

# **Public Assistance Applicant's Briefing**

## **Hurricane "SANDY"**

**DR-4086-NJ**

**State Coordinating Officer**

**Lt Jeff Mottley**

# Disaster Information

## Declaration Date

**October 30<sup>th</sup>, 2012**

## Incident Period

**10- 26-2012 - On-Going**

# Public Assistance

Supplemental financial assistance to State and local governments and certain private non-profit organizations for response and recovery activities required as a result of a declared disaster.

Funding is cost shared at a federal share of no less than 75% of eligible costs.

# The P.A. Program is a Partnership

- **FEMA** – manages the program, provides technical assistance, approves grants;
- **State** – educates applicants, works with FEMA to manage the program, implements and monitors grants awarded;
- **Local** – identifies damage, provides documentation, manages funded projects.

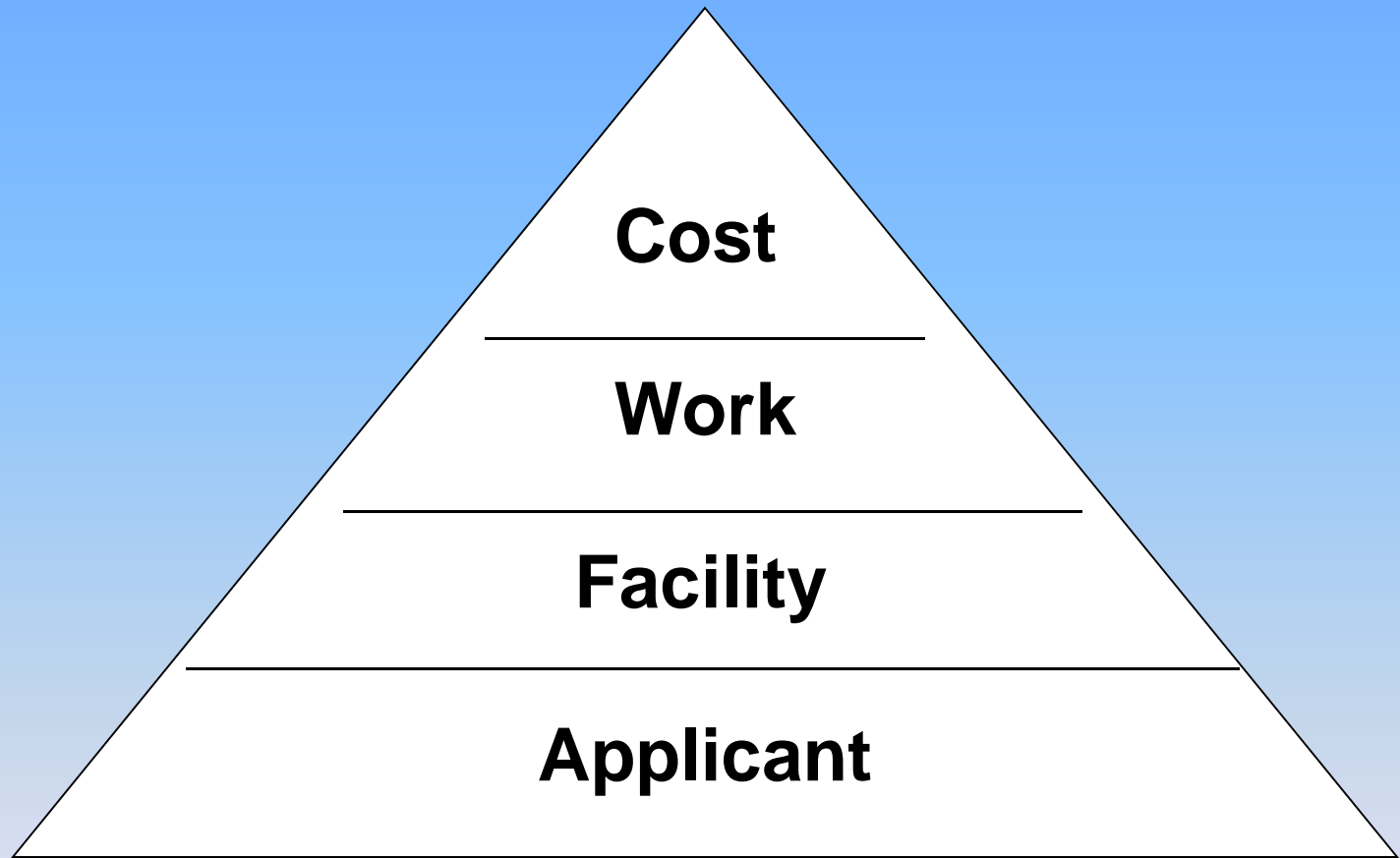
# The Public Assistance Process



# P.A. Program Staff

- **Public Assistance Officer (PAO)** – responsible for the entire P.A. Program.
- **Public Assistance Coordinator (PAC)** – works with applicant to ensure projects are developed and processed efficiently.
