

Public Assistance Applicant Briefing

Iowa Homeland Security and Emergency
Management (HSEMD)

John Benson, Director



Introduction

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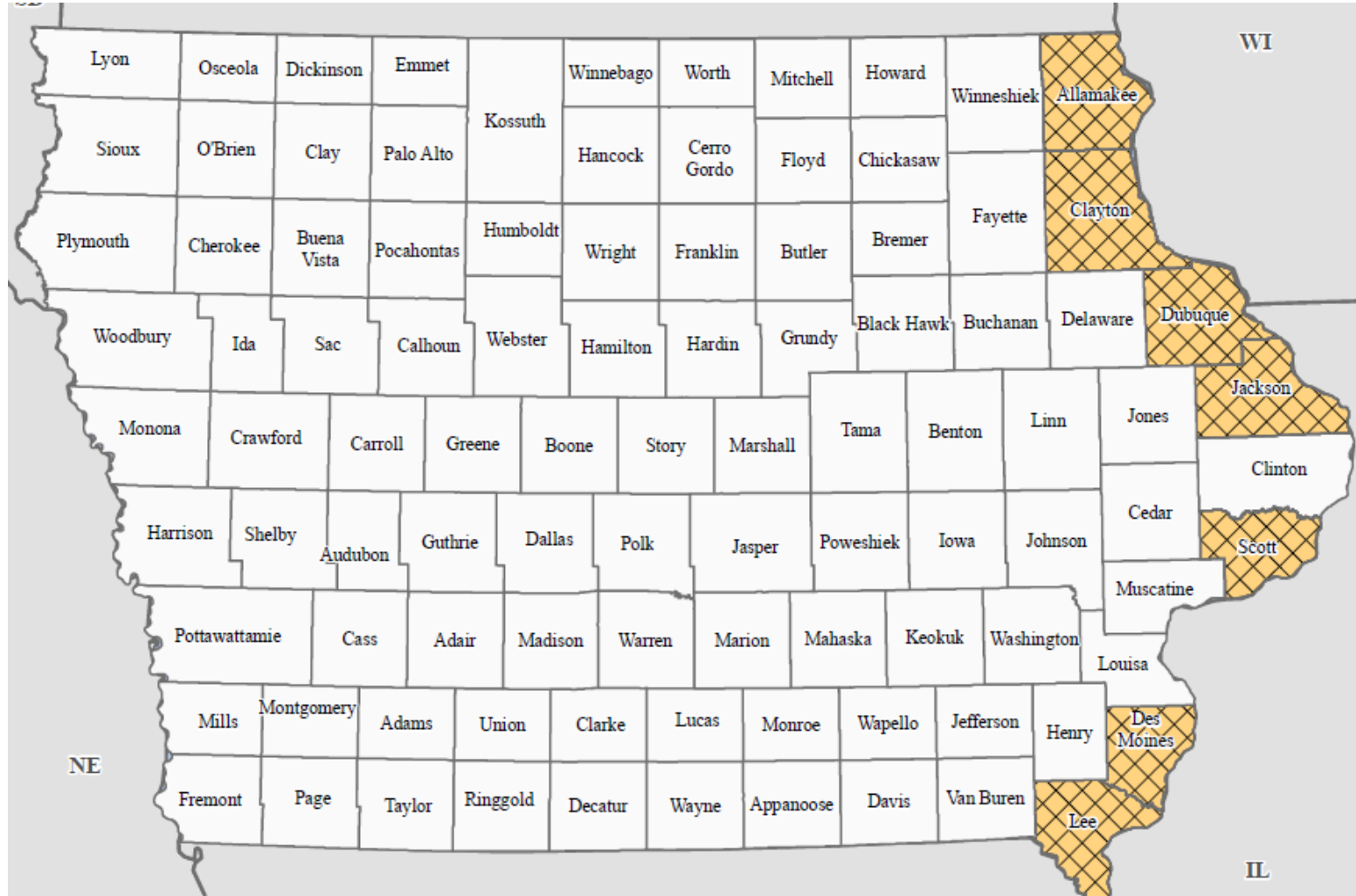
Briefing Objectives

- Review the process for submitting a Request for Public Assistance (RPA)
- Provide an overview of the Public Assistance Program and funding process
- Highlight key requirements and helpful resources

