June 13, 2019

Ms. Gracia Szczech
Regional Administrator
Federal Emergency Management Agency, Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341

RE: Florida Public Assistance Administrative Plan

Dear Ms. Szczech:

Please see the enclosed Florida Administrative Plan developed to describe the administrative processes for the Florida Division of Emergency Management’s (Division’s) delivery of FEMA’s Public Assistance (PA) Program. This plan meets or exceeds all the requirements set forth in 44 CFR 206.207(b) and is submitted for your review and approval.

As identified in the submitted plan, the primary tool for the Division’s management of the PA program is through the online suite, FloridaPA.org (FLPA). FLPA tracks and documents the grant process from Request for Public Assistance (RPA) submission to grant closeout.

Enclosed with this correspondence and the Florida PA Administrative Plan are attachments that further outline the Division’s PA grant management functions.

Thank you for your consideration regarding the Florida PA Administrative Plan and please do not hesitate to contact Amanda Campen, Recovery Bureau Chief at (850) 815-4155 or Amanda.Campen@em.myflorida.com if you have questions or concerns in reference to this matter.

Sincerely,

Amanda Campen
Recovery Bureau Chief

Enclosure: 2019 Florida PA Administrative Plan with attachments
PUBLIC ASSISTANCE ADMINISTRATIVE PLAN

PURPOSE

The purpose of this plan is to identify the State of Florida’s roles, responsibilities, processes, and procedures for administering the Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program to ensure compliance with Federal statutes and regulations currently in effect.

AUTHORITY

State

- Florida Statute, Chapter 252 (State Disaster Act)
- Executive Order of the Governor (80-29, April 14, 1980)
- Florida Statute, Section 215.97 (Florida Single Audit Act)
- Florida Statute, Section 215.971 (Agreements Funded Under Federal or State Assistance)

Federal

- 42 USC §5121-5206 (Robert T. Stafford Act)
- 2 CFR 200
- 44 CFR Parts 9, 10, 13/2, 14, 206 and 207
- OMB Circular A-102; A-110; A-133; A-21; A-87; A-122.
- Executive Order 12612, Federalism
- Executive Order 12699, Seismic Design
- Executive Order 12898, Environmental Justice
- 16 USC § 3501, Coastal Barrier Resources Act
- 16 U.S.C. § 470, National Historic Preservation Act
- 16 USC §1531, Endangered Species Act
- Executive Order 11990, Protection of Wetlands
- Executive Order 11988, Floodplain Management
- Executive Order 12372, Intergovernmental Review of Federal Programs

1 FEMA Required Element. I.1
2 FEMA Required Element. I.2
3 FEMA Required Element. II.A.1-2; 5
4 FEMA Required Element. II.B.1-18
SCOPE

This plan applies to all Division employees involved in the administration of the FEMA PA Program.

REFERENCES:

State

• State of Florida Comprehensive Emergency Management Plan
• FEMA-State Agreement (See Attachment 6)\(^5\)

Federal

• FEMA Public Assistance Program and Policy Guide (PAPPG)
• FEMA Public Assistance Alternate Procedures Pilot Program Guide
• Alternative Procedures for Direct Administrative Costs Policy
• FEMA Public Assistance Management Costs Interim Policy

DEFINITIONS

FEMA Required Definitions:\(^6\)

• **Alternate Project:** A Subrecipient may determine that the public welfare would not be best served by restoring a damaged facility or its function to the pre-disaster design. In this event, the Subrecipient may use the Public Assistance grant for permanent restoration on that facility for other purposes that benefit the same community.

• **Applicant:** A non-Federal entity submitting an application for assistance under the Recipient’s Federal award.

• **Emergency Work:** Work that must be done immediately to save lives, protect improved property, protect public health and safety, or avert or lessen the threat of a major disaster.

• **Federal Emergency Management Agency (FEMA):** The Federal agency within the Department of Homeland Security that is responsible for coordinating disaster recovery efforts and providing disaster relief assistance.

• **Governor’s Authorized Representative (GAR):** The representative designated by the Governor to execute all necessary documents for disaster assistance programs for

\(^5\) FEMA Required Element. II.A.3-4
\(^6\) FEMA Required Element. III.A-V
State and local grant recipients. The GAR assures State compliance with the FEMA/State Agreement. Normally, the DEM Director will be designated as the GAR and the State Coordinating Officer. The duties of a GAR may be delegated.

- **Recipient:** A non-Federal entity that receives a Federal award directly from a Federal awarding agency to carry out an activity under a Federal program. The State of Florida, hereinafter referred to as the State, through DEM, is responsible for the administration and management of disaster relief assistance provided to the State under the Stafford Act by FEMA.

- **Hazard Mitigation:** Cost effective measures that will reduce the potential for damage to a facility from a declared disaster event.

- **Hazard Mitigation (Stafford Act Section 406):** Cost-effective measures to eliminate or reduce the threat of future damage to a facility when restoring the damages under the PA Program. Such measures must protect or benefit the repaired portion of the facility, differing from the mitigation measures under the Section 404 Hazard Mitigation Grant Program (HMGP). Some Projects may be eligible to receive both Section 404 and 406 assistances.

- **Joint Field Office (JFO):** A temporary facility established in a Presidentially-declared disaster area as the field headquarters for FEMA and other Federal/State personnel as the focal point for disaster operation, direction, coordination and information.

- **Large Project:** Approved Projects estimated to cost the same or more than the Large Project threshold amount ($128,900.00 for federal fiscal year 2018/2019). The Large Project threshold is an amount of approved project estimated costs adjusted annually to reflect changes in the Consumer Price Index for all Urban Consumers. The Large Project threshold amount applicable to any project is that amount in effect on the declaration date of the disaster, regardless of when project approval is made or when the work is performed. Subrecipient funding for Large Projects is normally on a reimbursement basis but funds may be advanced, if necessary, to commit to the work. Large Projects require a final inspection after the project is completed to adjust the project funding to actual costs less any applicable insurance recovery.

- **Permanent Work:** Restorative work performed on damaged facilities, through repairs or replacement, to pre-disaster design or function at current applicable codes and standards. Under the PA Program, restoration of Category C (Roads and Bridges), Category D (Water Control Facilities), Category E (Buildings and Equipment), Category F (Utilities), and Category G (Parks, Recreational Facilities, and Other Items), are defined as Permanent Work.

- **Immediate Needs Funding:** A discretionary advance of grant funds by FEMA, not to exceed 50% of the Preliminary Damage Assessment estimate, to assist with payment of emergency work within the first 60 days after a declared disaster occurs.
• **Improved Project:** A Subrecipient can elect to make improvements to a facility while making disaster repairs on both Large and Small Projects. An Improved Project must be requested by the Subrecipient in writing and approved by the Recipient prior to construction.

• **Project Worksheet (FEMA Form 90-91):** Form used to document the authorized scope of work and cost estimate for a project. Project Worksheets are also referred to as PWs.

• **Small Project:** Approved PWs estimated to cost less than the Large Project threshold amount of $128,900.00 and greater than $3,200.00. Subrecipient funding of Small Projects is automatically provided by the Recipient as soon as possible after receipt of the obligation of FEMA funding. Actual cost documentation for Small Projects must be maintained by the Subrecipient; however, the Recipient will certify completion of the Small Project scope of work through the P4 process. Funding for Small Projects that are not completed, or that are duplicative of insurance recoveries, shall be returned to the State and FEMA.

