur after the incident and follow this process



- After Presidential Declaration FDEM conducts an Applicant Briefing addressing:
 - Application Procedures
 - Administrative Requirements
 - Funding
 - Program Eligibility Criteria

Overview of the Public Assistance (PA) Program

■ Are you an eligible Applicant for Public Assistance?

1. Are you an Eligible Applicant?

- State and Territorial Governments
- Indian Tribal Governments
- Local Governments and Special Districts
- Private nonprofits (PNPs)

2. Do you have an Eligible Facility?

- Public facility
- Private nonprofit facility
- Mixed-use facility
- Small Business Administration loan requirement
- Facility under the specific authority of other Federal Agencies
- Inactive or partially inactive facility
- Facility scheduled for repair or replacement

3. Are you Performing and Eligible Task?

- Result of declared incident
- Within designated area
- Legal responsibility

4. Are the Costs Eligible?

- Directly tied to the performance of eligible work
- Adequately documented
- Duplication of benefits
- Non-prohibited work
- Consistent with Applicant's policies
- Necessary and reasonable



Overview of the Public Assistance (PA) Program

■ The PA award process



Overview of the Public Assistance (PA) Program

- The PA award process – Where to apply for Public Assistance?

WebEOC

Step 1: Windshield assessment

Step 2: Preliminary Damage Assessment (PDA) – Request in WebEOC with windshield assessment estimates



Step 3: Applicant Briefing – High level overview of program, expectations and timelines (send primary point of contact)



Overview of the Public Assistance (PA) Program

- The PA award process – Where to apply for Public Assistance?

FloridaPA.org

Step 4: Register organization in FloridaPA.org

Step 5: Request for Public Assistance (RPA) in FloridaPA.org



Step 6: Recovery Scoping Meeting (RSM) – Table 6 of PAPPG



Overview of the Public Assistance (PA) Program

■ The PA award process – Project Formulation



Step 7: Damage inventory – within 60 days of RSM (Table 7 – PAPPG)

Step 8: Develop scope of work (Table 8 – PAPPG)

Step 8a: Change in scope of work (Table 9 – PAPPG)

Step 9: Develop project costs - Work completed or work to be completed (Table 10 – PAPPG)



Overview of the Public Assistance (PA) Program

- **The PA award process – Project Formulation cont.**



Step 10: Project documentation – FL Statute requires 5 years after close of the grant

Step 11: Recovery transition meeting – All projects have been obligated at this point. All documents will be transferred to EMMIE (FEMA database) and FloridaPA.org (State database) for grants payment monitoring



Questions



How the Public Assistance (PA) Program is Implemented

- **This section will cover the following**
 - **Project Development and Obligation Process**
 - **Funding Agreement Process**
 - **Request for Reimbursement (RFR) Process**
 - **Payables Process**
- *All of these processes will occur in separate workflows in FloridaPA.org
 - Each workflow has both internal (Recipient) and external (Subrecipient) steps
 - Each advancement in the workflow is tracked and saved for auditing purposes



How the Public Assistance (PA) Program is Implemented

- **Following a declaration, State and Territorial Governments, Local Communities, and Private nonprofits (PNPs) can apply for the PA Program**
 - **These entities are known as Applicants and must submit Requests for Public Assistance (RPA) through FDEM's online grants database, FloridaPA.org, or directly to FEMA in Grants Portal**
 - **After the Applicant has submitted required documentation in FEMA's Grants Portal, FEMA will determine if the Applicant is eligible to receive Public Assistance**
 - **RPA Deadlines**
 - **Submitted within 30 days after Presidential Declaration designation**
 - **Hurricane Michael was 12/31/2018**



