

# DR-4721 - SEVERE STORMS, STRAIGHT-LINE WINDS, AND TORNADOES

**Applicant Briefing**  
September 19, 2023



# Introduction

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# Applicant Briefing Objectives

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Objective: Provide overview of the delivery of the Public Assistance (PA) grant program for DR-4721

1. PA Process
2. PA Eligibility
3. Additional Considerations
4. Long Term Grants  
Management
5. Next Steps
6. Questions

# Current Declaration Status

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**Disaster Number:** FEMA-4721-DR

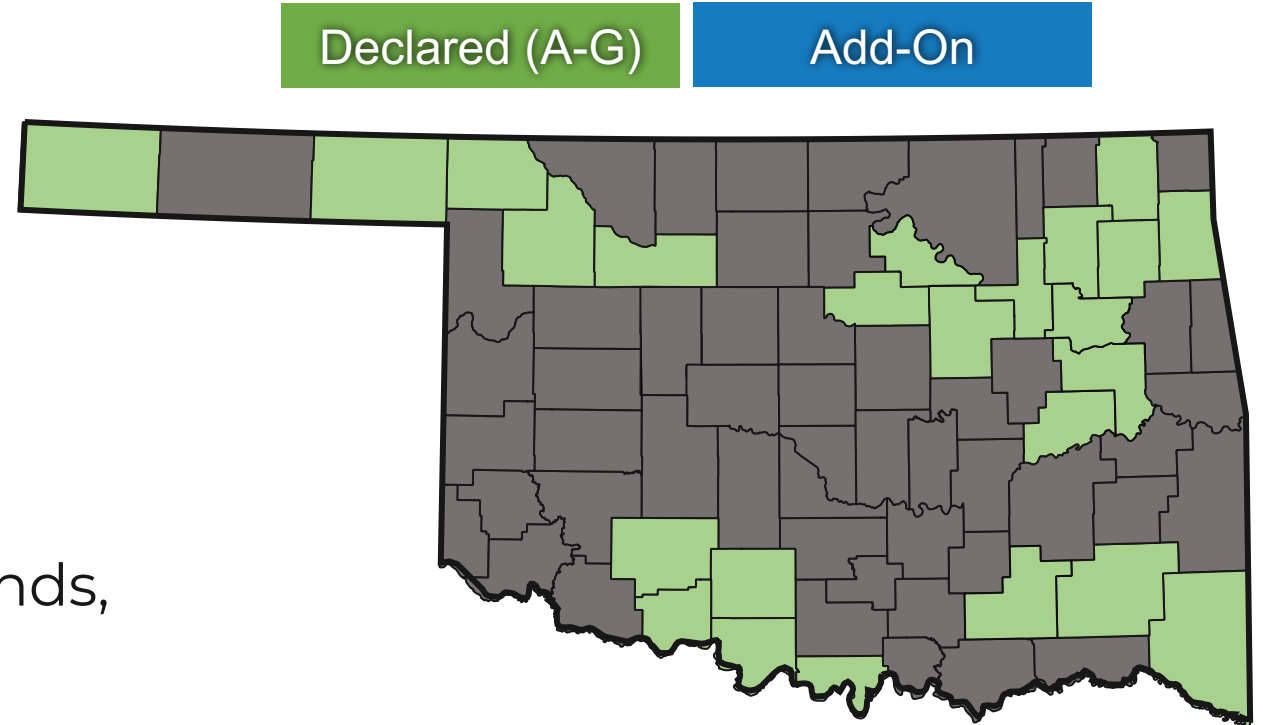
**Declaration Date:** July 19, 2023

**Amended Date:** September 7<sup>th</sup>, 2023

**Incident Period:** June 14 – 18, 2023

**Type:** Severe Storms, Straight-Line Winds,  
and Tornadoes

**Designated for:** All Categories of Work (A-G)



# Current Declaration Status

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## **Cost Share:**

75% Federal

25% Non-federal

## **Large Project Threshold:**

1 Million Dollars

**Minimum PW Amount:** \$3,800

***RPA Are Due No Later Than: October 7<sup>th</sup>, 2023 for  
Pawnee and Choctaw Counties***

***The RPA deadline has passed for all other counties declared***

# DR-4721 Leadership

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**Governor's Authorized Representative:** Mark Gower

**Federal Coordinating Officer:** Adam Burpee

**State Coordinating Officer/AGAR:** Alden Graybill

**Deputy State Coordinating Officer:** Michael Teague

**Federal Infrastructure Branch Director:** Brandy Halbert

**State Infrastructure Branch Director:** Michael Teague

# FEMA Public Assistance

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## What is FEMA Public Assistance?

FEMA's Public Assistance Program provides supplemental grants to state, tribal, territorial, and local governments, and certain types of private non-profits so that communities can quickly respond to and recover from major disasters or emergencies.