Incident Overview & Key Dates

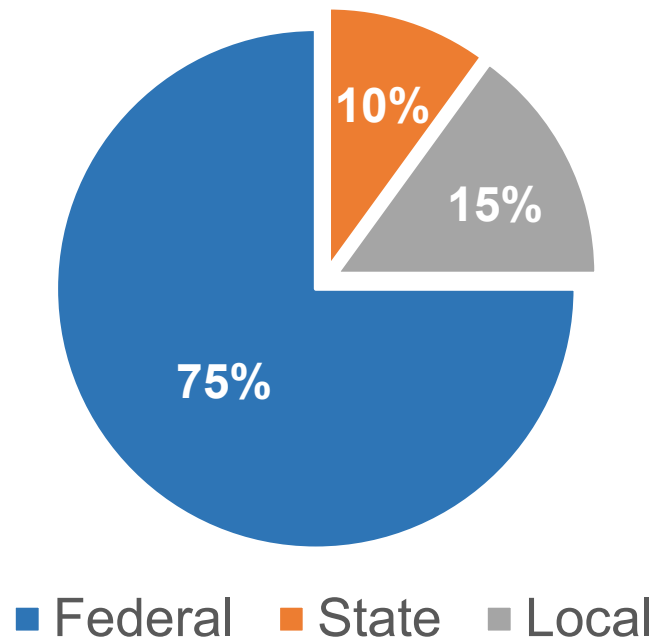
Incident : DR-4732-IA, Mississippi Flood
Incident Dates : April 24, 2023 – May 13, 2023

Declaration Date : August 25, 2023
RPA Deadline : September 24, 2023



Public Assistance

FEMA's Public Assistance (PA) program provides supplemental grants following a Presidential disaster declaration to assist communities respond to and recovery from major disasters or emergencies.



Request for Public Assistance

RPA Deadline: September 24, 2023

- What is the RPA?
- Where is the RPA?
- What do information do I need to complete the RPA?

How to tutorial on our website:

homelandsecurity.iowa.gov/disasters/public-assistance/

EMGrantsPro



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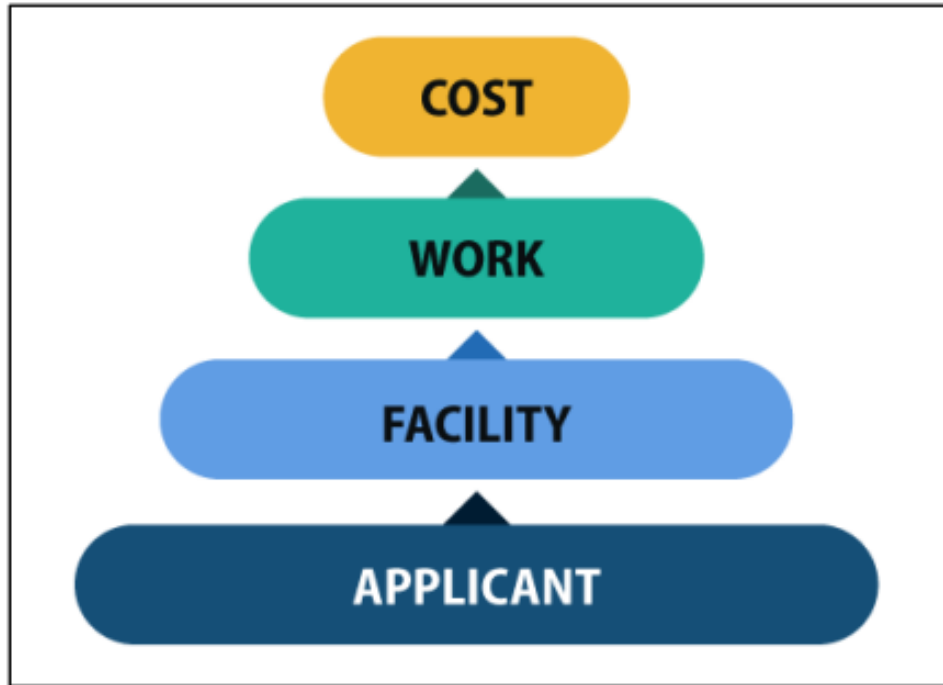
Sign In