How the Public Assistance (PA) Program is Implemented

- **After FEMA determines that the Applicant is eligible, the Applicant will then work with FEMA's Program Delivery Manager (PDMG) to develop Large and Small Projects for each category of work**
 - **The State Public Assistance Officer (SPA0) and FDEM's Programmatic Review Staff also provide assistance during PW formulation**
 - **Grants Portal is utilized during PW formulation**
 - **The State conducts final project review in Grants Portal prior to obligation**
- **FEMA will make a final determination of project eligibility**



How the Public Assistance (PA) Program is Implemented

- **The Florida Division of Emergency Management (FDEM) is responsible for the State of Florida's administration of the PA Program, in compliance with Federal and State Laws**
 - **FDEM is the Recipient of Federal funds for administering the PA Program and is responsible for disbursing these funds to the Subrecipient (previously known as the Applicant)**
 - **Funds are typically disbursed at a shared cost, where the Federal share is generally not less than 75%, but under certain EXCEPTIONS can be as high as 90% or 100%**
 - **FDEM disburses funds and tracks Subrecipient grant performance through FloridaPA.org**
 - **FloridaPA.org is organized in workflows to reflect each step in the grant administration process**



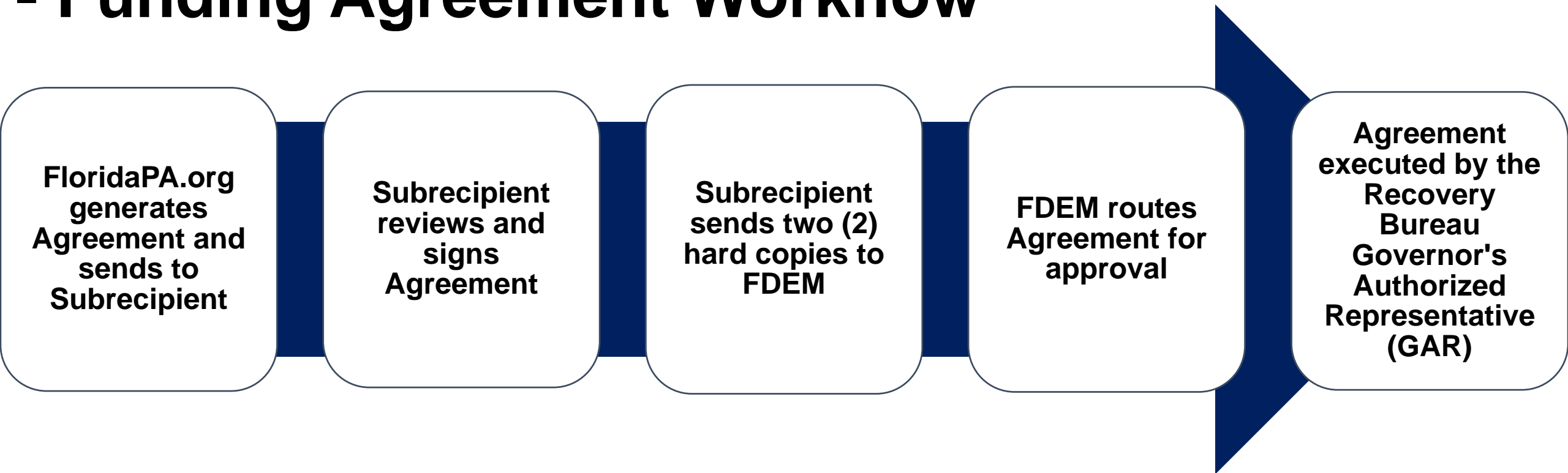
How the Public Assistance (PA) Program is Implemented

- **In order to receive reimbursement, it is compulsory for the Applicant to enter into a Funding Agreement (FA)**
 - **The Funding Agreement (FA) is a contract that establishes the Recipient (FDEM) and Subrecipient (Applicant) relationship for the Public Assistance Grant Program**
 - **The Funding Agreement (FA) outlines the terms and conditions of accepting Federal funding through the Public Assistance Grant Program**