• **Special Considerations:** Issues that involve insurance, floodplain management, hazard mitigation, historic preservation, and environmental reviews that are related to a project.

• **State Coordinating Officer (SCO):** The person designated by the Governor to coordinate State and local disaster assistance efforts with FEMA.

• **State Public Assistance Officer (SPA0):** The person responsible for the management and administration of FEMA’s Public Assistance Program at the State level.

**Additional Definitions**

• **Emergency Management Plan:** The Comprehensive Emergency Management Plans of the State and its political subdivisions, as authorized and required by Chapter 252 of the Florida Statutes, describing the emergency management organization, its mission, and functions of the government and supporting services for preparing for, responding to, mitigating and recovering from disasters, fires and other emergencies.

• **Facility:** Any publicly or privately-owned building and/or equipment, or system for water control or utilities, roads and/or bridges, or any other item of infrastructure for the benefit of the public that is built or maintained including improved and maintained natural features. Land used for agricultural purposes is excluded as an eligible facility.

• **Federal Coordinating Officer:** The Federal representative appointed to coordinate federal assistance to the State when the President has declared an emergency or disaster pursuant.
• **FEMA/State Agreement:** A formal legal document executed by the FEMA Regional Administrator and the Governor of Florida that memorializes the understandings, commitments, terms, and conditions for assistance resulting from a federal disaster declaration by the President.

• **Florida Division of Emergency Management (FDEM):** The State agency that is designated by the Governor to serve as Recipient or pass-through entity for FEMA disaster relief programs.

• **Governor:** The Chief Executive Officer of the State of Florida.

• **Grant:** An award of financial assistance under the **Stafford Act** by FEMA to the Recipient, which is approved through Project Worksheets (PWs) in the form of Subgrants.

• **Hazard Mitigation (Stafford Act Section 404):** Cost-effective measures to eliminate or reduce long-term risk to improved property from future disaster events funded under the Hazard Mitigation Grant Program (HMGP) and not under the PA Program. HMGP Projects may involve facilities not damaged by previous disasters, new facilities, or even non-structural measures such as development of floodplain management regulations.

• **Interim Inspection:** A project management function the State implements to:
  
  • Provide Subrecipients an opportunity to show additional eligible costs for which a new version of the PW should be prepared.
  
  • Provides the State with an opportunity to ensure that work is progressing at the proper rates within the approved “period of performance.”
  
  • Provides Subrecipients the opportunity to make proper and timely claims for initiating Alternate and Improved Projects, as well as, to ensure the Alternative Procedure Projects are on task.
  
  • Simplifies project closeout by ensuring that documentation has been properly collected, organized and stored during the project lifecycle.

• **Pre-disaster Design:** The size, capacity, and/or function of a facility as designed and built or otherwise modified by a Subrecipient prior to the declared disaster.

• **Project:** Work for which a specific damage description, scope of work, and associated cost estimates are developed in a disaster. A project may involve more than one facility or parts of a facility taking into consideration such factors as insurance coverage, location, whether the restoration work is being conducted by a Subrecipient’s force account resources or by a single contract, and whether the Subrecipient prefers Large or Small Projects. Projects are generally for a specific
category of work but may include incidental categories associated with the main category.

- **Grant Manager (GM):** A program expert who serves as the Recipient’s representative regarding PA program matters and manages the processing of the Subrecipient’s Projects, requests, and closeouts.

- **SMARTLINK Account:** An electronic account under the authority of U.S. Department of Homeland Security based upon a FEMA letter of credit, established between FEMA and the State from which the State draws obligated funds for approved PWs for payment to PA Program Subrecipients.

- **State:** The State of Florida.

- **Subgrant:** An award of disaster relief under the Stafford Act to an eligible Subrecipient in the PA Program that is administered by the Recipient. Subgrants are also referred to as Project Worksheets (PWs).

- **Subrecipient:** A State, Local, or Indian Tribal government, other legal public entity, or certain private non-profit organizations that have been approved for Public Assistance and are eligible for subgrant awards. Subrecipient is accountable to Recipient for use of provided funds.

- **Subrecipient’s Agent:** The person or persons designated by the Subrecipient’s Authorized Representative as the point of contact for transactions involving PA Projects and funding as indicated on the Subrecipient’s Request for Public Assistance.

- **Subrecipient’s Authorized Representative:** The chief executive or authorized official designated by the Subrecipient’s governing body in the Applicant Funding Agreement as having the authority to execute the documents necessary for participation in the PA program.

- **Additional Acronyms and Abbreviations** available at FEMA’s website: https://www.fema.gov/pdf/plan/prepare/faatlist07_09.pdf  
  https://www.fema.gov/media-library/assets/documents/111781
BACKGROUND

Natural disasters, such as hurricanes, tornadoes, floods and wildfires, as well as emergencies caused by technological hazards occur within the State of Florida. These events can be of such magnitude and severity that emergency response and timely recovery is beyond the capabilities of the State and its political subdivisions. In such situations, assistance is requested from FEMA through a disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

The State is responsible for the management and administration of the Stafford Act relief programs. The Public Assistance (PA) Program provides Federal assistance on a cost-sharing basis to eligible Indian tribal governments, State/local governments, and certain private non-profit organizations which suffer damages or costs for: debris removal; emergency protective measures; and permanent restoration of damaged public infrastructure.

This State PA Administrative Plan is incorporated into the State of Florida Comprehensive Emergency Management Plan and is in effect for all open declared events as of January 1, 2019. Plan Addenda specific to presidentially declared events in 2019 will be submitted to FEMA for approval. The overall purpose of this plan is to establish the organizational and administrative procedures for the management of all funds provided to the State under the Public Assistance Program. In particular, to:

- Identify the State’s responsibilities in administering Public Assistance programs (Major Disaster, Emergency, and Fire Management Assistance) for eligible Subrecipients;
- Outline staff requirements, policies, and procedures to be used after a declaration by the State and FEMA during Joint Field Office (JFO) operations; and thereafter;
- Become part of the FEMA/State Agreement for Stafford Act assistance; and,
- Provide timely disaster relief effectively and efficiently to the Public Assistance Program Subrecipients.

Note: The Division recognizes the unique requirements for assistance in FEMA’s Fire Management Assistance Program. (See Attachments 23 a, b, c)

The State assures FEMA that it shall comply with all applicable Federal statutes and regulations in effect during the periods for which it receives grant funding. The State acknowledges that funding under the FEMA PA Program is conditional upon the State’s compliance with all the terms and conditions of this plan.

1. RESPONSIBILITIES AND ORGANIZATION

7 FEMA Required Element.
8 FEMA Required Element.
1.1 RESPONSIBILITIES

1.1.1 Designate State Agency

The Governor has designated the Florida Division of Emergency Management (FDEM) as the Recipient for administering the FEMA PA Program. The FDEM Recovery staff administering the PA Program operates from the FDEM Tallahassee Office with other satellite offices established as necessary, usually co-located with FEMA offices (JFOs or Recovery Offices). A State PA Program organizational chart is developed at the beginning of each State fiscal year and thereafter amended as necessary.