- **Project Officer (PO)** – assists FEMA with the applicants concerns.

# Building Blocks of Eligibility



# Applicants (Terminology)

- **Grantee** – a State or Tribal Government that is responsible for administering P.A. grants.
- **Sub-grantee** – an eligible applicant that receives P.A. funding.



# Eligible Applicants

- State Agencies
- Counties
- Cities / Towns / Villages
- Other State Political Subdivisions
- Native American Tribes or Tribal Organizations
- Certain Private Non-Profit Organizations

# Facility Eligibility Requirements

- Must be damaged as a result of a declared event.
- Located within an area declared by the President.
- The legal responsibility of an eligible Applicant. In active use at the time of the disaster.
- Not under the authority of another federal agency.

# Eligible Work

## Must:

- Be disaster related
- Be located in the designated disaster area
- Be the applicant's responsibility

FEMA



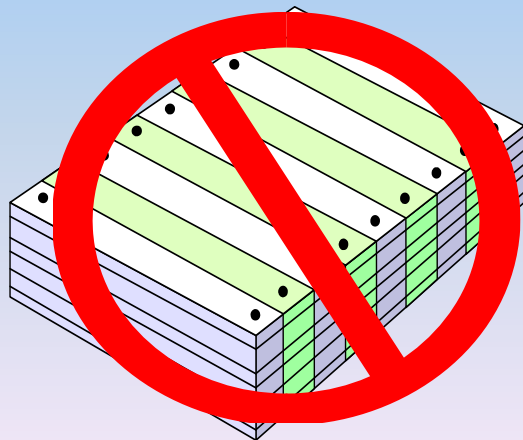
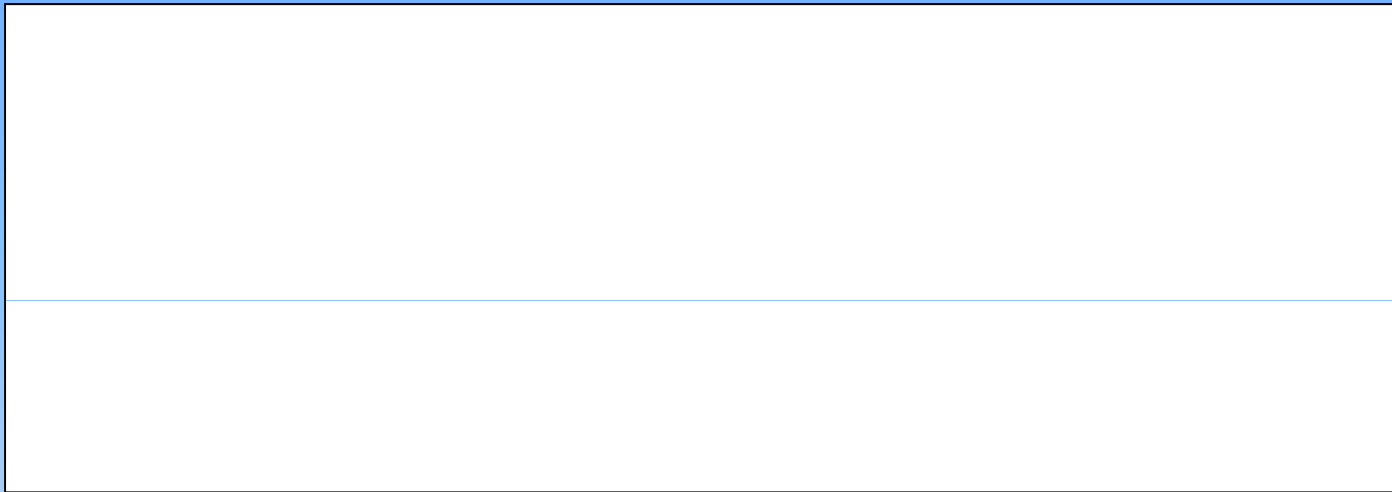
- Incurred for eligible work only
- Includes rental equipment
- Must have \$1,000 total eligible costs