How the Public Assistance (PA) Program is Implemented

■ Funding Agreement Workflow



***At this point, the Applicant should be registered in MFMP and have submitted a substitute form W9 to DFS**



How the Public Assistance (PA) Program is Implemented

- The screen shot below is an example of the Funding Agreement workflow in FloridaPA.org

Subrecipient Responsibility →

Workflow » Item Workflow

1. Sent to Sub-Recipient
2. Subrecipient Review...
3. Grant Manager Review
4. Grant Program Mana...
5. State Finance Review
6. Legal Review
7. GAR Execution
8. Fully Executed
9. Prepare TRF
10. FACTS
11. Grant Manager Review
12. Contacts Update
13. Grant Program Mana...
14. Complete

Sent to Sub-Recipient
Grant Manager reviews Funding Agreement to ensure fields are auto populated correctly and advances to the Subrecipient for execution.

Recipients

To: Grant Manager



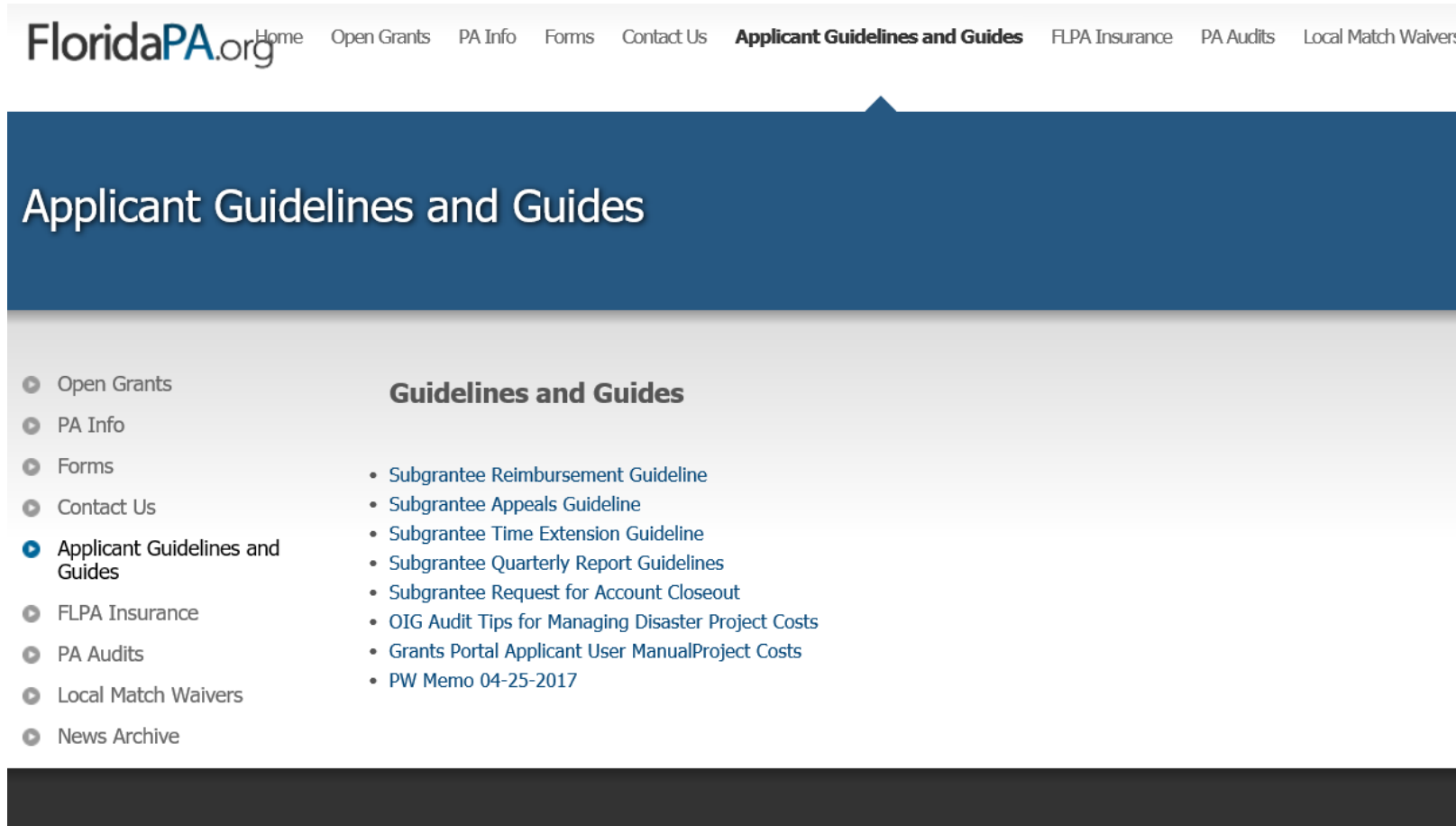
How the Public Assistance (PA) Program is Implemented