The responsibilities of FDEM Recovery staff for the administration of the PA Program are described, but not limited to, the items below:

a. Negotiating and entering a FEMA/State Agreement for each new Disaster and Emergency Declaration, and for Fire Declarations for the Calendar Year and submittal of the required Standard Form 424 and 424 D Applications for each Declaration. (See Attachment 9)

b. Ensuring compliance with all current Federal and State administrative requirements including established FEMA policy guidelines and publications.

c. Notifying potential Subrecipients of the availability of assistance; assisting FEMA in determining Subrecipient eligibility.

d. Conducting Applicant Briefings to explain the PA program. (See Attachment 1)

e. Requesting Immediate Needs Funding (INF) on behalf of Subrecipients when necessary.

f. Attending all initial Applicant Recovery Scoping Meetings conducted by FEMA.

g. Designating a SPAO to liaise with FEMA and to supervise the Recipient’s participation in the PA Program; assigning Grant Managers/Contractors to work with assigned FEMA counterparts.

h. Assisting FEMA in determining Applicant eligibility.

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9 FEMA Required Element.
10 FEMA Required Element. IV. A.1
11 FEMA Required Element. IV. A.2
12 FEMA Required Element. IV. A.3
13 FEMA Required Element. IV. A.4
14 FEMA Required Element. IV. A.5
15 FEMA Required Element. IV. A.6
16 FEMA Required Element. IV. A.8
i. Partnering with FEMA in conducting Damage Surveys to serve as a basis for obligations of funds to Subrecipients.\textsuperscript{17}

j. Processing requests for Project time extensions, Improved Projects, Alternate Projects, Alternative Procedures, interim inspections, hazard mitigation assistance, final inspections, Small Project netting inspections, insurance reconciliation inspections, and advance funding or reimbursements for Project costs.\textsuperscript{18}

k. Making recommendations to FEMA on appeals for denied assistance, Improved Project requests, Alternate Project requests, Alternative Procedures, and for time extension requests beyond the Recipient’s authority.\textsuperscript{19}

l. Establishing with FEMA the Subrecipient’s insurance requirements and securing applicable insurance recovery information from Subrecipients.\textsuperscript{20}

m. Assisting Subrecipients in obtaining determinations from the State Insurance Commissioner of whether FEMA insurance requirements are reasonable.\textsuperscript{21}

n. Complying with applicable Code of Federal Regulation (CFR) requirements:\textsuperscript{22}
   - 44 CFR Part 13 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
   - 44 CFR Part 14 – Administration of Grants: Audits of State and Local Governments
   - 44 CFR Part 206 – Federal Disaster Assistance
   - 44 CFR Part 207 – Management Costs
   - 2 CFR- Grants and Agreements

o. Recognizing that the State may request technical assistance in the preparation of the administrative plan from FEMA’s Regional Administrator.\textsuperscript{23}

p. Submitting quarterly reports to FEMA to ensure program compliance.\textsuperscript{24}

q. Submitting the annual State Public Assistance Administrative Plan to update procedures of the State’s administration of the Public Assistance Program for FEMA approval.

r. Reviewing and certifying Project completion information, accounting of costs for Large Projects, and submittal of Large Project final inspections to FEMA.\textsuperscript{25}

\textsuperscript{17} FEMA Required Element. IV. A.9
\textsuperscript{18} FEMA Required Element. IV. A.10
\textsuperscript{19} FEMA Required Element. IV. A.11
\textsuperscript{20} FEMA Required Element. IV. A.12
\textsuperscript{21} FEMA Required Element. IV. A.13
\textsuperscript{22} FEMA Required Element. IV. A.14
\textsuperscript{23} FEMA Required Element. IV. A.15
\textsuperscript{24} FEMA Required Element. IV. A.16
\textsuperscript{25} FEMA Required Element. IV. A.17
s. Establishing budget and staffing requirements for the Recipient’s administration of the FEMA/State Public Assistance Program by development of a State Public Assistance Organizational Chart and PA Staffing Plan.\textsuperscript{26}

1.2 ORGANIZATION & STAFFING

1.2.1 Identified Staffing Estimates and Funding

(See Attachment 7)
(See Attachments 8 a, b)\textsuperscript{27}

1.2.2 Identified Management Staff and Funding (See Attachment 7)
(See Attachments 8 a, b)\textsuperscript{28}

1.2.3 Governor’s Authorized Representative (GAR):
The person designated by the Governor to execute all necessary documents for disaster assistance programs for State and local grant recipients. The GAR ensures State compliance with the FEMA/State Agreement. Normally, the DEM Director will be designated as the GAR and the State Coordinating Officer. The duties of a GAR may be delegated to Recovery senior management as necessary to administer the disaster.\textsuperscript{29}

1.2.4 State Coordinating Officer (SCO):
The person designated by the Governor to coordinate State and local disaster assistance efforts with FEMA. This position is the counterpart to the Federal Coordinating Officer (FCO) and oversees the disaster recovery process.\textsuperscript{30}

1.2.5 Administrative and Support Duties:
The State is responsible for the administration of all funds provided under the PA program, as well as, for the coordination of the program amongst FEMA, State and Subrecipient staff. After the Governor appoints his/her GAR and SCO, the PA program staff may need to fill various roles depending on the magnitude, type, extent, and number of open disasters. The various duties of FDEM staff in administering the PA program are as follows:

1.2.6 State Public Assistance Officer (SPAO):
The SPAO implements the PA program and supervises the State Programmatic Review Lead, the Public Assistance Program Administrator, and the Legacy Grant Program Supervisor to administer and execute Stafford Act programs for Disaster, Emergency, and Fire Management Assistance at the State level. The SPAO reviews and submits to FEMA all program requests and grant submittals at the discretion of State leadership.\textsuperscript{31}

\textsuperscript{26} FEMA Required Element. IV. A.18
\textsuperscript{27} FEMA Required Element. IV. B. 1
\textsuperscript{28} FEMA Required Element. IV. B.2
\textsuperscript{29} FEMA Required Element. IV. B.2.a
\textsuperscript{30} FEMA Required Element. IV. B.2.b
\textsuperscript{31} FEMA Required Element. IV. B.3.a
1.2.7 Public Assistance Program Administrator (PAPA):
This position manages/facilitates all Subrecipient accounts through oversight of Grant Managers and Contracted Staff in their review of accounts, Projects, and payments. As the operation phases into long-term grant management, the Public Assistance Program Administrator will ensure that payments are made in accordance with program requirements, policies, and will complete the financial reconciliation.

1.2.11 Grant Managers (GM):
Grant Managers supervise the grant management of the PA program. These duties include processing funding agreements, notifying applicants of obligated Projects and/or FEMA determinations of ineligibility, ensuring Projects are input into FloridaPA.org with applicable documentation, processing payments in accordance with established procedures, completing account reconciliation, and processing the P.4.

Additionally, these Recovery staff assist the Recipient in resolving program issues with FEMA related to the PA Program. The Grant Manager assures timely and correct payments to the Subrecipients for the assistance granted. Other responsibilities include monitoring the Subrecipient’s progress on Projects for completion and closure dates via the Subrecipient’s quarterly reports and providing technical assistance to Subrecipients in requesting Project time extensions, Alternate Projects, Improved Projects, alternative procedures, and interim/final inspections and further:

a. May be assigned to a resource pool in JFOs, to field inspection teams in satellite offices, or to the Recipient’s office in Tallahassee to assess Subrecipient damages and prepare and/or review proposed PWs during JFO operations; and

b. May conduct initial, interim, and final inspections for all grant Projects; to provide recommendations for Project time extensions; Alternate, Improved, alternative procedures, and hazard mitigation Projects; to provide technical assistance to Subrecipients concerning Project completions and program eligibility; and, to provide quality control of the FEMA and State databases in the administration of the programs.