# Contracts



All Contracts reviewed on a case by case basis  
by PAC

- Competitive, fixed-procurement procedures are preferred
- Lump sum contracts are acceptable
  - Easy to monitor when the scope of work is well defined.
  - Requires minimum labor for monitoring
  - Quantities do not have to be documented
- A time and materials contract should only be used for;
  - Emergency “hot spots”
  - Early debris rights-of-way clearance.
  - Must have a cap and must be monitored.
  - Generally accepted for first 70 hours of actual work



# Types of Work

## Emergency Work

- A. Debris Removal
- B. Emergency Protective Measures

## Permanent Work

- C. Roads and Bridge Work
- D. Water Control Facilities
- E. Public Buildings / Equipment
- F. Public Utilities
- G. Other (Parks, Recreation, etc.)





# Category A – Debris Removal

- Clearance, removal, and/or disposal of items such as trees, building components, etc.
- Must eliminate immediate threat to lives, health and safety, and improved public and private property.
- Must insure the economic recovery of the community.



# Private Property Debris Removal

Generally, the responsibility of the property owner.

However, if debris is so widespread that it threatens the public health, safety, or economic recovery of the community, removal from private property may be eligible.



# Private Property Debris Removal

1. Letter to the NJOEM requesting Private Property Debris Removal (PPDR)
  - Demonstrate legal responsibility to remove debris
  - Demonstrate that PPDR is in “general public’s” best interest
  - Indemnification of State/FEMA from any claims resulting from PPDR
2. NJOEM will evaluate request and forward to the Federal Coordinating Officer (FCO)
3. FCO will then determine eligibility of the PPDR

## Category B – Emergency Protective Measures

- Actions taken by Applicants before, during, and after a disaster to save lives, protect public health and safety, and prevent damage to improved property. Includes:
  - Search and rescue
  - Warning devices (such as barricades)
  - EOC activation

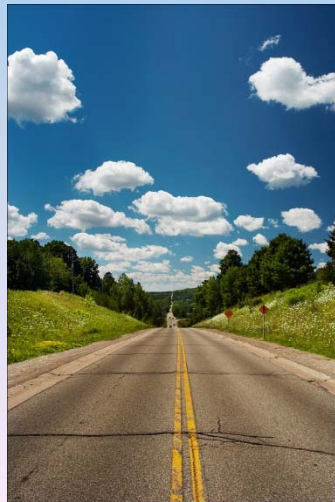
# Permanent Work

- Must repair, restore or replace disaster-damaged facilities in accordance with applicable codes and standards
- Must restore facilities to pre-disaster design, capacity and function
- Must be required as a result of a declared disaster
- May include cost effective hazard mitigation measures.

# Category C- Road Systems

- **ROADS**

- Road Surface
- Bases
- Shoulders
- Ditches



- **BRIDGES**

- Decking
- Abutments
- Wing Walls
- Approaches



- **DRAINAGE STRUCTURES**

- Culverts
- Cross Drains





# Category D- Water Control Facilities

**Facilities built for the following purposes:**

- Pumping
- Drainage
- Irrigation



# Category E- Buildings/Equipment

- **BUILDINGS**
  - Codes/Standards
  - Equipment
  - Vehicles
  - Supplies



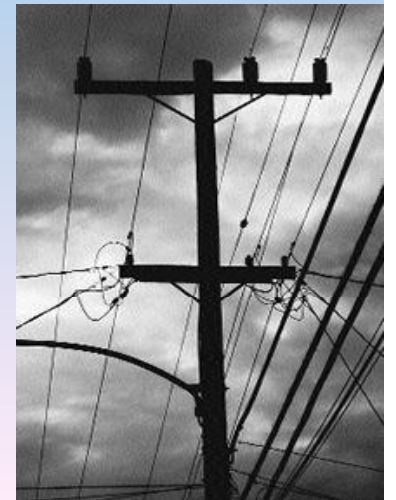
**DEDUCT INSURANCE AND SALVAGE**



# Category F- Utilities

Repair or Replace to pre-disaster design or function:

- **Public Power generation and distribution centers**
- **Public Water and Sewer Treatment plants**
- **Public Telecommunication systems**



# Category G- Parks/Recreational/Other

- Playgrounds
- Swimming Pools
- Ballparks
- Other public facilities not listed in other categories



State PAC

# Eligible Costs

## Must:

- Be reasonable to accomplish the eligible work
- Comply with federal, state, and local laws and regulations
- Include deductions of insurance proceeds, salvage value, and purchase discounts.

# Eligible Direct Costs

- Salaries, wages and fringe benefits - **for emergency work (Cat. A&B), only overtime (including fringe benefits) is eligible for Force Account Labor**
- Materials
- Applicant owned equipment
- Contract costs

# Types of Projects

- Small Projects
- Large Projects
- Alternate Projects
- Improved Projects

# Small Projects

- Cost is less than \$66,400.
- Funding is based on work completed (if available) or initial cost estimate.
- Federal cost share is paid upon project approval.
- When the cost of work is less than \$1,000, that work is not eligible.

# Large Projects

- Cost is at or above \$66,400
- Initially approved based on estimated costs.
- Funding is based on documented actual costs.
- Federal cost share is paid as work is accomplished.

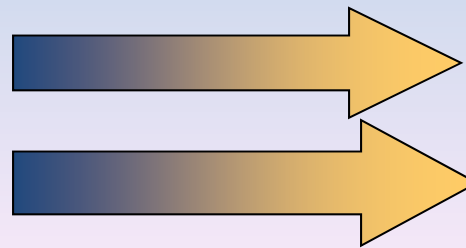
**Note:** Any costs above what is approved on the PW must be authorized by the State.



**All large projects are  
subject to a final  
State/FEMA review.**

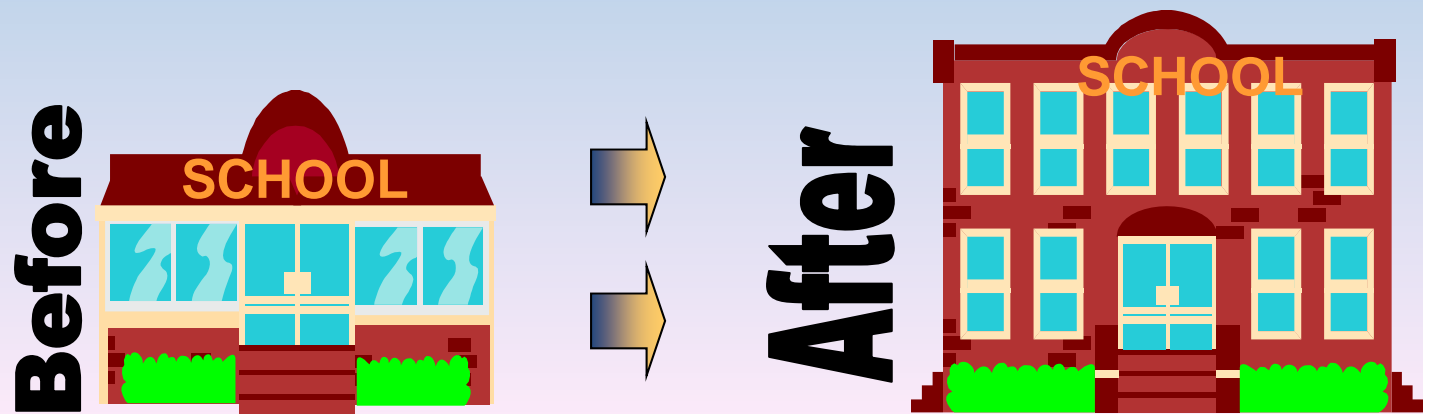
# Alternate Projects

- Approval by FEMA must be obtained prior to construction.
- A request for the Alternate Project must be made within 12 months of the Kick-off Meeting.



# Improved Projects

- May require an environmental and historical assessment by FEMA
- Sub-grantee is responsible for the cost of the improvements. Federal funds are limited to the cost of restoration.