- **Project Thresholds**
 - Set by FEMA each year (visit <https://www.fema.gov/public-assistance-indicator-and-project-thresholds>)
 - **Large Project PWs**
 - Cost equal to or greater than the threshold of \$128,900
 - Require an RFR to be submitted for validation
 - Require quarterly reports
 - **Small Project PWs**
 - Cost below the threshold of \$128,900



How the Public Assistance (PA) Program is Implemented

■ Applicant Guidelines and Guides



The screenshot displays the FloridaPA.org website. The top navigation bar includes links for Home, Open Grants, PA Info, Forms, Contact Us, **Applicant Guidelines and Guides**, FLPA Insurance, PA Audits, and Local Match Waivers. The main header area is dark blue with the text "Applicant Guidelines and Guides". Below this, a sidebar on the left lists various categories with circular icons, where "Applicant Guidelines and Guides" is selected. The main content area, titled "Guidelines and Guides", lists several specific documents: Subgrantee Reimbursement Guideline, Subgrantee Appeals Guideline, Subgrantee Time Extension Guideline, Subgrantee Quarterly Report Guidelines, Subgrantee Request for Account Closeout, OIG Audit Tips for Managing Disaster Project Costs, Grants Portal Applicant User ManualProject Costs, and PW Memo 04-25-2017.

FloridaPA.org Home Open Grants PA Info Forms Contact Us **Applicant Guidelines and Guides** FLPA Insurance PA Audits Local Match Waivers

Applicant Guidelines and Guides

- Open Grants
- PA Info
- Forms
- Contact Us
- Applicant Guidelines and Guides**
- FLPA Insurance
- PA Audits
- Local Match Waivers
- News Archive