More detailed information can also be found in the FEMA Public Assistance Program and Policy Guide

[https://www.fema.gov/sites/default/files/documents/fema\\_pappg-v4-updated-links\\_policy\\_6-1-2020.pdf](https://www.fema.gov/sites/default/files/documents/fema_pappg-v4-updated-links_policy_6-1-2020.pdf)

# Public Assistance References & Resources

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1. Public Assistance Program and Policy Guide (PAPPG)
2. Robert T. Stafford Act, as amended
  1. Public Law 100-708, amended by Public Law 93-288
3. 44 CFR 206
4. 2 CFR 200
5. ODEMHS's Website
6. ODEMHS's OK.EMGrants
7. FEMA's Grants Portal



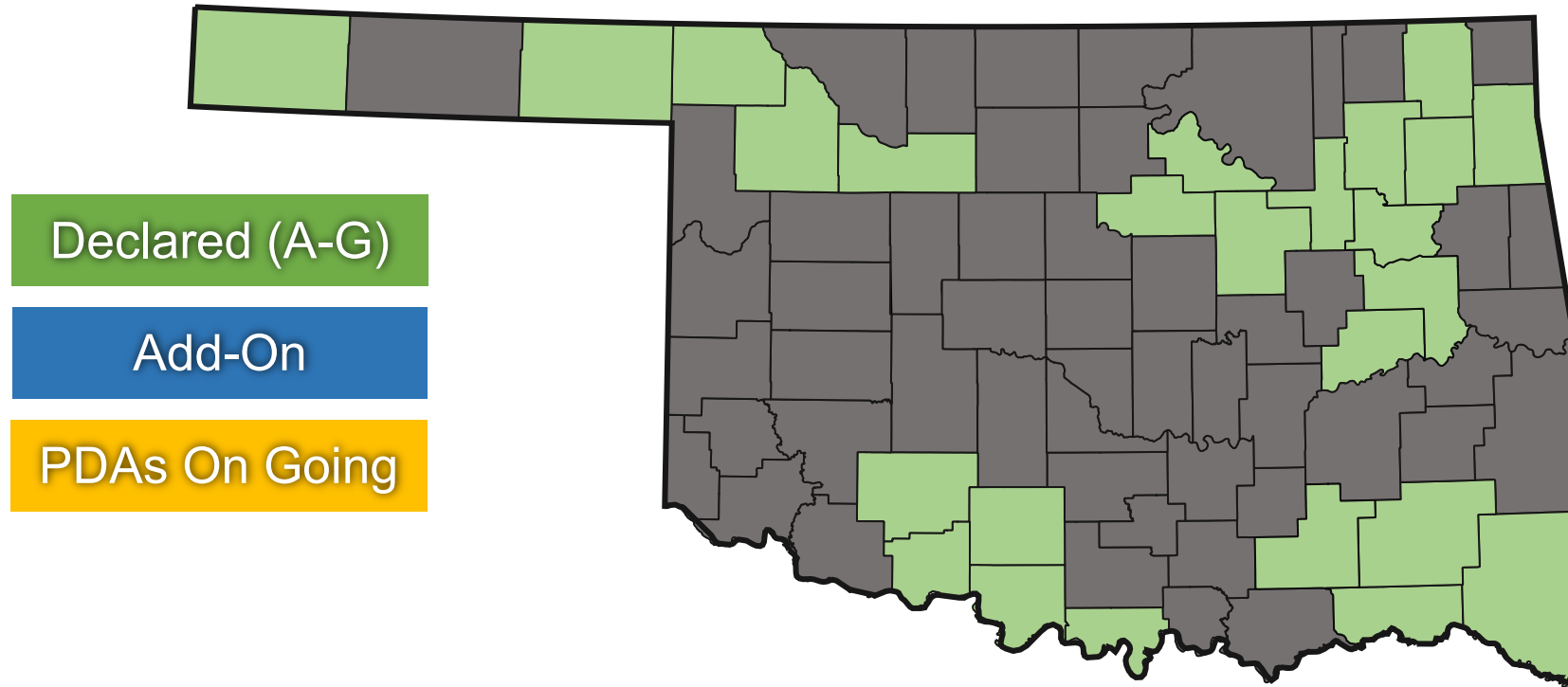
# DR – 4721 Important Dates

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- Request for Public Assistance (**RPA**) Application due date: 30 days from designation of your County.
- **CAT A and B** Emergency Work Deadline is 6 months from initial declaration on **January 18, 2024**.
- **CAT C- G** Permanent Work Deadline will be 18 months from initial declaration. **January 18, 2025**
- **Public Assistance Alternative Procedures (PAAP)** Will be 18 months from the initial declaration.
- Alternate/Improved Project Written Request: must be requested no more than 12 months from the declaration of permanent work

# Add-On Counties Requested

## FEMA/State/Local Preliminary Damage Assessments (PDAs) Continue Statewide:



*\*Use IDA-PA or contact your Regional Coordinator to Report Damages for the purpose of the Preliminary Damage Assessments (PDAs)*