# Project Completion Deadlines

Time limits for all projects begin the date of the disaster declaration

- **Emergency work – 6 months**
- **Permanent work – 18 months**

# Project Completion Extensions

- Emergency work-----Up to 6 months
- Permanent work-----Up to 30 months

The Regional Director may increase these time extensions on a case-by-case basis.

- The State will be requesting a eight (8) year period of work for this event.

# Special Considerations

Issues other than program eligibility that could affect the scope of work and funding of a project.

# Special Considerations

**Hazard Mitigation**

**Environmental Requirements**

**Historic Preservation &  
Cultural Resources**

**Special Flood Hazard Areas**

**Insurance Requirements**

# Insurance

1. Actual or anticipated insurance proceeds will be deducted from the eligible project costs for facilities that are insured.
2. All applicants are required to obtain and maintain insurance coverage on all insurable facilities, as a condition of Public Assistance funding.
3. For flood damaged facilities located within a Special Flood Hazard Area that are not covered by flood insurance, FEDERAL ASSISTANCE WILL BE REDUCED BY THE MAXIMUM FLOOD INSURANCE PROCEEDS THAT WOULD HAVE BEEN PAYABLE HAD THE FACILITY BEEN INSURED.



# Obtaining A Public Assistance Program Grant

# Steps to Getting Assistance

- Applicant must submit a Request for Public Assistance (RPA) within 30 days of the designation of a declared disaster area
- Applicant must attend a kick-off meeting with their assigned PAC and submit damage description to FEMA within 60 days of this meeting.

# Request for Public Assistance (RPA)

- Applicant's official notification to FEMA of intent to apply for P.A.
- Identifies the Applicant (including name and address), and the Primary and Secondary contacts for the Applicant.

Use [lpppau@gw.njsp.org](mailto:lpppau@gw.njsp.org) to submit your RPA within 30 days of the disaster declaration for your county.

# Kick-off Meeting

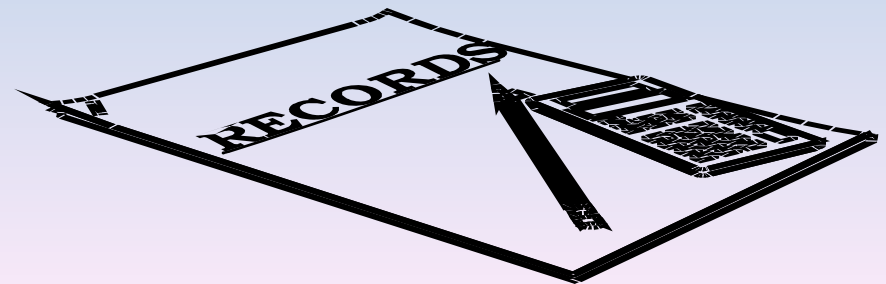
- Scheduled usually within one week of FEMA's approval of an applicant's RPA
- Provides an opportunity for the Public Assistance Coordinator (PAC) and the State Liaison to meet with the applicant to determine disaster-related damage, eligibility, and documentation requirements.

# Project Worksheet (PW)

- Form used to document the scope of work and cost estimate for a project.
- Supplies FEMA with the information necessary to approve the scope of work and fund the project.

# Record Keeping

- Applicants are required to maintain complete and accurate documentation, by project, for all disaster-related costs.
- Documentation must be maintained a minimum of three years after project close-out.



# Appeals

**Any determination related to Federal assistance may be appealed.**

The appeal must be submitted in writing to the State (Grantee) within **60 days** of receipt of notice of the action being appealed.

- State has **60 days** from receipt of appeal letter to forward it to FEMA
- FEMA has **90 days** to render a decision.

Two levels of appeal are available: 1) to the **Regional Director** and 2) to the **Executive Associate Director**.

# Public Assistance Summary

- The Public Assistance Program assists in the restoration of community infrastructure.
- It is a supplemental cost reimbursement program with specific eligibility requirements.
- The FEMA share of eligible costs will be awarded to the State for disbursement to the applicant.



# NEED INFORMATION?

This presentation and any other documentation related to this event will be available at the below listed website.

[www.ready.nj.gov](http://www.ready.nj.gov)

[lpppau@gw.njsp.org](mailto:lpppau@gw.njsp.org)

Questions ???