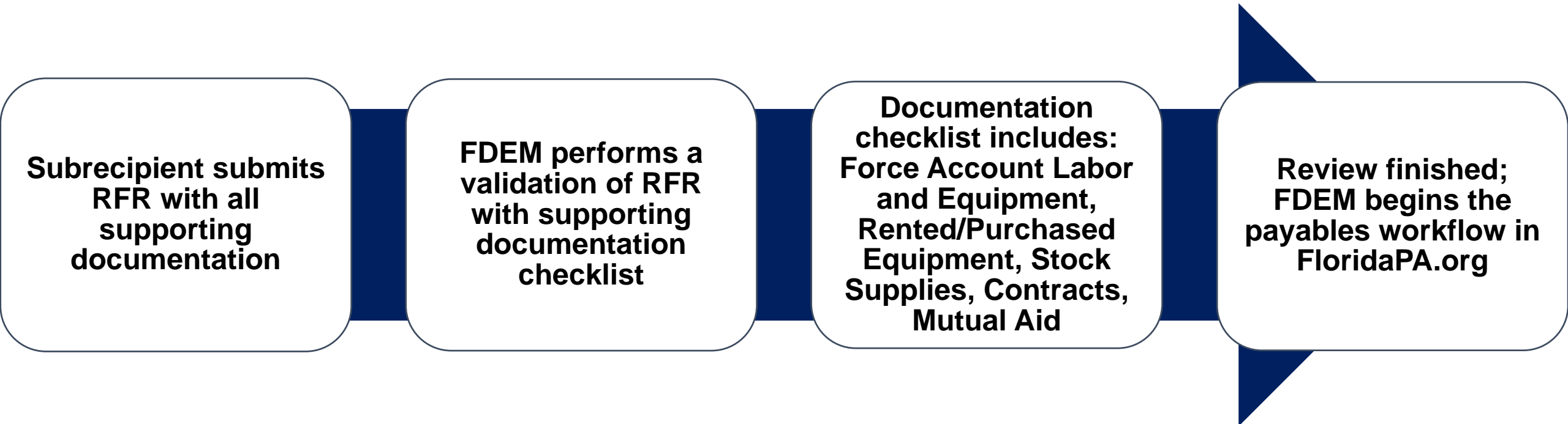
Guidelines and Guides

- Subgrantee Reimbursement Guideline
- Subgrantee Appeals Guideline
- Subgrantee Time Extension Guideline
- Subgrantee Quarterly Report Guidelines
- Subgrantee Request for Account Closeout
- OIG Audit Tips for Managing Disaster Project Costs
- Grants Portal Applicant User ManualProject Costs
- PW Memo 04-25-2017



How the Public Assistance (PA) Program is Implemented

- **For Large Projects, Subrecipients are required to submit a Request for Reimbursement (RFR) with supporting documentation in FloridaPA.org to receive a payment**



How the Public Assistance (PA) Program is Implemented

- The screen shot below is an example of the RFR workflow in FloridaPA.org

**FDEM
Responsibility**



Workflow » Item Workflow

1. Applicant Submission
2. Validation of Request
3. Invoice Acknowledge...
4. Grant Program Mana...
5. Approved

Applicant Submission

External Step ⓘ
Request has not yet been submitted by Subrecipient OR has been returned by FDEM for additional information.
This request has not been submitted or returned by FDEM for additional information. Unable to be processed until proper supporting information is received and RFR is advanced to the subsequent step.

Recipients

To: Grant Manager

*FDEM can perform Step 3 in the workflow if it receives permission from the Subrecipient



How the Public Assistance (PA) Program is Implemented

▪ Payables Process

- The payables process begins after the RFR has been reviewed and submitted in FloridaPA.org
- To generate a project payment:
 - FDEM creates it in the Ready to Pay tab under the payments section of the project within FloridaPA.org
- Once a payment is created:
 - FDEM begins the payables workflow in FloridaPA.org