1.2.8 Legacy Grant Program Supervisor (LSGPS):
This position manages/facilitates all Subrecipient accounts from Hurricane Charley (DR 1539) to Severe Storms & Tornadoes (DR 1679) through oversight of Legacy Storm Grant Managers in their review of accounts, Projects, and payments.

1.2.9 Legacy Storm Grant Manager (LSGM):
Legacy Storm Grant Managers are responsible for the administration of grants from Hurricane Charley (DR 1539) to Severe Storms & Tornados (DR 1679). These positions are assigned specific Subrecipients in given counties and assist the Recipient in resolving program issues with FEMA related to the PA Program. Legacy Storm Grant Managers notify Subrecipients of FEMA determinations; complete account reconciliations and closeouts; and process payments in accordance with established procedures and process P.4s.

1.2.10 Bureau Contract Manager (CM):

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Bureau Contract Managers have the main responsibility for overseeing and monitoring the vendor contracts in coordination with programmatic oversight from the SPAO and/or Public Assistance Program Administrator. This includes drafting, reviewing, and finalizing task orders that establish the scope of work for the contractor. Contract Managers are responsible for receiving, reviewing, processing approvals from the SPAO and/or Public Assistance Program Administrator and certifying the deliverables under the task order with input from programmatic staff. Contract Managers also review the submitted invoices and associated documentation to ensure accuracy and that there is no duplication across task orders.

1.2.12 Programmatic Review Specialist (PRS):
These positions serve as Program Specialists in debris, environmental, historical preservation, hazard mitigation, insurance, floodplain, and other special consideration or serve as technical specialist, i.e. engineer. Programmatic Review Specialists also oversee Contracted Staff on Project reviews for the Recipient Review queue in Grants Portal. This function will ensure overall quality, compliance, and programmatic requirements for all PW versions managed through the PA Grants Program. The lead will coordinate with the SPAO, FEMA, Contracted Staff and other staff to resolve PW review issues, Special Considerations, and expedite review. Additionally, Programmatic Review Specialists perform quality assurance and quality control reviews for interim/final inspections and Project Closeouts.

1.2.13 Recovery Administrative & Plans Officer:
This position is responsible for the oversight and facilitation of the Bureau's Public Assistance plans, contract monitoring, PA reporting, Management costs, coordination of revisions/implementation of internal PA processes, and performance measures for PA staff through coordination of the different sections and team members.

1.2.14 Finance Support Staff:
The Finance Support Staff consists of the Finance Specialists and Finance Accountant. Together they are responsible for the final financial transactions submitted by the Grant Managers, including accuracy review, as well as the associated processes regarding purchases, and travel. They are also responsible for budget projections and identifying financial shortfalls.

1.2.15 Program Training, Compliance, Appeals Officer:
This position proactively evaluates Projects and administrative processes for potential issues related to historical audit findings. This position coordinates with applicable PA and Grants Staff for Project resolution on identified issues. This position also coordinates with the Admin & Plans Section to help implement internal strategies and controls to mitigate future audit findings. Additionally, this position is responsible for PA administrative appeals.

1.2.16 Administrative & Plans Manager:
This position works closely with the Recovery Administrative & Plans Officer and assists in supervising the Recovery Bureau’s budget and operational costs, as well as the administration of FloridaPA.org.

1.2.17 Administrative Management Cost Manager:
This position supervises Administrative Management Cost Specialists and overseeing management costs and offsets that occur.
1.2.18 Administrative Management Costs Specialists:
These positions ensure the creation, submission, tracking, monitoring, and reconciling all
Management costs and offsets that occur.

1.2.19 Recovery Plans Specialist:
The Recovery Plans Specialist ensures that all required plans are consistent, up-to-date,
maintained accordingly, and in compliance with all applicable rules and regulations. This position
coordinates closely with the Special Projects Specialist.

1.2.20 Special Projects Specialist:
The Special Projects Specialist is responsible for projects aimed at making the Bureau more
compliant and efficient.

1.2.21 Public Records Specialist:
This position organizes and maintains the Bureau’s records and files as it relates to the overall
Admin & Plans section. This position also performs administrative tasks as directed for Public
Assistance staff needs.

1.2.22 Recovery System Administrator:
This position is responsible for updating and resolving issues with FloridaPA.org. Additionally,
the Recovery System Administrator administers and monitors Recipient and Subrecipient user
access rights to FloridaPA.org.

1.2.23 Recovery Education Program Administrator:
This position oversees internal Public Assistance Recovery training and staff development, as
well as developing and conducting Public Assistance Training for Applicants/Subrecipients. This
position is also responsible for coordinating and conducting Applicant Briefings.

1.2.24 Community Associate:
The Community Associate assists Applicants during the Recovery Transition Phase of an
incident.

1.2.25 Appeals Specialist:
The Appeals Specialist assists the Appeals Officer/Compliance and Training Manager with
monitoring, tracking, writing appeal recommendations, and submitting appeals to FEMA.

1.2.26 Compliance Program Administrator:
The Compliance Program Administrator is responsible for coordinating with the Appeals
Officer/Compliance and Training Manager to develop internal practices to help mitigate future
audit findings.

1.2.27 Staffing Augmentation:
The Recipient may augment existing personnel with Contractor provided staff as necessary. Additional staff may be necessary to expedite closure of existing disasters or to perform Recipient functions for newly declared disasters. Staffing augmentation costs may be funded through the State Management Administrative Costs (SMAC), State Management Costs (SMC), Direct Administrative Costs (DAC) when directly attributable to work on a PW, or through the new Management Cost Structure capping costs at 7% of the final eligible amount.

If staffing augmentation is needed, contractual documents will identify the specific scope of the work to be completed. By contract, the Contractor will be instructed to complete specific actions on a particular event, region, and/or type of programmatic work. As an example, a contract may instruct the staffing augmentation Contractors to complete Small Project verifications, scope of work changes, new versions, and Small Project nettings for a portion of the State as well as Large Project closeouts for the entire State for all disasters. Identifying the specific items requiring action can be found through research within Floridapa.org, EMMIE, or Grants Portal will be directly assigned by the State Public Assistance Officer or designee. Communications and coordination of priorities with FEMA Region IV may also influence the specific items requiring action by staffing augmentation. Contracted Staff may also assist in optimizing available FEMA assistance to Subrecipients by seeking and justifying eligibility for the assistance and maintaining that eligibility through proper cost documentation and assisting the Subrecipients to meet program requirements. Additionally, Contracted Staff may be assigned to a JFO resource pool; conduct initial, interim, and final inspections for all grant Projects; and provide technical assistance to Subrecipients concerning Project completions and program eligibility.

The staffing augmentation Contractor will be supervised by the Division’s staff and all deliverables under the contract will be reviewed by the Bureau’s Contract Managers and the State Public Assistance Officer, or designee, to ensure quality of work. To ensure additional adequate oversight, State Grant Managers (GM) are assigned to oversee specific tasks completed by Contractors. If a Contractor submits a work product/deliverable such as a closeout, the closeout will be reviewed by the assigned State GM. The State GM will then review the work product for accuracy and completion. If correction is needed, the State GM will return the deliverable to the Contractor for correction and resubmission.