# Roles & Responsibilities

## FEMA

(Funding Agency)

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

## State

(Recipient)

1. Award subawards to local Applicants
2. Administer the program
3. Provide technical assistance
4. Disburse funds
5. Monitor project progress & compliance

## Applicant

(Subrecipient)

1. Submit RPA
2. Identify and document damaged facilities
3. Provide information to support the accurate development of the scope and cost
4. Accept subaward from the State
5. Manage individual projects and perform necessary work
6. Maintain accurate documentation including financial records
7. Comply with program policy, grant terms and conditions, and regulations

# Terminology: Recipients, Subrecipients, and Applicants

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FEMA uses the terms Recipient and Applicant in Quick Guides and other tools. In Grants Portal, Recipients are identified as Grantees and Applicants are identified as Subrecipients.

## FEMA Quick Guides and Other Tools

**Recipients** - Are states, tribes, or territories that receive and administer Public Assistance Federal awards

**Applicants** - Are state, local, tribal, or territorial governments or private non-profit entities that submit requests for public assistance under a Recipient's Federal award.

## FEMA Grants Portal

**Recipients** - Are states, tribes, or territories that receive and administer Public Assistance Federal awards

**Sub-recipients** - Are state, local, tribal, or territorial governments or private non-profit entities that submit requests for assistance under a Recipient's Federal award.

# Submission of RPAs

The screenshot shows the homepage of ok.emgrants.com. At the top, there is a navigation bar with 'Home', 'Open Grants', and 'Resources'. The main header features the Oklahoma Department of Emergency Management logo and name, along with a brief description of the system. A 'Returning User Login' section includes fields for 'Email' and 'Password', a 'Remember Me' checkbox, and 'Sign In' and 'Register' buttons. A 'Forgot Password?' link is also present. A prominent red banner across the middle of the page reads 'Several Grants are now open for application.' with an 'APPLY NOW' button. Below this, there are three columns of content: 'About' (listing various grant types), 'News Releases' (with links to recent videos), and 'Contact' (providing address, phone, and email information). The footer contains the website name, version number, copyright information, and contact details for the Oklahoma Department of Emergency Management, along with the CIVIX logo.

1. RPAs must be submitted through ok.emgrants.com

2. Click on the "apply now" button

*\*Must have a valid UEI number and the number must be active on SAM.gov\**

# Applicant Submission Options

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## 1. Emergency Work (Category A & B)

### NOTE

Direct applications are the responsibility of the Applicant. FEMA will NOT accept paper submissions.

### 1. Direct and Streamlined Applications

#### Direct Application

For Emergency Work projects, applicants may have the ability to submit reimbursement requests for assistance directly through FEMA's Grants Portal without requiring traditional Exploratory Calls or Recovery Scoping Meetings.

## 2. Permanent Work (Category C-G)

### 1. Traditional Process Followed

# Damage Inventory

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1. Critical driver in the New Delivery Model
2. Applicant identification of damage sites
3. Establishes Applicant recovery priorities
4. Identifies potential 406 Hazard Mitigation
5. Establishes potential Environmental and Historic Preservation assistance needs

## Without a complete Damage Inventory:

1. Applicants claimed damages are not documented
2. Site inspection Work Orders cannot be processed
3. Request for the Essential Elements of Information cannot proceed

*Complete development of the Damage Inventory prior to the Recovery Scoping Meeting streamlines Public Assistance delivery.*

# The Damage Inventory Should Include:

Name of Damage	Location	Description of Damage in Line Item:	Primary Cause of Damage:	Approximate Cost:	Category of Work:	Type of Labor:
<p>A clear and distinctive title, indicating the type of facility and uniquely identifying it (example: "Mills Road" rather than "Damaged Road" and "Smith Creek Culvert" rather than "Culvert").</p>	<p>Address, City, State, ZIP code and latitude/ longitude coordinates for the facility.</p>	<p>A summary of the damage and/or work performed</p>	<p>Type of event that caused the damage (e.g. hurricane, flood, severe storm, tornado).</p>	<p>Estimate of how much the anticipated work or repairs will cost. Unless work is complete, this may be a rough estimate.</p>	<p>The category of work that has been or will be completed. FEMA regulations define seven categories of eligible work.</p>	<p>How will repairs be completed: by a contractor, by an Applicant's own employees (also called Force Account labor), through a Mutual Aid Agreement, or using Donated Resources?</p>

*Example: 10,000 square foot, 2 story brick building. HVAC in basement was impacted by floodwaters. Up to 4 feet of floodwater throughout the facility. Building remained flooded for 2 days. Flooring, carpet, and drywall were removed to prevent molding.*



# Project Application Sections

Funding Request Type	Work Status	Cost Basis	Schedules Required					
			A	B	C	D	EZ	F*
Small	Any	Any					X	X
Large Expedited	Any	Applicant-Provided Information	X					X
Large Regular	Complete	Actual Costs		X		X		X
	In-progress	Actual Costs & Applicant-Provided Information			X	X		X
	Not Started	Applicant-Provided Information			X	X		X