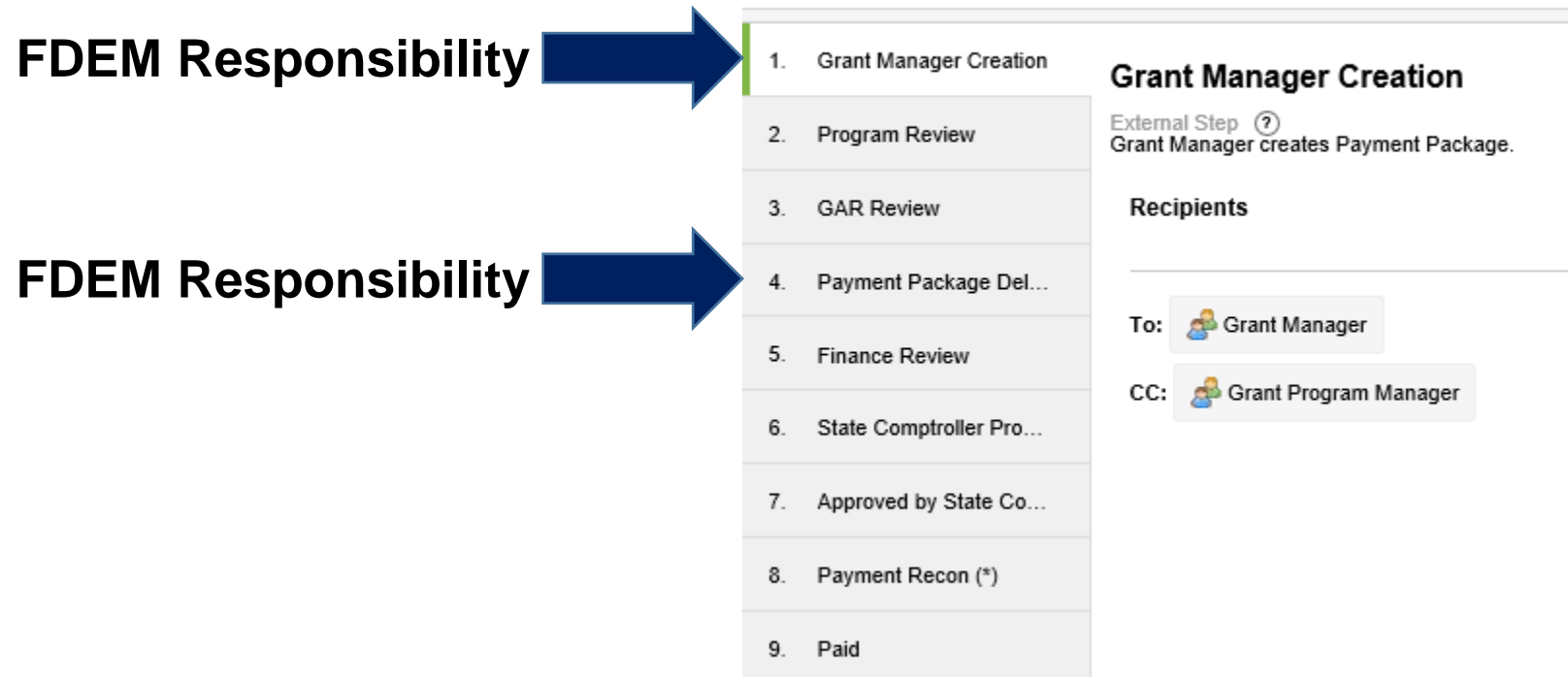
▪ Payables Types

- Two types of payables:
 - Large payment
 - Small payment



How the Public Assistance (PA) Program is Implemented

- The screen shot below is an example of the Payables workflow in FloridaPA.org for both large and small payments



Questions



Public Assistance (PA) Program Hot Topics

- **This section will cover the following**
 - **“Validate As You Go” Pilot**
 - **Amendments to the Robert T. Stafford Disaster Relief and Emergency Assistance Act**
 - **Procurement Activity**
 - **Applicant Response Time**
 - **Public Assistance Development**



Public Assistance (PA) Program Hot Topics

- **“Validate As You Go” Pilot**
 - **When does it start?**
 - **It covers FY17 and forward**
 - **What is it?**
 - **Concurrent validation of project documentation as Federal Assistance funds are drawn down by the Grant Recipient**
 - **Provides FEMA a 95% assurance that project funding is appropriately expended**
 - **How is it different?**
 - **Instead of waiting for closeout requests to review documentation, FEMA will review and validate documentation as work progresses**
 - **Why the change?**
 - **Expedite the timeline for project closeout**
 - **Reduced risk of loss of documentation over time**
 - **Establishes a documented and consistent sampling methodology**



Public Assistance (PA) Program Hot Topics

- **Amendments to the Robert T. Stafford Disaster Relief and Emergency Assistance Act**
 - **Public Assistance Program Improvements (Section 1207)**
 - **Removes the reduction of assistance for alternate projects**
 - **Limits a flood insurance deduction to one building within a multi-structure campus for disasters declared between Jan. 1, 2016, and Dec. 31, 2018**
 - **Prohibits required participation in the Public Assistance Alternative Procedures Pilot program**
 - **Creates a presumption within the Public Assistance Alternative Procedures for Permanent Work that a cost estimate certified by an engineer and accepted by the Administrator is reasonable and eligible without evidence of fraud**