Register

Key References & Resources

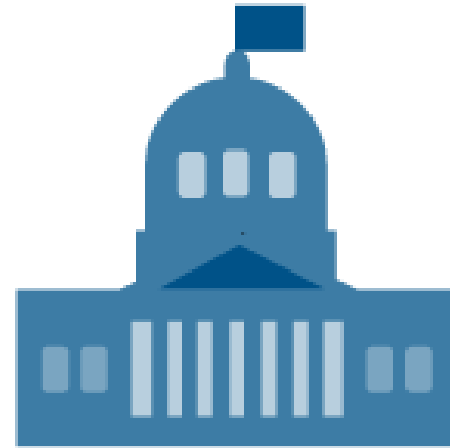
- Public Assistance Program and Policy Guide (PAPPG)
- Robert T. Stafford Act, as amended
 - Public Law 100-707, amended by Public Law 93-288
- 44 CFR 206
- 2 CFR 200
- HSEMD's Public Assistance Webpage
- HSEMD's EMGrants Pro
- FEMA's Grants Portal

Eligibility



Applicant Eligibility

- State Government Agencies
- County Governments
- Municipal Governments
- Municipal Authorities
- School Districts
- Taxing Districts
- Tribal Governments
- Certain Private Nonprofits (PNPs)



Facility Eligibility

- Damage is a result of the declared disaster
- Located within a declared area
- The legal responsibility of an eligible applicant
- Active at the time of the disaster
- Not under the authority of another federal agency (e.g. USACE, NRCS, FHWA)



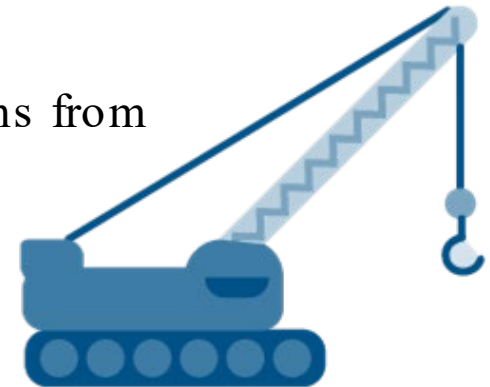
Work Eligibility

Emergency Work – Must be completed within 6 months from declaration

- Category A: Debris Removal
- Category B: Emergency Protective Measures

Permanent Work – Must be completed within 18 months from declaration

- Category C: Roads and bridges
- Category D: Water control facilities
- Category E: Public buildings and contents
- Category F: Public utilities
- Category G: Parks, recreational, and other facilities



Emergency Work – Category A

Debris removal activities such as clearance, removal, and disposal, are eligible if the removal is in the public interest based on if the work:

- Eliminates immediate threat to lives, public health and safety
- Eliminates immediate threat of significant damage to improved public or private property
- Ensures economic recovery to the benefit of the community at large
- Mitigates risk to life

Be prepared to provide:

- ☐ Estimates of debris quantity
- ☐ Photographs
- ☐ Location of debris (GPS of physical)
- ☐ Location of temporary reduction sites and permanent disposal sites
- ☐ Copies of permits (if applicable)
- ☐ Quantities of debris removed, reduced, disposed, and recycled with load tickets
- ☐ Documentation of legal responsibility and immediate threat

Resource: [Iowa DNR Disaster Debris Management Information Packet](#)

Emergency Work – Category B

Emergency protective measures conducted before, during, and after an incident are eligible if they:

- Eliminate or lessen the immediate threats to lives, public health, or safety

OR

- Eliminate or lessen immediate threats of significant additional damage to improved public or private property in a cost-effective manner

Examples include:

- Transporting and pre-positioning equipment or resources
- Flood fighting
- Emergency Operation Center (EOC) costs
- Emergency access
- Supplies and commodities
- Medical care and transport
- Evacuation and sheltering
- Demolition of structures
- Search and rescue
- Firefighting
- Use of temporary generators

Permanent Work – Cat. C-G

- Restoring a facility to its pre-disaster **design** and **function** .
 - **Design** : size or capacity of a facility as originally constructed or subsequently modified.



Example of Restoring to Pre-disaster Design

If a school designed for a capacity of 100 students is damaged beyond repair, the eligible funding for the replacement facility is limited to that necessary for 100 students, even if more than 100 students were attending the school prior to the incident.

- **Function** : the function for which the facility was originally designed or subsequently modified.



Example of Restoring to Pre-disaster Function

If the Applicant is using an office building as a storage facility at the time of an incident, and it is less costly to restore the facility as a storage facility, only those repairs necessary to restore it as a storage facility are eligible.

Any special lighting or wall and floor finishes that are typical of an office building are not necessary for a storage facility and, therefore, are ineligible.

Cost Eligibility

- Necessary and reasonable
- Directly tied to the performance of eligible work
- Adequately documented
- Consistent with the Applicant's internal policies and procedures
- Must be reduced by all applicable credits, such as insurance proceeds or salvage values.