Large Project Threshold: \$ 1 Million

Minimum PW Amount: \$3,800

# Application Sections

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- 1. Section I - Project Application Information**
- 2. Section II – Scope of Work**
- 3. Section III – Cost and Work Status**
- 4. Section IV – Project Certifications**

# Determining Eligibility

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Applicant



Facility



Work



Cost

# Determining Eligibility

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## Applicant

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

# Determining Eligibility

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Applicant

Facility

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

# Determining Eligibility

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Applicant

Facility

Work

- 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

# Determining Eligibility: Debris Removal (Cat. A)

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Applicant

Facility

Work

- The clearance, removal, and/or disposal of disaster- related items
- Refuse such as trees and vegetation, sand, gravel, building components, wreckage, vehicles, and household/personal property
- Must be monitored (Contract Work)
  - Invoices
  - Photos
  - Equipment Logs
  - Contracts
  - Tipping fees
  - FAL timesheets
  - Load tickets

# Determining Eligibility: Debris Removal (Cat. A)

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Applicant

Facility

Work

- Example of **INELIGIBLE** debris removal activities include
  - Removal of debris from an applicant's: unimproved property or undeveloped land.
  - Pre-disaster sediment from engineered channels.
  - A natural channel unless the debris poses an immediate threat of flooding to improved property.
  - From Federal lands or facilities that are the authority of another Federal agency.



# Determining Eligibility: Debris Removal (Cat. A)

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Applicant

Facility

Work

FEMA does have an Alternative Procedures Pilot Program still in effect for Debris Removal. It allows for the eligibility of Straight Time Labor for Debris Removal if the Applicant opts in. To opt in include your straight time in the costs and documentation.

# Determining Eligibility: Debris Monitoring

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Applicant

Facility

Work

- Applicant must monitor for eligible debris locations & quantities removed.
- May use Force Account, temporary hires, or contract labor..
- Extremely important for reimbursement.
- Monitor at all pick-up / disposal locations.
- Document eligible pick-up locations.
- Document quantities (Cubic Yards or Tons).
- Load ticket system to quantify each load & track from point of pickup to Debris Management Site (DMS) or landfill, quantities reduced at DMS, and loads hauled from DMS to final disposal.
- Monitor in tower at DMS to quantify loads coming in & verify trucks are empty upon departure from DMS.
- Be sure to monitor your monitors (if using contract monitors).

# Determining Eligibility: Debris Removal and Monitoring

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Applicant

Facility

Work

1. **Contracted Removal Work must have a monitor. Can not be the same company performing both tasks**
2. **Where it was picked up, how much was picked up, and where it ended up must be defined and documented.**
3. **Procurement of your contractors must also be documented.**
4. **Proper permitting with DEQ must be in place and documented**

# Determining Eligibility: Cat B (EPM)

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Applicant

Facility

Work

- Emergency Protective Measures Eliminate or lessen immediate threats to lives, public health, or safety.

## Examples:

1. Search and Rescue
2. Fire, Police, Medical Services
3. Generators
4. Activation of EOC
5. Sheltering (Congregate and Non-Congregate)
6. Road Barricading

# Determining Eligibility: Cat B (EPM)

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Applicant

Facility

Work

- Force Account Labor Costs
  - Emergency Overtime Work is eligible for:
    - Permanent employees
    - Re-assigned employees
    - Seasonal employees
  - Regular time and overtime are eligible for temporary employees performing emergency work.

# Determining Eligibility: Permanent Work (C-G)

Applicant

Facility

Work

- Restoring a facility to its pre-disaster design or 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 finished that are typical of an office building are not necessary for a storage facility and, therefore, are ineligible.

# Determining Eligibility: Permanent Work Cat. F

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Applicant

Facility

Work

- Utilities
  - **Electrical transmission or distribution systems**
  - **Chapter 8 of the PAPPG for additional eligibility guidance.**

**Electrical** - Restore to pre-disaster design, function, capacity in the most economical manner.

**Underground Utilities** - Damage should be obvious. Limited Inspection by remote camera may be eligible but must be approved in advance.

**Cleaning** - Only eligible when necessary to restore proper functioning of the system in specific reaches.

**Revenues** - Loss of revenue is NOT ELIGIBLE

**Loss of Inventory** - Is ELIGIBLE when it can be documented

# Determining Eligibility: Permanent Work Cat. G

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Applicant

Facility

Work

Parks, Recreational, and Other

Tree replacement – **Not Eligible**

Grass – **Normally NOT Eligible**

Public Park facilities and structures may be eligible.

Beach erosion is eligible on engineered and maintained beaches.



