

Applicants' Frequently Asked Questions

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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 for information on the PA program.

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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.
- 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.

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.

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- 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 be used?

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.

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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 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 – ½ 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

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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.
- 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 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.

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- 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.

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- 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.

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- 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.

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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:

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- 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.

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- 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.

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- 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.