Eligible costs include:

- Labor
- Equipment
- Materials
- Contract work
- Administrative costs



Force Account Labor Costs

Must be supported by:

- Time and effort reporting for each employee
 - 100% of hours worked during period being claimed
 - Must delineate each federal activity (project) and non-federal activities.
- Payroll documentation
- Pre-disaster payroll and accounting policies

Resource: [FEMA's Applicant Fringe Benefit Calculator](#)

Equipment Costs



For each piece of force account equipment, be prepared to provide:

- ☐ Type of equipment and attachments used (year, make, model)
- ☐ Size/capacity (e.g. horsepower, wattage)
- ☐ Operator name, locations, dates and hours used
- ☐ Schedule of rates, including rate components (if not using FEMA rates)

Purchased equipment, also provide:

- ☐ Invoices or receipts

Leased Equipment: Based on terms of the lease.



Operating time



Standby time

Resource: [FEMA Schedule of Equipment Rates](#)



Top 10 Procurement under Grants Mistakes

1

Restricting **full & open** competition

3

Engaging in a **sole-sourcing** procurement without documenting emergency or exigent situation

5

Not making and documenting efforts to take **all "affirmative steps"**

7

Not including the **required contract clauses**

9

Awarding a contract to **contractors that are suspended or debarred**

2

Not performing detailed **price or cost analysis** for procurements above \$250,000

4

Continuing work under a sole-source contract **after the urgent need has ended**

6

Awarding a "**time-and-materials**" contract without a **ceiling price** and **documenting why no other contract type is suitable**

8

Awarding a "**cost-plus-percentage-of-cost**" or "**percentage-of-construction-cost**" contract

10

Not **documenting all steps of a procurement** to answer questions that could arise months or years later

Procurement & Contracting

- Documentation is key
- Conflicting rules? Follow the more restrictive

Key Resources & References:

- 2 CFR 200.317-327
- Guidance and resources – [fema.gov/grants/procurement](https://www.fema.gov/grants/procurement)
- Live and on-demand training - [fema.gov/grants/procurement/training](https://www.fema.gov/grants/procurement/training)

Avoiding these
obstacles can speed up
your road to recovery

Procurement & Contracting

Emergency



Severe weather impacts a city and causes widespread and catastrophic damage, including loss of life, widespread flooding, loss of power, damage to public and private structures, and millions of cubic yards of debris across the city, leaving almost the entire jurisdiction inaccessible. The city needs to begin debris removal activities immediately to restore access to the community, support search and rescue operations, power restoration, and address health and safety concerns.

Exigency



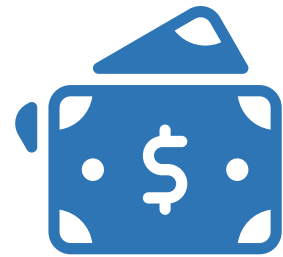
A tornado impacts a city in June and causes widespread and catastrophic damage, including to a city school. The city wants to repair the school by the beginning of the school year in September. Awarding a contract using a sealed bidding process would require at least 90 days, and the repair work would be another 60 days, extending the project beyond the beginning of the school year. Rather than conducting a sealed bidding process, the city—in compliance with state and local law—wants to sole-source with a contractor it has contracted with previously.

Duplication of Benefits

If funding is received from another source for the same work, FEMA reduces the eligible cost or de-obligates funding to prevent a duplication of funding.

Examples:

- Insurance Proceeds
- Non-Federal Grants and Cash Donations
- Third-Party Liability
- Other Federal Awards
- Other FEMA funding (e.g. Individual Assistance or HMGP)



Insurance

Emergency & Permanent Work:

- FEMA will reduce eligible project costs for facilities that are insured by the actual or anticipated insurance proceeds
- FEMA will reduce eligible project costs for uninsured flood damaged facilities that are located within the Special Flood Hazard Area by the maximum amount of insurance proceeds that could have been obtained from a standard NFIP flood insurance policy or the value of the facility at the time of the disaster (whichever is less)

Permanent Work:

- Applicants must obtain and maintain reasonable insurance to protect the facility against future loss.
 - Not required for projects less than \$5,000
 - State Insurance Commissioner can certify reasonably available, adequate and necessary