EHP

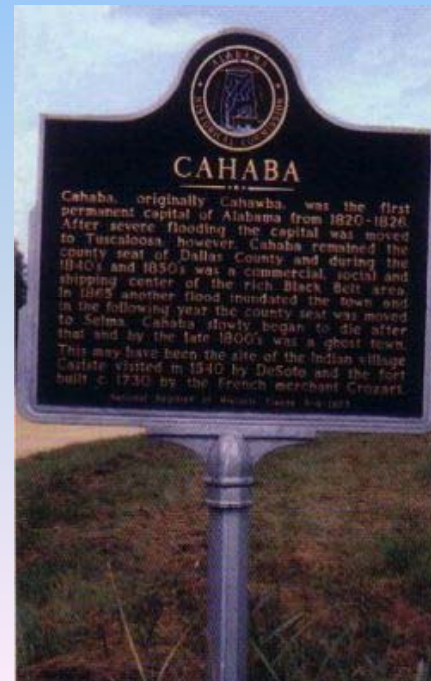
# Environmental Protection

- Ensures that all practical means are used to protect, restore, and enhance the environment.
- Work initiated prior to the completion of the FEMA Environmental and Historic Preservation (EHP) Review could jeopardize funding.



# Historic Preservation and Cultural Resources

- Property eligible for listing on the National Register of Historic Places requires special consideration under the National Historic Preservation Act.



# Floodplain Management

- Any project within or affecting the floodplain must be reviewed to ensure that it meets the requirements of the Executive Orders on Floodplain Management and the Protection of Wetlands.



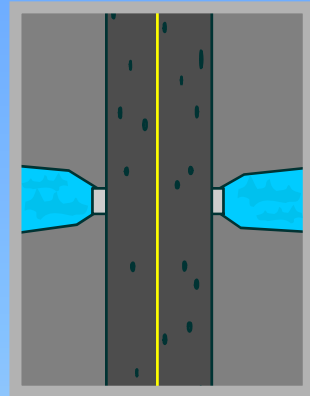
**MITIGATION**

# Hazard Mitigation

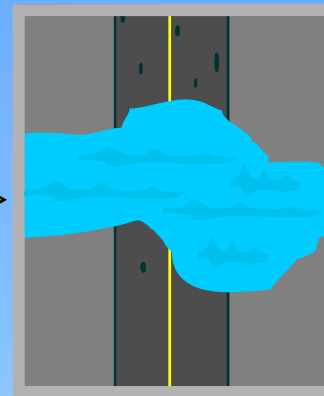
- Cost effective measures that reduce or eliminate the potential for damages to a facility from a future event.
- For a hazard mitigation proposal to be eligible under P.A., the measure must apply only to the damaged elements of the eligible facility.
- Pre-approved mitigation activities are listed in **FEMA DAP 9526.1 Appendix A**



# Hazard Mitigation



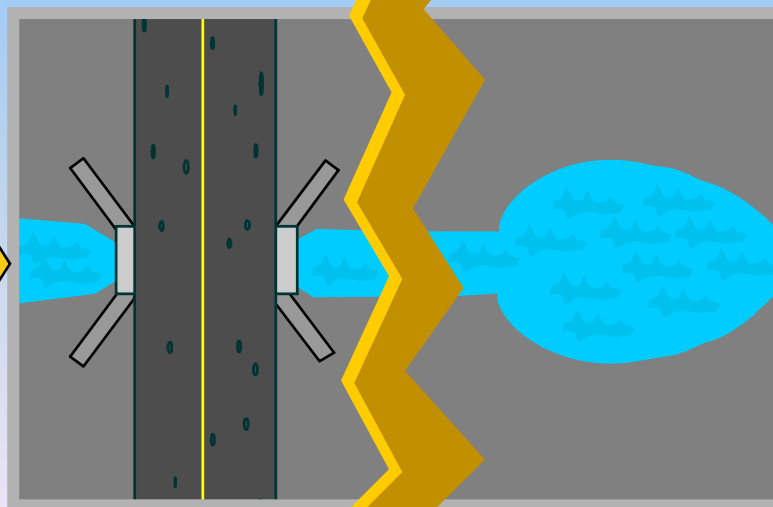
Pre-disaster



Disaster damage



Larger culvert with concrete wing-walls



New upstream retention pond