Once deliverables are completed, the Bureau’s Contract Managers are responsible for reviewing and processing invoices submitted by Contractors, as well as working with State GMs to identify and clarify any corrections to the Contractor’s invoice. If a correction is needed, the invoice is returned for correction and resubmission by the Contractor. The Division, through the contractual agreement and task order, is the sole decider on whether to incur financial consequences on the Contractor if the deliverables are not accepted by the Division and those financial consequences will vary by individual contract.

Depending on the delivery needs of the program, Contracted staff may be reorganized, increased, or decreased as needed. The various duties of Contracted Staff in augmenting the PA program are as follows:

**1.2.27.1 Senior Consultant:**
This position provides supervision of Program Specialists and Project Specialists, provides information to the State’s Program and Contract Manager, establishes and maintains quality
control, provides technical support, monitors, and reports status of projects. The Senior Consultant is knowledgeable and experienced with FEMA rules and regulations able to work with State, Federal and local official and be customer service oriented.

**1.2.27.2 Consultant:**
This position reviews PWs for approval, gathers documentation from Subrecipients, determines eligibility of Subrecipient’s work, assists in Project applications, and provides programmatic assistance to Subrecipients. The Consultant is knowledgeable of FEMA rules and regulations, able to work with State, Federal and local officials and be customer service oriented.

**1.2.27.3 Junior Consultant:**
This position prepares and processes grant payments, monitors grant activities, coordinates and communicates with stakeholders, ensures contract and records are maintained, and prepares correspondence. The Junior Consultant is knowledgeable of grants management, able to work with State, Federal and local officials and be customer service oriented. Assists in the advancement and monitoring of Recovery Projects, Stafford Act Appeals, financial monitoring and reporting, and recovery logistics. Prepare project documentation and prepare status tracking reports of Projects. Must have the ability to perform administrative assignments in an accurate and efficient manner.

**1.2.27.4 Program & Administrative Support:**
This position prepares and uploads documents, tabulates timesheets, provides human resources support, answers phone lines, provides general administrative duties in the overall support of Projects, field operations, and management. Must have the ability to perform administrative functions in an accurate and efficient manner.

*(See Attachment 7)*

**2. DIRECTION & CONTROL OF PROGRAMS**

**2.1 POST DECLARATION PROCESS**
Immediately upon receiving a Major Disaster or Emergency Declaration, the Recipient and FEMA may establish a JFO in or near the disaster area. FDEM will provide staff at the JFO to support the State’s role in the PA Program. Satellite FEMA/State recovery offices may also be established if the event is widespread. In lieu of a JFO, the FEMA and State administering of the PA Program may be conducted from the Recipient’s office in Tallahassee, Florida. The primary objectives for the JFO and Recovery offices shall be as follows:

**2.1.1 Notifying Potential Eligible Applicants:**
Immediately after the Declaration, the Recipient will utilize the Grant Managers, DEM Regional Coordinators, and County Emergency Management Directors to notify potential Subrecipients of available PA Program assistance and to announce the date(s) and time(s) of Applicant Briefings that will be held in their area.\(^{32}\)

**2.1.2 Applicant Briefings:**

\(^{32}\) FEMA Required Element. V.A.1
Members of the Recipient’s Recovery staff will conduct Applicant Briefings to be held as soon as possible after the declaration date considering the number of potential Subrecipients and the counties involved. Some of the Applicant Briefings may be held electronically via webinar to expedite the process.\(^{33}\) (See Attachment 1), the following briefing information will be emphasized:

a. **Immediate Needs Funding (INF):** Immediate Needs Funding is intended to address urgent needs associated with debris removal and emergency protective measures. Subrecipients that are financially affected by a declared event, so as to affect the ability for continuity of essential operations, may request Immediate Needs Funding up to 50% of the estimated amount calculated during the Preliminary Damage Assessment for eligible emergency work. Immediate Needs Funding will be reflected on any future reimbursement requests on eligible PWs approved by FEMA.

b. **Request for Public Assistance (RPA):** In order to receive FEMA assistance, all potential Subrecipients are required to submit to the Recipient a Request for Public Assistance (RPA) for declared disasters and emergencies within 30 days from the declaration date or a Request for Fire Management Assistance Subgrant (RFMAS) for declared fires within 30 days of the close of the Declared Fire incident period. RPAs are filed with the Recipient online at www.floridapa.org. The Recipient will assist FEMA as necessary in the determination of eligibility of Subrecipients.\(^{34}\) Requests submitted after the required statutory deadlines will be forwarded to FEMA for consideration on a case-by-case basis. As necessary, the State may request to FEMA in writing that FEMA extend the deadline for filing the RPAs.

In the Requests for Public Assistance, the potential Subrecipients will be required to designate a primary and alternate representative who will be the Subrecipient’s point-of-contact, receive official correspondence from the Recipient, and have the authority to commit the Subrecipient’s organization under a funding agreement with the Recipient. Additional Subrecipient personnel may be provided access rights to www.floridapa.org website, upon written request from the Subrecipient for the purpose of monitoring Projects.

**Note:** Private Non-Profit (PNP) organizations must also submit online a FEMA Form 90-121 (PNP Facility Questionnaire) for each damaged facility with their IRS Tax Exemption Certificate and organizational bylaws for a FEMA determination as to whether the PNP Subrecipient is eligible for assistance and whether the PNP Subrecipient is critical or non-critical. FEMA will assist in restoration of eligible critical PNP facilities as per normal procedures. However, non-critical PNPs must apply for Small Business Administration (SBA) loan assistance before FEMA assistance can be granted for eligible costs not covered by any available SBA loan. PNP emergency work within the community is only eligible if through an eligible governmental Subrecipient.

**2.1.3 Exploratory Call:**

\(^{33}\) FEMA Required Element. V.A.2

\(^{34}\) FEMA Required Element. V.A.4
Exploratory calls are conducted within seven days of the Applicant Briefing. During this call, the Subrecipient is introduced to the FEMA Program Delivery Manager (PDMG). The PDMG is FEMA’s single point-of-contact assigned to provide customer service to Applicants throughout the Public Assistance process. The exploratory call also provides an opportunity for the Subrecipient to describe to the PDMG needs and the type of damage inflicted in their jurisdiction. This call also provides both the Subrecipient and the PDMG an opportunity to identify who needs to be at the Recovery Scoping Meeting.

2.1.4 Recovery Scoping Meetings:
Within 21 days of the Applicant Briefing, a Recovery Scoping Meeting will be scheduled. During this meeting, the Subrecipient will be advised of FEMA/State requirements including:

- Reporting timelines for damages and potential Projects.
- Immediate Needs Funding availability.
- The cost estimating procedures that will be used.
- Special consideration issues.
- Large and Small Project formulation for PWs.
- Small Project validation.
- Work/cost eligibility.
- Record retention requirements.

The Subrecipients will be informed that unless the deadline is extended by FEMA upon the Recipient’s request, a listing of all disaster-damaged infrastructure for which assistance will be requested must be provided to FEMA through the Recipient within 60 days after the meeting. This meeting also provides the PDMG and Subrecipient the opportunity to gather documentation, develop a list of projects, and talk through priorities.

