

Public Assistance Training



THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT



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

Address an
immediate threat:

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

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

Permanent Work

Restoration of:

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

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

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



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 any 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



Recent Changes

- **Expedited Projects**
- **Funding Agreement (FA) Changes**
- **Pre-obligation Validation Changes**
- **428 vs Traditional Program and 406 Mitigation with each**



Public Assistance (PA) Program Recent Changes

- **Expedited Project Criteria**
 - **Funding**
 - **50% of actual costs incurred through an eligible scope of work using sound estimating methodology for Category A and B Large Projects during the first 45-90 days (determined on severity) following the disaster**
 - **FEMA will obligate 50% of the costs reflected on the Expedited PW**



Public Assistance (PA) Program Recent Changes

- **Expedited Project Criteria cont.**
 - **Disclaimer**
 - Upon obligation of Version 0 for all Expedited Projects, FEMA will immediately begin Version 1 development and the Applicant will be required to provide full documentation
 - **Ultimately all projects and related costs will be subject to full and complete validation**



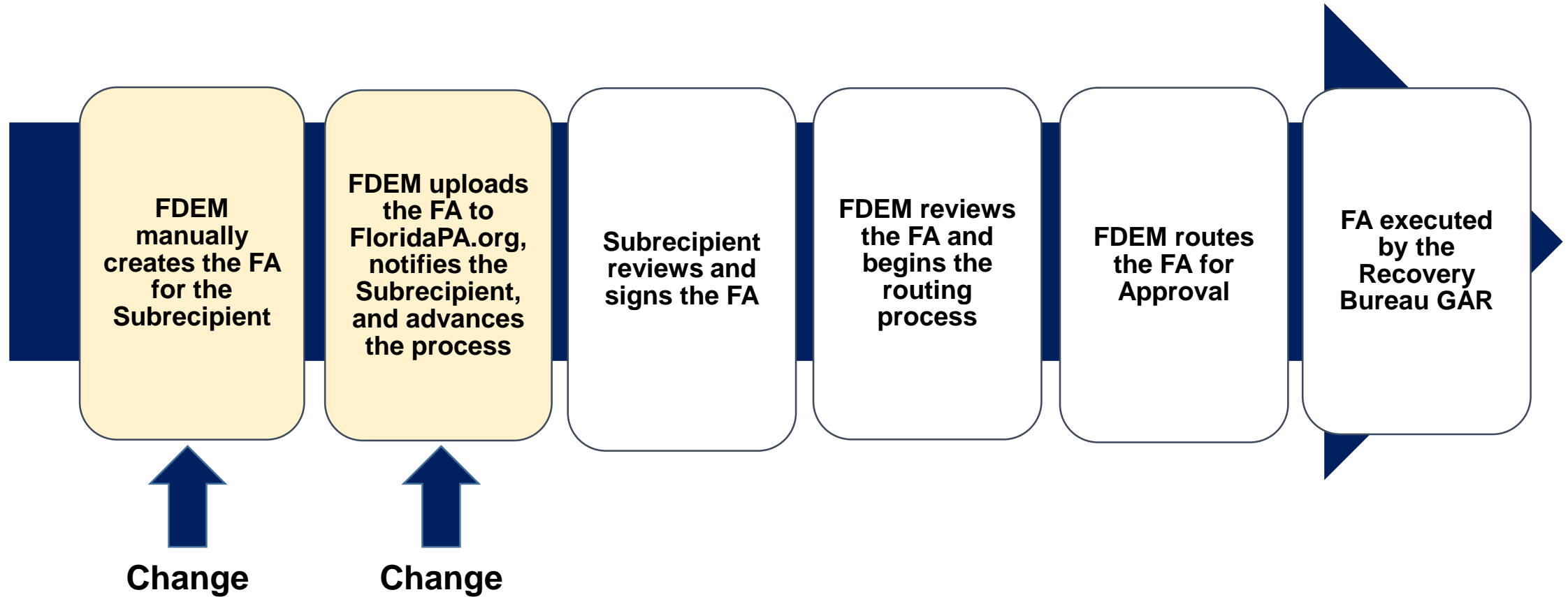
Public Assistance (PA) Program Recent Changes

- **Funding Agreement Changes**
 - **Applicants will enter into a Funding Agreement during the project development phase**
 - **For Hurricane Michael and future storms, amendments for each additional project will not be required**



Public Assistance (PA) Program Recent Changes

■ Funding Agreement Workflow



Public Assistance (PA) Program Recent Changes

■ Pre-obligation Validation Changes

■ For all post 2016 Presidentially Declared disasters

- Project costs will be 20% validated at the FEMA level and 30% validated at FDEM's level, for a total of 50% project cost validation
- Small Projects for both Emergency and Permanent Work will not undergo additional validation once obligated by FEMA
- Completed Large Projects
 - 20% FEMA validation and 30% FDEM validation, for a total of 50% cost validation
 - Once obligated, FDEM will help the Applicant request 50% reimbursement on costs
 - FDEM will also assist the Applicant in requesting any additional funds
- Uncompleted Projects will not be validated by FDEM prior to obligation, but will be once actual costs are demonstrated



Public Assistance (PA) Program Recent Changes

- **FEMA 428 vs Traditional Program**
- **Section 428 of the Stafford Act**
 - **Allows for Strategic Funds Management**
 - **Environmental and Historical rules are not as strict**
 - **Waiver of FSS for funds to be “on-hand”**
- **Section 406 Mitigation**
 - **Underutilized**
 - **Mitigation included in your project**
 - **Does not count against Hazard Mitigation Grant Program projects**
 - **Enhances the HMGP allocation**



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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>