Management Costs – Category Z

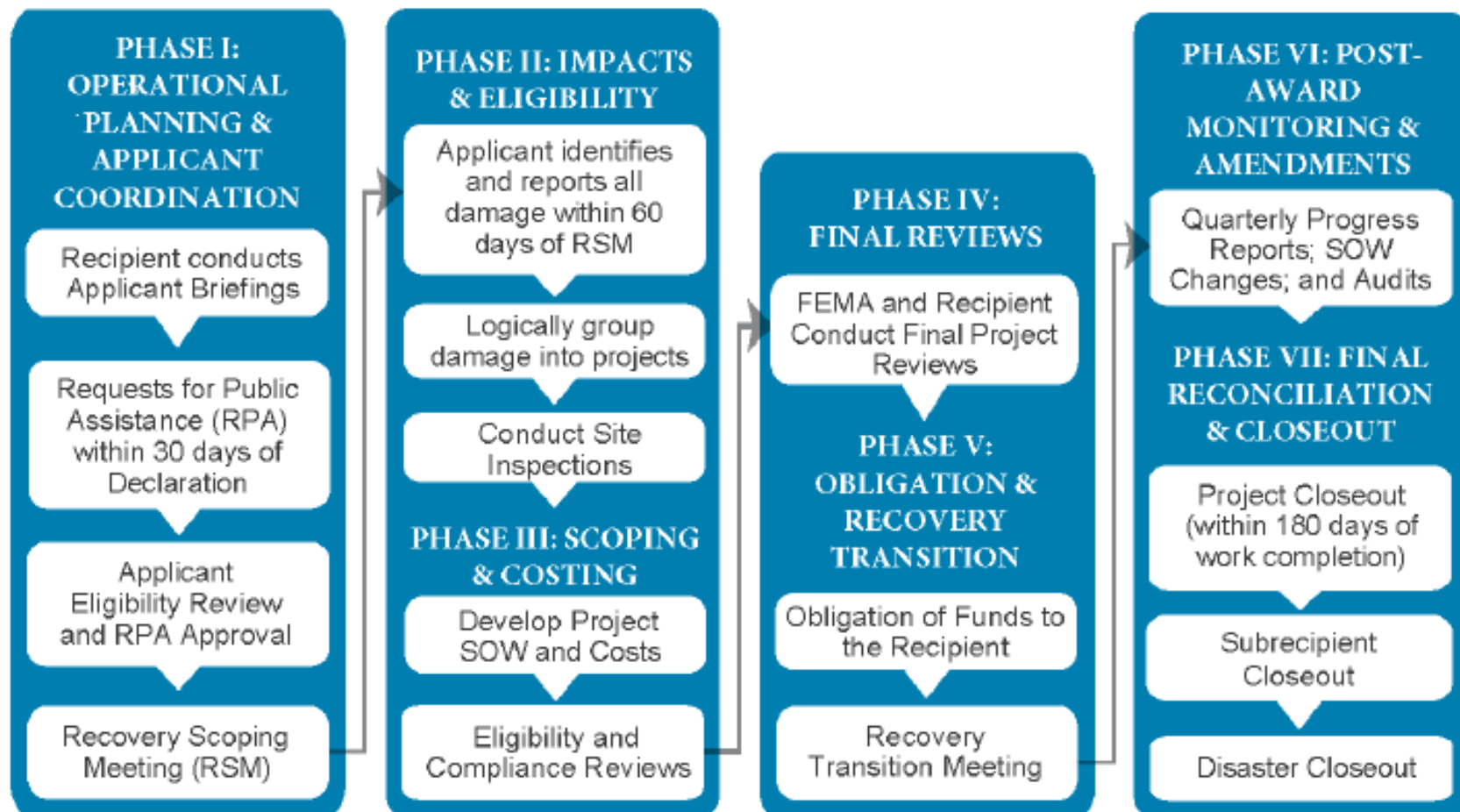
Subrecipient administrative & management costs. Activities may include:

- Site inspections
- Developing the detailed damage description
- Evaluating Section 406 mitigation measures
- Reviewing the Project Worksheet (PW)
- Preparing correspondence
- Travel expenses
- Collecting, copying, filing or submitting documents to support the project
- Preparing and submitting reports
- Requesting disbursement of PA funds



Documentation requirements are the same as Force Account Labor

PA Delivery Process



Request for Public Assistance

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Funding Agreement

 **Process Checklist**

✓

Eligibility Approval
Approved on September 24, 2021 ([View Request for Assistance](#))

➔

Funding Agreement Execution
Pending Approval ([View Funding Agreement](#))


○

Project Management

○

Account Closeout

Designated Representatives

Authorized Contact: 

Select One

Chief Financial Officer:

Select One

☐ As the duly designated authorized representative for this Applicant, I do hereby certify that I have reviewed the Designated Representatives Document.