2.1.5 Applicant Eligibility:

2.1.6 Requests for Public Assistance are submitted online in [www.floridapa.org](http://www.floridapa.org) or entered manually when received from other sources. The SPAO, or a designated representative, will check each entry in the State Approval queue to ensure it is complete and any required documentation attached. The SPAO, or designated representative, will then determine eligibility as set forth in Sections 102(4) and 102(7) of the Stafford Act; 44 CFR §206.201(a), 206.221(f) and (g), and 206.222; and the Public Assistance Program and Policy Guide, FEMA 322, pages 9-22 and 2 CFR.

If there is missing documentation or clarification is required, the application will be returned to

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35 FEMA Required Element. V.A.3
the Applicant submission queue with a note of explanation. If the application is deemed ineligible, a letter explaining why with appeal procedures will be sent to the Applicant. If the reviewer determines that the RPA is eligible, the application is advanced to the FEMA Initial Approval queue signifying a State recommendation for approval.

2.2 PUBLIC ASSISTANCE GRANT APPLICATION PACKAGE

2.2.1 Grant Approval Standard Form 424 & 424D:
As soon as possible thereafter, if not when executing the FEMA-State Agreement, the Recipient will submit the required grant package SF 424 and 424 D Application in EMMIE for anticipated eligible disaster or emergency declaration costs based upon Preliminary Damage Assessments or as otherwise required for the Fire Management Assistance Grant Program. Also submitted will be the required assurances, restriction of lobbying certifications, and any necessary requests for advance of FEMA share, from the resultant letter of credit funding, into the Recipient’s SMARTLINK account for distribution of the declaration relief to program Subrecipients based upon approved PWs. (See Attachment 9)

2.2.2 Project Application:
Once PWs are approved by FEMA, the State will be responsible for the final processing and distribution of the Project application and for initiating payments in accordance with section D.2 below. The State will notify the Applicant when its Project application is prepared and ready for signature. The Applicant Checklist outlines the minimum information that will be covered with the Applicant when signing its Project application. A Project application submitted by the State to FEMA should consist of the following documents: (See Attachment 2)

a. State Cover Letter: The State cover letter to FEMA for submittal of PWs will list the declaration, the Subrecipient, the Recipient’s Project reference number for new PWs or the PW Version number for new PW versions, and the proposed PW estimated amount.

b. Subgrant Agreement: After Requests for Public Assistance are approved by FEMA, the Recipient will distribute a Subrecipient Funding Agreement to each approved Subrecipient for execution. Said agreement must be executed by the Subrecipient and the Recipient before the Subrecipient can be provided any PA funds obligated and approved by FEMA. The Subrecipient Funding Agreement specifies all Recipient and Subrecipient administrative responsibilities and requirements in the administration of the program. See attached sample Subrecipient Funding Agreement.

c. Certification Regarding Restrictions on Lobbying: (See Attachment 3)

d. Applicant Checklist: (See Attachment 2)

e. Obligation Reports: The (S.1) report provides the obligation status as well as the status

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36 FEMA Required Element. V.B.1
37 FEMA Required Element. V.B.2
f. **Project Application Summary:** Summaries of estimated eligible costs, or of actual eligible costs as appropriate, should be attached to all submitted PWs in addition to any other necessary documentation to adequately clarify the scope of work for emergency or restoration Projects. Required documentation will vary by type of work. Emergency work Projects may be estimated by the Recipient’s emergency work estimate worksheets. The Recipient shall provide all Subrecipients with sample FEMA and/or State expense summary forms for use in summarizing actual costs for PW supporting documentation. The Subrecipient may submit their own expense summaries, in lieu of the sample FEMA or State forms, but such expense summaries should contain the same information as requested in the FEMA or State forms.

g. **Project Worksheets (PWs):** PWs document estimated and/or actual costs for eligible emergency work and restoration work for Large and Small Projects. PWs are generally developed through a cooperative effort by FEMA, the Recipient, and Subrecipient. PWs for damages less than $3,200.00 in estimated or actual costs will not be approved by FEMA. However, damages may be combined by a rational formulation basis to exceed the $3,200.00 threshold. FEMA and the State Infrastructure Branch Director, or their designees, will decide upon any site costs minimums and other pertinent eligibility issues that may arise during the disaster prior to the start of writing PWs. *(See Attachment 10)*

h. **Project Completion and Certification Report (P.4.):** Upon completion of a Large Project, the Subrecipient will be required to submit a Project cost summary to the State that lists all labor, equipment, materials and contract costs associated with making needed repairs. The State will conduct a review of the Project's documentation to verify the actual Project cost. If a Large Project was 100 percent complete at the time the PW was prepared, the eligible cost was based on actual cost information and the Applicant is not claiming additional funding, the State will then determine if the Project is of closeout quality. If the Project qualifies for closeout, the State will note this in the PW, and no further review by the State will be necessary.

   Upon completion of all approved work in all authorized PWs, the Subrecipient will be required to submit the Project Completion and Certification Report (P.4) to the State certifying that all work has been completed in accordance with funding approvals and that all claims have been paid in full.

   If an approved Project is not completed, the Subrecipient will be required to return the Federal funding that was provided for that Project in accordance with paragraph Recoupment of Federal Funds.

2.3 **PW PREPARATION**

Depending on the size and nature of the disaster, the State may choose to participate at various levels in the Public Assistance process.

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38 FEMA Required Element. V.B.2. a-h
2.3.1 State Procedures for development and review of PWs: (See Attachment 11)

2.3.2 Recipient PW Preparation Responsibilities:

a. Assigning review specialists to the JFO Resource Pool. FEMA and the Recipient may assign inspection teams to Subrecipients if necessary. 39

b. Coordinating with FEMA in its new PA Program delivery model and its use of Grants Portal. Grants Portal is the forward-facing platform used by Subrecipients to manage grant applications, while EMMIE remains the official system of record for obligation. In Grants Portal, Subrecipients are able to account for all activities associated with their damage claims. It is in Grants Portal that Subrecipients can upload required Project documentation and answer essential elements of information.

c. Assisting FEMA and/or the Subrecipient in developing scopes of work and cost estimates through Grants Portal. 40

d. Notifying FEMA of any special considerations and/or technical assistance requirements needed to facilitate Project approval via Grants Portal. 41

e. Providing State support to FEMA and Subrecipients. 42

f. Assisting FEMA and the Applicant in identifying hazard mitigation opportunities as provided by Section 406 of the Stafford Act. 43

g. Submitting applications and making recommendations to FEMA on Project approval. 44

h. Participating in the Small Project verification process. 45

i. Requesting re-inspections of time extensions for additional significant damage not previously identified within 60 days of an initial Subrecipient inspection. 46

2.3.3 Subrecipient’s PW Preparation Responsibilities:

a. Identifying and providing a list of Large Projects within 60 days of the Recovery Scoping
Meeting.  

b. The Subrecipient may prepare its own PWs if the Project is under the Large Project threshold. If the Subrecipient is unable to prepare and submit its own Small Project PWs, the Recipient and/or FEMA will assist in the development of the Subrecipient’s Small Project PWs via Grants Portal.  

c. Addressing pertinent environmental and historic preservation requirements, insurance coverage, floodplain management issues, and hazard mitigation opportunities as required.  

d. Timely advising and submitting the appropriate requests to the Recipient of any need to: change the scope of work and/or funding of any approved PW requiring an interim inspection, need for time extensions, request for re-inspection or time extension for Projects not identified within the 60 days, need for FEMA/State approvals any Alternate or Improved Projects, need for final inspection of completed Large Projects and desired Small Project netting, and of any anticipated Project overrun on any Large Project.  