Public Assistance (PA) Program Hot Topics

- **Amendments to the Robert T. Stafford Disaster Relief and Emergency Assistance Act cont.**
 - **Public Assistance Management Costs (Section 1215)**
 - **Expanded to include both direct and indirect administrative expenses by the State, Local, Tribal or Territorial Government**
 - **Established the following rates**
 - **Up to 12% of the total award amount with up to 7% for the Recipient and 5% for the Subrecipient**



Public Assistance (PA) Program Hot Topics

- **Amendments to the Robert T. Stafford Disaster Relief and Emergency Assistance Act cont.**
 - **Public Assistance Right of Arbitration (Section 1219)**
 - **Provides for arbitration of disputes, in lieu of a second appeal**



Public Assistance (PA) Program Hot Topics

- **Amendments to the Robert T. Stafford Disaster Relief and Emergency Assistance Act cont.**
 - **Public Assistance 406 Codes and Standards (Section 1235b)**
 - **Authorizes FEMA to provide Public Assistance funding to replace and restore disaster damaged facilities to the latest published editions of relevant consensus based codes and standards to ensure that facilities are restored in a manner that allows them to be resilient**



Public Assistance (PA) Program Hot Topics

- **Procurement Activity**

- **Non-state Applicants must follow the procurement requirements found at 2 C.F.R §§ 200.317 – 200.326**
- **Federal regulations allow exceptions for noncompetitive procurements under certain circumstances**
 - **Exigency situations where there is a need to avoid, prevent or alleviate serious harm or injury, financial or otherwise, to the Applicant**
 - **Typically exist for a period of weeks or months**
 - **Emergency situations where there is a threat to life, public health or safety, or improved property requires immediate action to alleviate the threat**
 - **Typically short lived**



Public Assistance (PA) Program Hot Topics

- **Applicant Response Time**
 - **Applicants need to be proactive in completing Essential Elements Information (EEl)s and Requests for Information (RFIs) throughout the project development phase in Grants Portal**
 - **Statements of Work (SOW) and Detailed Damaged Descriptions (DDD)s often times can't be completed without the relevant EEI and RFIs answered**
 - **Project obligation is ultimately delayed**



Public Assistance (PA) Program Hot Topics

- **Public Assistance Development**
 - **FDEM will be introducing a series of training materials**
 - **PA101 Guide (version 1 currently published)**
 - **Procurement under FEMA Grants**
 - **Environmental and Historic Preservation Issues**
 - **Appeals**
 - **Insurance**
 - **Other PA related topics**
 - **FDEM is performing business mapping methodology and practices to revamp and improve its Standard Operating Procedures/Guidance (SOPs/G) throughout the Public Assistance Program, to include its Activation SOG along with many others**



Questions



Recovery Bureau Points of Contact

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References

- FEMA Public Assistance and Policy Guide:
 - <https://www.fema.gov/media-library/assets/documents/111781>
- 44 CFR:
 - https://www.ecfr.gov/cgi-bin/text-idx?SID=7ec6ee8fe0bea5a7d2661b25fb56ae6d&mc=true&tpl=/ecfrbrowse/Title44/44cfrv1_02.tpl#0
- 2 CFR:
 - https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2tab_02.tpl
- Disaster Recovery Reform Act of 2018:
 - <https://www.fema.gov/disaster-recovery-reform-act-2018>
- FloridaPA.org Applicant Guidelines and Guides:
 - <https://floridapa.org/site/guidelines.cfm>
- Project Thresholds
 - <https://www.fema.gov/public-assistance-indicator-and-project-thresholds>