Assurances & Certifications

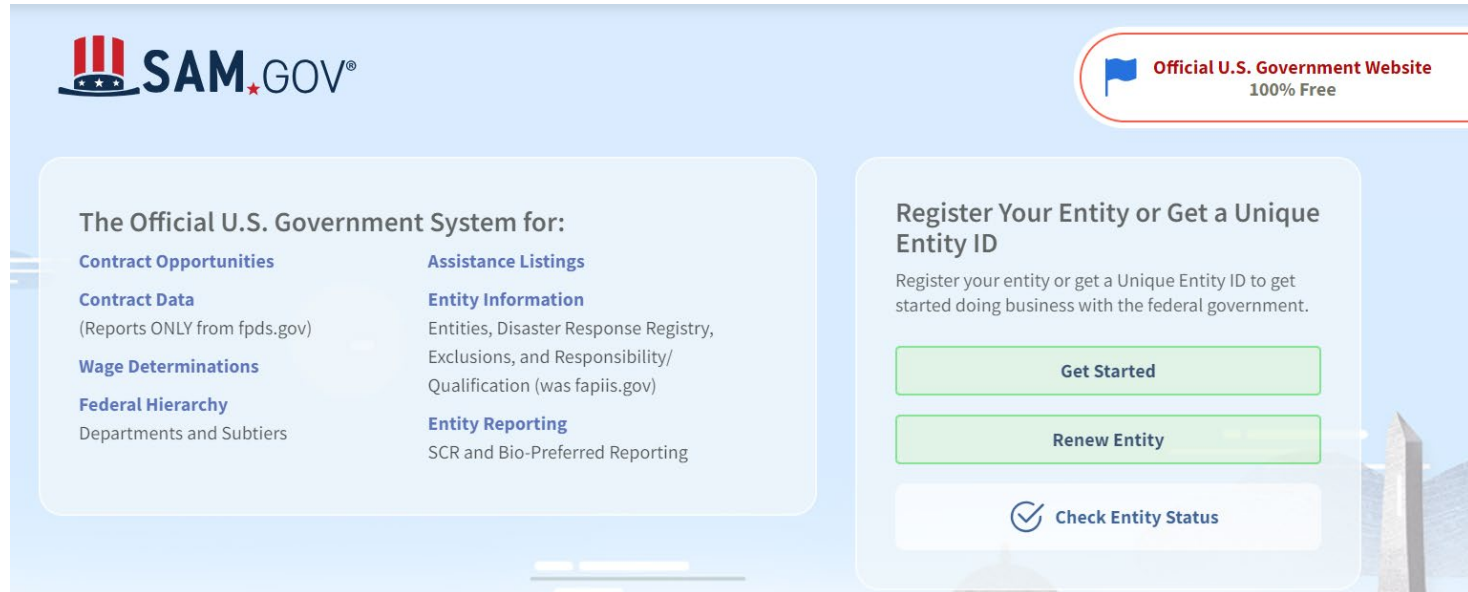
☐ I certify that I have reviewed and accepted the Assurances & Certifications Document.

Single Audit Requirements

☐ As the duly designated authorized representative for this Applicant, I do hereby agree in their name and on their behalf to comply with the Single Audit Requirements Document.

- Signed electronically in EMGrants
- HSEMD cannot disburse funding until completed
- Must be completed and signed by your Authorized Representative or Chief Financial Officer (CFO)

Unique Entity Identifier



2 CFR Part 25 requires subrecipients of federal awards to have a unique entity identifier.

- On April 4, 2022, the federal government changed from utilizing the DUNS Number to a UEI generated by SAM.gov to comply with 2 CFR.
- Visit SAM.gov for more information:
 - You may already have a UEI assigned by SAM.gov
 - If you don't have a UEI, you can request a UEI on SAM.gov (full registration is not required)
 - If you've received a recent award from HSEMD, your UEI may already be on file in EMGrants

Damage Inventory (DI)



What is in the DI?