# Floodplain Considerations

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Applicant

Facility

Work



Site considerations for facilities that deliver critical services must include an evaluation of flood risk to limit threats to the delivery of services

# Work Eligibility: PNP Applicants

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Applicant

Facility

Work

Some PNPs may be eligible for FEMA assistance if they are legally responsible for performing emergency protective services

PNPs that own or operate an eligible facility and perform eligible work, such as providing emergency, medical or custodial care services for which they are legally responsible, may be eligible for reimbursement of costs as a Public Assistance applicant

# Determining Eligibility

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Applicant

Facility

Work

Cost

- Necessary and Reasonable
- Directly tied to the performance of eligible work
- Adequately documented
- Consistent with the Applicant's internal policies and procedures

Eligible costs include:

- Labor
- Equipment
- Materials
- Contract Work
- Administrative cost

# Cost Eligibility – Reasonable Costs

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Applicant

Facility

Work

Cost

The Applicant is responsible for providing documentation to demonstrate that claimed costs are reasonable. FEMA determines reasonable cost by evaluating whether the cost is recognized as necessary for type of work. For more information, refer to the *Public Assistance Reasonable Cost Evaluation Job Aid*.

# Determining Eligibility: Force Account Labor

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Applicant

Facility

Work

Cost

Force Account Labor Costs must be supported by:

1. Time and effort reporting for each employee
  1. 100% of hours worked during period being claimed
  2. Must delineate each federal activity (project) and non-federal activities
2. Payroll documentation
3. Pre-disaster payroll and accounting policies

Resource: FEMA's Applicant Fringe Benefit Calculator

# Determining Eligibility: Equipment Costs

Applicant

Facility

Work

Cost

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

1. Type of equipment and attachments used (year, make, model)
2. Size/capacity (e.g. horsepower, wattage)
3. Operator name, locations, dates, and hours used
4. Schedule of rates, including rate components
5. Purchased equipment, also provide:
  1. Invoices or receipts
6. Leased Equipment: Based on terms of lease
7. Resource: FEMA Schedule of Equipment Rates

# Determining Eligibility: Material Cost

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Applicant

Facility

Work

Cost

1. Items taken from your inventory or purchased to perform disaster related work
2. Remember to follow all applicable procurement regulations!

# Determining Eligibility: Procurement & Contracting

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Applicant

Facility

Work

Cost

## Contract Documentation:

1. Invoices
2. Contracts
3. Amendments / Change/ Orders / Task Orders
4. Proof of Payment
5. Procurement Documentation



# Determining Eligibility: Procurement & Contracting

Applicant

Facility

Work

Cost

1. Documentation is key
2. Conflicting rules? (Follow the more restrictive)

## Top 10: Procurement under Grants Mistakes

Restricting full & open competition

Not performing detailed price or cost analysis for procurement is above \$250,000

Engaging in sole-source with documenting emergency or exigent situation

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

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

Not including the required contract clauses

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

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

Awarding a contract to contractors that are suspended or debarred

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

**More Information:** [FEMA.GOV/Grants/Procurement](https://www.fema.gov/grants/procurement)

# Determining Eligibility: Procurement & Contracting

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Applicant

Facility

Work

Cost

- 1. Time and Material contracts are discouraged, and will be ineligible unless the following is true:**
  - ✓ No other contract was suitable;
  - ✓ The contract has a ceiling price that the contractor exceeds at its own risk; and
  - ✓ The non-state entity can demonstrate it provided a high degree of oversight to obtain reasonable assurance that the contractor used efficient methods and effective cost controls.

# Determining Eligibility: Procurement & Contracting

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Applicant

Facility

Work

Cost

1. Cost plus percentage of costs contracts are ineligible
2. Piggyback contracting is generally ineligible
3. Contracts over \$10,000 must include clauses for termination for cause and convenience
4. Contracts over \$250,000.00 must include all federal provisions listed in 2 CFR Part 200, Appendix II

# Determining Eligibility: Procurement & Contracting

Applicant

Facility

Work

Cost

## 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.

# Use of Pre-Awarded/Pre-Existing Contracts during Exigency & Emergency

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Applicant

Facility

Work

Cost

If the pre-awarded/pre-existing contract is not in compliance with the federal procurement requirements, it may still be possible to use the contract for the duration of the E&E

1. FEMA recommends that non-state entities:
  1. Review the requirements applicable during E&E and take actions to modify pre-awarded or pre-existing contracts where applicable
  2. Justify the use of a sole-sourced contract with suggested documentation

# Acceptable Contracts

Applicant	Facility	Work	Cost
<b>Lump Sum</b>	Work within prescribed boundaries; clearly defined scope and total price		
<b>Unit Price</b>	Work done on an item-by-item basis with cost determined on a unit basis		
<b>Cost Plus &amp; Fixed Fee</b>	Lump sum or unit price contract with a fixed contractor fee added into the price		
<b>Time &amp; Materials</b>	Now says – “limited to a reasonable time based on circumstances during which a definitive clear scope of work could not be identified” You MUST be able to justify!		