2.4 PROJECT FUNDING REQUIREMENTS

2.4.1 State Procedures for Funding:  
(See Attachment 12)

2.4.2 SF-270 Form:  
The State will not advance funds unless the Subrecipient certifies that it has spent, or will spend within 30 days, the funds on eligible expenditures etc. (See Attachment 4)

2.4.3 Small Projects:  
Approved Projects that are estimated to cost less than the Large Project threshold amount established on the declaration date are considered Small Projects. FEMA funding for Small Projects will be based on the eligible amount of the PW estimate. The State will disburse the FEMA and State share funds to Subrecipients after FEMA approves and obligates the PWs. Cost overruns for Small Projects are normally only allowed upon the Subrecipient’s request for Small Project netting.

However, increased funding for an individual Small Project may be allowed by FEMA, upon Recipient’s interim inspection recommendation and submittal of a new PW version. This may occur if:

a. There is a need to correct a mathematical or omission error in determining the

47 FEMA Required Element. V.C.2.a  
48 FEMA Required Element. V.C.2.b  
49 FEMA Required Element. V.C.2.c  
50 FEMA Required Element. V.C.2.d  
51 FEMA Required Element. V.D.1  
52 FEMA Required Element. V.D.2  
53 FEMA Required Element. V.D.3
Project’s estimated costs.

b. There is a need to change the eligible scope of work for the Project.

c. There was a significant underestimate in the Project costs such as when the Small Project should have been estimated as a Large Project.

2.4.4 Large Projects:

Approved Projects that are estimated to cost equal to or greater than the Large Project threshold amount in effect on the declaration date are considered Large Projects. FEMA/State shares of reimbursement funding for a Large Project prior to final inspection will be based upon actual eligible costs as documented by the Subrecipient on a Summary of Documented Expenses (SOD)/Reimbursement Detail Report (RDR) accompanied by supporting documentation (invoices, time sheets, material sheets, etc.). The Recipient will administer the available reimbursement funds upon the Subrecipient’s Request for Reimbursement (RFR) of actual costs whether filed on the Recipient’s website below or filed manually with the Recipient. All Large Projects require a final inspection after completion to adjust the Project funding to actual eligible costs less any applicable insurance recovery or other duplication of benefits. See Forms section at [www.floridapa.org](http://www.floridapa.org).

For final payment after a Large Project has been closed by FEMA, the Recipient may submit a Request for Reimbursement on the Subrecipient’s behalf to expedite the Large Project closeout process. In addition, the Request for Reimbursement may reference the final closeout version and relevant supporting documentation instead of requiring the Subrecipient to submit the documentation for review.

2.4.5 Advance of Large Project Funds:

Upon documented need, a Subrecipient may request an advance of funds on one or more approved Large Project PW(s) by submitting a Request for Advance (RFA) to the Recipient either on the Recipient’s website or filed manually with the Recipient. See Forms section at [www.floridapa.org](http://www.floridapa.org) for Request for Advance Form. An advance request will be processed for payment after approval by the Recipient. Consistent with Florida Statute 216.181, only one RFA can be approved per funding agreement (declaration) and the amount that may be advanced shall not exceed the expected cash needs of the Subrecipient within the initial three months. The advanced amount will be offset on subsequent Requests for Reimbursement submitted by the Subrecipient within 90 days, if not, the remaining advance must be returned or the Subrecipient will have to pay interest each quarter. The State does not allow advancement of the State Share.

2.4.6 Immediate Needs Funding (INF):

This is a partial advance on emergency work items identified during the Preliminary Damage Assessment (PDA). When a PDA is conducted, only those eligible Applicants who were surveyed are eligible to receive INF. If a PDA has not taken place, the State may identify eligible Applicants to receive INF funding. The State may request funding for these Applicants on their behalf. INF is designed to assist the Applicant in dealing with its urgent needs that will
require payment within the first 60 days after the declaration. It is not intended for those items that involve Special Considerations or items of work that will require longer than 60 days to complete. These items will be funded in the normal manner as individual Projects. INF is calculated using the following formula: Emergency work amount x 50% x 75% (appropriate Federal cost share) = INF.

2.4.7 Expedited Funding:
This program provides expedited funding for 50% of the eligible scope of work for the Initial Project Versions of one Expedited Category A Large Project and one Expedited and Category B Large Project. Based on the Initial Project Version, the Subrecipient will receive 50% of the cost associated with the eligible Scope of Work based on actual incurred costs. For future payment requests for later Project Versions, as well as to ultimately substantiate the costs reflected in the Expedited Payment, the Subrecipient must provide documentation showing completed work and proof of payment.

To participate in the program an Applicant must have an approved RPA for Hurricane Michael Major Disaster Declaration (DR 4399) and notify the SPAO of its intent to participate in the program. To meet requirements, all work must be eligible and must have occurred 45 days following the disaster. All work performed within the designated 45-day timeframe will be at a 100 percent Federal Cost Share.

2.4.8 Reviewing Insurance Requirements:57
FEMA Regulation 44 CFR, Subpart I provides insurance requirements that apply to FEMA disaster assistance. Prior to FEMA grant approval for repair or replacement of an insurable facility/contents damaged by a major disaster:

a. Eligible damages shall be reduced by any insurance recovery amount actually received or estimated as related to eligible costs ultimately based upon FEMA’s determination that insurance settlement is reasonable/proper.

b. The full coverage available under the standard flood insurance policy from the National Flood Insurance Program (NFIP) http://www.fema.gov/business/nfip/ will be subtracted from otherwise eligible costs for insurable facility/contents within special flood hazard area when the Subrecipient is not fully covered.

c. If insurable facility damages are greater than $5,000, the Subrecipient must obtain and maintain insurance coverage for the facility for at least the eligible disaster amount against the disaster hazard for the expected life of the facility unless deemed to be not reasonable by the State of Florida Insurance Commissioner.

d. Assistance will not be provided for any facility for which assistance was provided as a result of a previous major disaster unless all insurance required by FEMA as a condition of previous assistance has been obtained and maintained.

e. Subrecipients may submit requests for insurance requirement waivers provided for under 44 CFR 206.253 to the Recipient for transmittal to the Insurance Commissioner.

57 FEMA Required Element. V.D.7
f. For other than flooding damages in an established 100-year floodplain, FEMA will provide one-time assistance for the restoration of a non-insured or underinsured facility upon the Subrecipient’s commitment to, and purchase of, insurance coverage to at least the extent of Declaration damages.

2.4.9 **Recoupment of Federal Funds:**
Subrecipients may be asked to return grant funds for not completing Project work, not completing work in accordance with the PW scope of work, error in PW processing or payments, disallowed costs at final inspection of Large Projects, questioned eligible costs by FEMA or Grant Managers, non-completion of Small Projects, or for other reasons.

If a closeout version is written to totally or partially deobligate funds and the Subrecipient has received payment the Recipient will notify the Subrecipient of the overpaid status. The Recipient does not have to wait for FEMA to approve the deobligation to request refund. If the deobligated funds have not been paid, the Subrecipient will be notified by the Recipient of the reduction of funding for the PW.

The Subrecipient is required to refund any part of an advance payment that is not supported by cost documentation and/or expended for other than the approved scope of work of an applicable PW. If Subrecipient advance requests are not supported by a Request for Reimbursement within three months those funds may have to be returned or the Subrecipient should pay interest quarterly on the advance amount.