- Name of Damage (ex Mills Road)
- Location
- Description of Damage
- Primary cause
- Approximate Cost
- Category of Work (A-G)
- Type of Labor (Force Account, contract, etc)

Reminder: Due 60 days from RSM

Resource: Excel Spreadsheet Template on Grants Portal

Project Worksheet

v0

Department of Homeland Security Federal Emergency Management Agency

- Captures the damage description, facility, scope of work, costs

- Funding thresholds:
 - Minimum = \$3,800
 - Large = \$1,000,000 and above

General Info

Project #	63766	Project Type	Work Completed / Fully Documented
Project Category	B - Emergency Protective Measures	Applicant	City of Ruthven (147-69330-00)
Project Title	Self Certify - Sewage Lift Station Overflow	Event	4386DR-IA (4386DR)

Damage Description and Dimensions

The Disaster # 4386DR, which occurred between 06/06/2018 and 07/02/2018, caused:

Damage # 168896; Emergency Protective Measures (City of Ruthven - Overflow pumping operations)

During the incident period of 6/6/2018 through 7/2/2018, a(n) Severe Storm(s) created an immediate threat to the health and safety of the general public requiring emergency response and protective measures.

- Provided Flood Fighting for overflow from a sewage lagoon lift station at 3452 360th St. Ruthven, Iowa 51358 (43.125852, -94.894120) from 6/18/2018 to 7/1/2018.
- Provided Emergency Pumping for overflow from a sewage lagoon lift station at 3452 360th St. Ruthven, Iowa 51358 (43.125852, -94.894120) from 6/18/2018 to 7/16/2018.

Scope of Work

168896 City of Ruthven - Overflow pumping operations

Work Completed

The applicant utilized force account labor, equipment, materials, and contracts for the Emergency Protective Measures to provide flood fighting and emergency pumping of an overflowing sewage lagoon station in the Town of Ruthven.

Cost share for this version is 75%. All work and costs in this project fall between 6.18.18 and 7.16.18.

City of Ruthven

- A. Emergency Pumping through Force Account Labor, Equipment, Materials, and Rental Equipment.
- B. Flood Fighting through Force Account Labor, Equipment, Materials, and Rental Equipment.
 1. Force Account Labor Overtime - 2 Laborers - 24.25 hours \$762.01.
 2. Force Account Equipment - 3 EA. - 1,936 Equipment hours \$7,911.64.
 3. Force Account Materials - \$3,034.12.

Section 406 Hazard Mitigation

Reduce or eliminate long-term risk to people and property from natural hazards and their effects.



Must be:

- Cost-effective
- Must be related to the incident and the damaged portion(s) of the eligible PA facility
- Applies only to permanent work (Cat. C-G)

Additional mitigation activities may be eligible under FEMA's Hazard Mitigation Grant Program (HMGP)

Environmental & Historic Preservation (EHP)

FEMA reviews each project to ensure compliance with applicable Federal EHP laws, regulations, and applicable Executive Orders.

- National Environmental Policy Act
- National Historic Preservation Act
- Clean Water Act
- Rivers and Harbors Act
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands

See PAPPG, Appendix A for additional common requirements & more detailed information.

FEMA Environmental Greensheet:

<https://homelandsecurity.iowa.gov/disasters/public-assistance/>

Iowa Waterways & Floodplains

Regulatory permitting agencies:

- Iowa DNR
- USACE



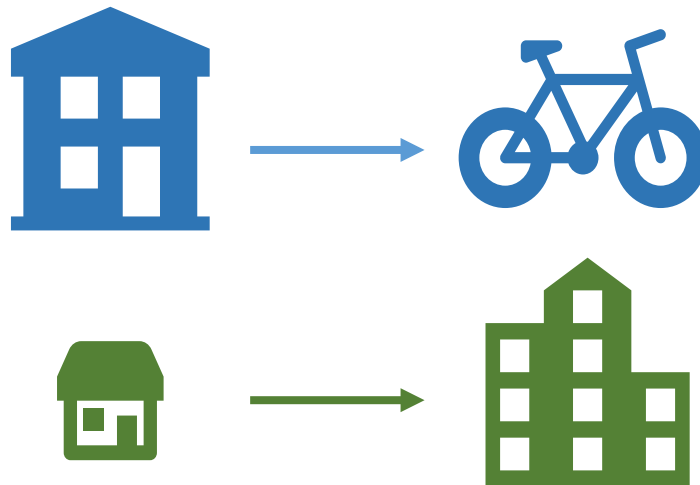
Submit a Joint Application on DNR's permit website:

www.iowadnr.gov/environmental-protection/land-quality/flood-plain-management/flood-plain-dev-permits

*FEMA requires a response from both DNR and USACE.