# Acceptable Contracts

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Applicant

Facility

Work

Cost

Check for debarred contractors

[www.sam.gov](http://www.sam.gov) – Excluded Parties List System

Document your procurement process (compliant with local, state, and federal requirements, whichever is most restrictive)

# Acceptable Contracts

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Applicant

Facility

Work

Cost

Time / Materials and Cost Plus

T & M is only to be used under very specific conditions:

1. Allowed for “cut & toss” emergency clearance; (don’t use T&M to remove, reduce, haul or dispose of non-emergency debris)
2. When no other possible alternative exists
3. Contingency Contracts are not allowed

Cost Plus (AKA “Cost Plus Percentage of Cost”) is never allowed under any circumstances under Federal Law.

*Cost analysis is required (2 CFR 200.323(a))*



# Determining Eligibility: Emergency Procurement

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Applicant

Facility

Work

Cost

Memo for each procurement action that outlines the following:

1. Costs are reasonable
2. Costs are necessary
3. Local policies were followed or waived (if waived documentation is still needed to show the waiver and how the waiver complies with the policy)

# Determining Eligibility: Donated Resources

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Applicant

Facility

Work

Cost

1. Applicants can use Donated Resources to offset the non-Federal share of eligible work costs. The Applicant must track all donated resources in order to offset their non-federal cost share
2. Donated Resources include:
  - Volunteer Labor
  - Donated Equipment
  - Donated Supplies and Materials
  - Logistical Support

# Determining Eligibility: Donated Resources

Applicant

Facility

Work

Cost

- 1. Labor, Equipment, and Materials can be used to offset the non-federal share of your award**
- 2. The following applies:**
  1. The donated resource is from a third party
  2. A third party includes private entities or individuals, including individuals that are normally paid employees of the Applicant or Federal, State, or Tribal Government, but are volunteering as unpaid individuals and not on behalf of the employer);
  3. The donated resource is necessary and reasonable;
  4. The Applicant uses the resource in the performance of eligible work and within the respective project's period of performance; and
  5. The Applicant or volunteer organization tracks the resources and work performed, including description, specific locations, and hours.
- 3. Document like you were paying for the item or service!**
  1. Who, what, when, where and how long

# PA Small Projects

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1. Projects under a certain threshold (currently \$ 1 million) are considered small projects by FEMA and are automatically\* paid to you when the project worksheet (PW) is obligated.
2. You must keep your supporting documentation locally for validation and future audit
  1. We recommend you use ok.emgrants to upload and archive your documentation

# PA Large Projects

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1. With large projects (those that are above the threshold of \$1 million), a formal Request for Closeout needs to be submitted through [OK.EMGrants.com](https://www.okemgrants.com)
  - No large project payments will come until the closeout or a reimbursement request is submitted [by you] to ODEMHS and reviewed in full [by ODEMHS] in OK EMGrants.
  - You may request reimbursements, and in some instances advances, as the project progresses
  - Once a large, always a large

# Duplication of Benefits

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1. 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:

1. Insurance Proceeds
2. Non-Federal Grants and Cash Donations
3. Third-Part Liability
4. Other Federal Awards
5. Other FEMA Funding (e.g Individual Assistance or HMGP)

# Insurance

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## Emergency Work & Permanent Work

- FEMA will reduce eligible project costs for facilities that are insured by the actual or anticipated insurance proceeds
- FEMA will reduce the eligible project costs for uninsured flood damages 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:

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

# Insurance

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## Required Documentation

- a) Insurance policy including, declarations page and schedule of values
- b) Settlement documents including copies of claim, statement of loss, checks received, etc.
- c) Damages must be separated by peril (flood, wind, etc.)
- d) If facility had previously received FEMA funding, you must show proof of obtaining and maintaining insurance since previous disaster



# Management Costs

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Changed as a result of the 2019 Disaster Recovery Reform Act (DRRA)

Now defines management Costs as:

- Indirect Costs
- Direct administrative Costs (DAC)
- Other administrative expenses associated with a specific project
- Applicants will receive one Category Z PW (for a county that means all 3 districts will have to coordinate and submit their cost together)

# Management Costs – Category Z

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1. Cat “Z” PW has a “up to” 5% of all projects cap.
  1. This percentage is based on final actual eligible costs including cost share after insurance and any other reductions
2. Applicants will receive reimbursement up to 5% for actual reasonable costs.
3. Management Costs are funded at 100% federal cost share

# Management Costs – Category Z

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Subrecipient administrative & Management Costs. Activities may include:

- Site Inspections
- Developing the detailed damaged 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

# Funding Options

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An applicant has the option to use a Permanent Work Public Assistance grant for activities that are outside of the originally approved scope of work.

## Options Include:

- Improved Projects
- Alternate Projects
- Mitigation Projects
- Public Assistance Alternative Procedures (PAAP, 428, SRIA)

*\*These options must be sent to ODEMHS and approved by FEMA before project work begins\**

# Funding Options: Alternate Projects

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## Section 428

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

## Benefits

- No Requirements to rebuild to pre-disaster condition
- Share funds across all alternative procedure permanent work 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 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 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

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

## Eligibility Criteria:

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

# Work Activity Eligibility

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At a minimum, work (also called “activities”) must meet each of the following criteria to be eligible:

1. Required as a result of the declared incident;
2. Located within the designated area; and
3. The legal responsibility of an eligible Applicant.

# Cost Eligibility – Reasonable Costs

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## 1. \$100,000 damages

1. \$75,000 FEMA will fund (75%)
2. \$25,000 you will be responsible for (25%)

## 2. \$100,000 damages

1. \$60,000 Insurance Proceeds
2. \$30,000 FEMA will fund (75% remaining balance)
3. \$10,000 you will be responsible for (25% remaining balance)



# Non-Federal Cost Share

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The assistance FEMA provides through its PA Program is subject to a cost share. The Federal share is not less than 75% of the eligible costs.

**EXCEPTION: Cat. Z direct and indirect management costs are reimbursed at 100% of documented costs**

# 406 Hazard Mitigation (Cat C-G)



# Section 406 Hazard Mitigation

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## Mitigation under the Public Assistance programs...

1. Any cost-effective measure which will reduce the potential for damage to a facility from a disaster event.
2. Must be approved prior to construction.
3. Only applies to the damaged element of the facility.
4. Must be cost effective.
5. Applies ONLY to permanent work categories A-G.

# Section 406 Hazard Mitigation

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## **Possible Suggestions for Hazard Mitigation**

1. Properly secure roof mounted equipment.
2. Install impact resistant glass or shutters.
3. Increase culvert size (H&H Study Required).
4. Elevate roadways / sub-roadbed reinforcement.
5. Design bridges for greater flood magnitudes.
6. Elevate electrical/other building components

# Oklahoma Water Resource Board

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# **Additional Considerations**

# Environmental & Historic Preservation (EHP)



# Environmental & Historic Preservation (EHP)

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All FEMA projects must comply with applicable Federal, state, and local environmental and historic preservation (EHP) laws

## Best Practices

1. Avoid placement of critical facilities (shelters, temporary hospital, etc.) in high-risk flood hazard areas
2. Avoid placement in wetlands, brownfields, and other use restricted sites.
3. Place tents, temporary structures, and modular units on existing parking lots, other hard surfaces, or improved surfaces and connect to existing utilities
4. Avoid new ground disturbance when possible. Should
5. ground disturbance reveal archaeological resources, notify FEMA and State Historic Preservation Officer immediately

*For detailed information please review COVID-19 Fact Sheet Environmental and Historic Preservation (EHP) and Emergency Protective Measures for COVID-19*



# Environmental Considerations

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Numerous environmental laws and regulations need to be complied with in order to receive ANY Federal funds:

1. National Environmental Policy Act (NEPA)
2. Endangered Species Act
3. Coastal Zone Management Act
4. EO 11988 Floodplain Management
5. EO 11990 Wetlands Protection
6. Clean Water Act (Section 404)
7. Clean Air Act

# Environmental Considerations

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When addressing any of these considerations...

- The applicant will be responsible for providing as much information as they can to FEMA and OEM in a timely manner in order to satisfy environmental laws and regulations.
- The applicant is responsible for **compliance with and obtaining all County, State, and Federal regulations permits, approvals or licenses, including the completion of the Section 106 process or Federal funding may be jeopardized.**

# Historic Considerations

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When receiving federal funds for any structure, historic considerations are taken into account.

Section 106 looks at:

- Is the structure older than 45 years? If yes, then...
- Is the damaged facility on or eligible for listing on the National Register of Historic Places? If yes, then...
- Will the proposed repairs or reconstruction change pre- disaster conditions? If yes, then....
- NHPA will need to be satisfied.