Improved & Alternate Projects

- Permanent Work Only
- Must be submitted to HSEMD and approved by FEMA prior to start of work
- Funding is limited to the lesser of the Federal share of the approved estimate to restore the facility to pre-disaster or the Federal share of actual costs of completing the improved or alternate project



428 Alternative Procedures

Section 428

- Must be a large project
- Applicant must accept a fixed cost offer

Benefits

- No requirement to rebuild to pre-disaster
- Share funds across all alternative procedure permanent work pilot projects



Example of an Alternative Procedures Project

A county road crosses a watercourse and its adjacent floodplain using five culverts. During the incident, floodwaters overtop the road and damage the crossings, either by washing out the culverts or by damaging the roadway and headwalls. FEMA approves a Project to repair or replace each culvert crossing, including hazard mitigation measures to increase the size of the culverts. The Applicant requests that the aggregate funding for the five crossings be used to replace the current configuration with one bridge.

Codes and Standards

PA funding restores facilities based on pre-disaster design and function **in conformity** with current applicable codes, specifications, and standards.

Eligibility Criteria:

- Applies to the type of restoration required
- Is appropriate to the pre-disaster use of the facility
- Is reasonable
- Formally adopted and applied uniformly
- Enforced during the time it was in effect

Consensus-Based Codes, Specifications and Standards applies to:

- Buildings
- Electric Power
- Roads
- Bridges
- Potable Water Supply
- Wastewater

Resource: [FEMA Policy FP 104-009-11](#)

Roles & Responsibilities



FEMA
(Funding Agency)

- Award the Public Assistance grant to the State
- Issue program guidance, policies, manuals, notices, FAQs, etc
- Provide final project approval to obligate funds



State
(Recipient)

- Award subawards to local Applicants
- Administer the program
- Provide technical assistance
- Disburse funds
- Monitor project progress & compliance



Applicant
(Subrecipient)

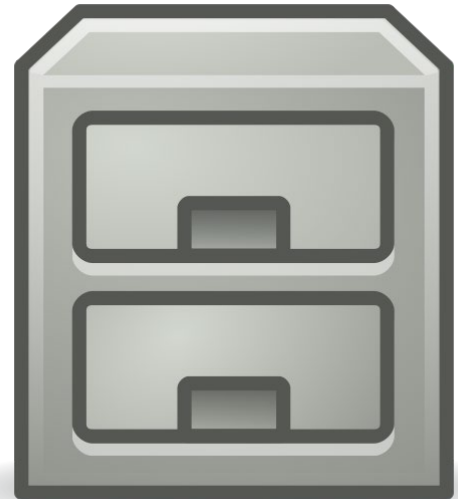
- Submit Request for Public Assistance (RPA)
- Identify and document damaged facilities
- Provide information to support the accurate development of the scope and cost
- Accept subaward from the State
- Manage individual projects and perform necessary work
- Maintain accurate documentation, including financial records
- Comply with program policy, grant terms and conditions, and regulations.

Record Keeping

- Establish a disaster specific file to maintain documentation for each of your PA projects
- Support documentation is required for all claimed costs
- Must retain documentation for 3 years from closeout



Tip: Organize your documentation as if it were going to be audited



Audits & Findings

Grant recipients expending \$750,000 or more in Federal funds in a fiscal year must perform a single audit

Common findings:

- Missing or incomplete documentation
- Ineligible costs
- Unreasonable costs
- Did not follow Federal procurement regulations
- Did not track funds separately on a project-by-project basis in accounting system

Next Steps

- Submit a Request for Public Assistance at my.iowahomelandsecurity.org/



Resources

PA Policy, Guidance and Fact Sheets

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

FEMA Procurement Guidance and Resources

- <https://www.fema.gov/grants/procurement>
- <https://www.fema.gov/grants/procurement/training>

FEMA PA On-Demand Training

- <https://www.fema.gov/assistance/public/training>

Additional Community Resources

- Hazard Mitigation Grant Program (HMGP)
→ jonathan.pogones@iowa.gov
- Community Disaster Loan Program (CDL)
→ mark.newhall2@iowa.gov
- State Contingent Fund
→ mark.newhall2@iowa.gov
- Small Business Administration Disaster Loans
- HUD's Community Development Block Grant Disaster Recovery Program (CDBG-DR)
- USDOL's National Dislocated Worker Grants (DWG)
- Federal Highway Administration Emergency Relief Program
- USDA Farm Service Agency

Questions?

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