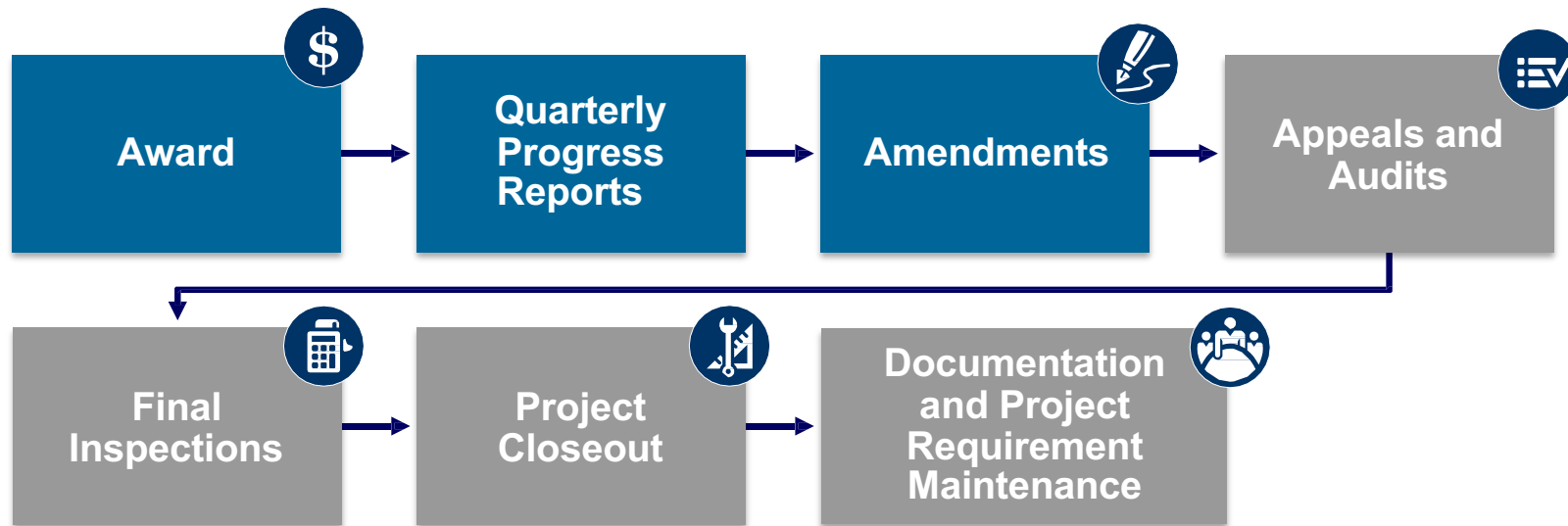
# Post-Award Grants Management



# Post-Award Grant Management

**After an initial subgrant has been awarded and obligated, FEMA will work with the Applicant to:**

- Ensure federal laws are followed with all documentation and process requirements, and
- Update project information as needed before the grants are closed.



# Quarterly Reports, Closeout, Appeals, Audits

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## **Quarterly Progress Reports**

A tool for FEMA and the Recipient to track the progress of open Large Projects on a quarterly basis due 10 days after the end of the federal quarter

## **Project Reconciliation and Closeout**

The purpose of closeout is for the Applicant to certify that all work has been completed and is due no later than 60 days after work is completed

## **Appeals**

Applicants may appeal any FEMA determination related to an application for, or the provision of, assistance under the PA Program within 60 days of notification of the action.

## **Audits**

Recipients and Subrecipients are subject to Federal and non-Federal audits.

# Documentation and Record Keeping

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Stafford Act Section 705 - Imposes a three (3) year limit on FEMA's authority to recover payments made to State, Tribal, or local government Recipients and Subrecipients unless there is evidence of fraud

1. The Applicant must maintain all original documentation supporting project costs claimed.
2. The Recipient and the Applicant must keep all financial and program documentation for 7 years (State requirement) after the date of the Recipient's final Financial Status Report (FSR).
3. Records are subject to audit by State auditors, FEMA, the U.S. Department of Homeland Security Office of Inspector General, and the U.S. Government Accountability Office.

# Audit Issues





# Audits

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## Single Audit Act:

This act requires grant recipients expending \$750,000 or more in Federal funds in a fiscal year to perform a single audit: 2 CFR 200.501(a-b)

This may be provided to ODEMHS by properly uploading to the Federal Audit Clearing House or by emailing ODEMHS at [Single.Audit@oem.ok.gov](mailto:Single.Audit@oem.ok.gov).

**Grant recipients must follow the State requirement for record retention as the most restrictive guidance and maintain financial and program records for at least seven (7) years from closure of the grant.**

**(2 CFR 200.333(a-e))**

# Next Steps



# Next Steps

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After attending an Applicant Briefing (conducted by the Recipient (State)):

Register on SAM.GOV (if not already registered)

Request access from OK.EMGrants.com and submit a Request for Public Assistance (RPA), once the RPA is reviewed by the State and FEMA you will receive an invitation to FEMA Grants Portal access where you will continue the process

# Next Steps

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## Other Helpful Resources

1. FEMA PA Grants Portal - Grants Manager YouTube Channel:  
[youtube.com/channel/UCIJp91Ds2IaVIR1t8 uXcEKg](https://youtube.com/channel/UCIJp91Ds2IaVIR1t8 uXcEKg)
2. Technical and training support at FEMA's PA Grants Portal Hotline:  
(866) 337 8448
1. Eligibility Questions Please Email: [Public.Assistance@oem.ok.gov](mailto:Public.Assistance@oem.ok.gov)

# State/Local Agreement

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Completed after RPA approval

Must be signed and returned before receiving project payments

States the understandings, commitments, and conditions for assistance under which FEMA disaster assistance will be provided

# Final Slide

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**Questions?  
Or need help?**

Call or email:

Michael Teague  
Cell – 405-219-2090

[Michael.Teague@oem.ok.gov](mailto:Michael.Teague@oem.ok.gov)

Or Email: [public.assistance@oem.ok.gov](mailto:public.assistance@oem.ok.gov)