If a Subrecipient refuses to return grant funding upon Recipient’s request, the Recipient may suspend all program payments due, offset across disasters, and/or initiate recapture of the funding in accordance the Subrecipient’s Funding Agreement.

(See Attachment 13)

2.5 **PROJECT PERFORMANCE**

2.5.1 **Improved Projects:**
If a Subrecipient desires to make Project improvements while restoring the pre-disaster function of a damaged facility, the State may recommend a request for an Improved Project. Such requests must be approved by FEMA. Requests for Improved Projects may be filed on the Recipient’s website or manually with the Recipient. See Forms section at [www.floridapa.org](http://www.floridapa.org) for Request for the Request for Improved Project Form. Such requests should contain:

a. Reason for requesting an Improved Project.

b. Description of the proposed work, schedule of work, and a cost estimate.

c. Information to establish compliance with any special requirements such as:

- floodplain management.

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58 FEMA Required Element. V.D.8  
59 FEMA Required Element. V.E.2
- environmental assessment.
- hazard mitigation.
- wetland protection.
- endangered species.
- Insurance.

Note: Any Improved Project that results in a significant change from the pre-disaster configuration (that is, different location, footprint, function, or size) of the facility must be approved by FEMA prior to starting the work. The Recipient shall submit such requests to FEMA in the form of a new PW version which adequately describes the revised scope of work with the funding costs capped at the original PW funding amount with the Subrecipient’s request as supporting documentation. Federal funding for Improved Projects is limited to the Federal share of the estimated costs of the original Project or to the Federal share of the actual costs of completing the Improved Project, whichever is less, and to the time limits that would be associated with repairing the damaged facility to its pre-disaster design. If denied, the Subrecipient will be notified in writing why the request was denied and be advised of right to appeal. Minor Project improvements that would not reasonably trigger special consideration requirements may have cost limitations applied based upon the cost item estimates or other basis (i.e. replacement of a damaged item rather than repair). (See Attachment 14)

2.5.2 Alternate Projects

If a Subrecipient determines that the public interest would be best served by not restoring a damaged facility or its function, the Recipient shall submit the Subrecipient’s request for an Alternate Project to FEMA with a new PW Version for the revised scope of work and estimated costs. Alternate Projects for governmental entities are eligible for 100% of the approved Federal share of the estimated eligible costs associated with repairing the damaged facility to its pre-disaster design, or of the approved Federal share of the actual costs of completing the Alternate Project, whichever is less. Alternate Projects for PNP entities are eligible for 75 percent of the approved Federal share, or of the approved Federal share of the actual costs of completing the Alternate Project, whichever is less. See the forms section at www.floridapa.org for the Request for Alternate Project Form. Alternate Project requests must contain the following information before submittal to FEMA with the Recipient’s recommendation for approval:

a. The Subrecipient’s statement of their determination that it is not in the public’s best interest to complete the original Project.

b. A description of the proposed work, the planned schedule of work, and cost estimate for the Alternate Project.

c. Necessary assurances to document compliance with any special requirements such as:
   - floodplain management.

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60 FEMA Required Element. V.E.3
- environmental assessment.
- historic preservation.
- hazard mitigation.
- wetland protection.
- endangered species.
- Insurance.

**Note:** Requests for Alternate Projects should be submitted to FEMA prior to starting the proposed work. Effective June 2007, if the request is approved by FEMA, cost share funding of an Alternate Project will be based on 100% of the approved PW estimated amount less any hazard mitigation funds (unless the facility is owned by an eligible private non-profit in which case the cost share funding will be based on 75% of the eligible amount). For disasters declared prior to June 2007, the approved Alternate Project funding will be 75% of the original Project estimate. The Subrecipient may only claim actual costs up to the approved Alternate Project funding amount at final inspection. If the original Project was a Small Project, the PW funding for the Project will be reduced as above without a final inspection requirement. For the Public Assistance Alternative Procedures for Permanent Work Pilot, project funding will be based on fixed estimates and is specific to Hurricane Michael Major Disaster Declaration (DR 4399). *(See Attachment 15)*

2.5.3 **Project Time Limitations:**

The statutory deadlines for PW Project completion after the declaration date is as follows:

a. **Debris Removal/Emergency Protective Measures**
   - 6 months (Emergency Work Categories A & B, respectively)

b. **Permanent Work (Infrastructure Damages)**
   - 18 months (Restoration Work Categories C-G)

2.5.4 **Project Time Extensions:**

A Subrecipient may request a time extension on any approved PW by submitting a request on the Recipient’s website or manually with the Recipient. See the forms section at [www.floridapa.org](http://www.floridapa.org) for the Time Extension Request Form. Such a request should be submitted in writing at least 30-days prior to the completion date currently in effect. Late requests within the Recipient’s authority will be approved on a case-by-case basis pending adequate justification for the delay. Pending favorable Recipient reviews and interim inspection as necessary, the Recipient may approve a time extension if the reason for delay is based on extenuating circumstances or unusual Project requirements beyond the Subrecipient’s control, for no more

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61 FEMA Required Element. V.E.4
62 FEMA Required Element. V.E.5
than the below additional time frames:

a. **Debris Removal/Emergency Protective Measures:**
   6 months (Emergency Work Categories A & B, respectively)

b. **Permanent Work (Infrastructure Damages):**
   30 months (Restoration Work Categories (C-G)

**Notes:** In catastrophic events or multiple declarations within a relatively short time period, the Recipient may grant a blanket time extension to the extent of the Recipient’s authority of an additional 6 months for all emergency work PWs or 30 months for all permanent work PW’s.

Subrecipient requests for time extensions beyond the State's authority will be submitted to FEMA along with a copy of the last approved time extension with the Recipient’s recommendation for FEMA’s approval in accordance with the requirements of **44 CFR Section 206.204(d).** Such requests for FEMA approval should be submitted by the Subrecipient to the Recipient prior to lapse of the deadline approved to the extent of the Recipient’s authority.

FEMA has discretion to approve late requests upon adequate justification.

Costs incurred for any work performed beyond the authorized Project deadline may be extended by the Recipient and/or FEMA, as determined at final inspection, are not eligible for reimbursement.

Approval of a PW after the deadline does not automatically extend the Project completion deadline. The Subrecipient must submit a time extension and receive approval in order to complete eligible work outside the statutory deadline.

**2.5.5 Cost Overruns/Under runs:**

a. **Small Projects:** The State will verify all significant cost overrun appeals submitted by the Subrecipient (on Small Projects) by conducting a review of all approved Small PWs within the Subrecipient’s Project application. The State will base its recommendation for additional funding on the information obtained during the review and will forward a report to FEMA for final determination. The cost share is determined from final actual eligible Project costs (whether an overrun or an under run) and will be adjusted at the time actual eligible costs for all Small Projects are determined for the requestor (normally the Subrecipient, but sometimes the Recipient).

b. **Large Projects:** Per **44 CFR § 206.204 (2)(2),** the Subrecipient must evaluate each cost overrun and, when justified, submit a request for additional funding through the State to the Regional Administrator for a final determination. All requests for the Regional Administrator’s approval will contain sufficient documentation to support the eligibility of all claimed work and costs. The State shall include a written recommendation when forwarding the request. The Regional Administrator will notify the State in writing of the final determination.

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63 FEMA Required Element. V.E.6
2.5.6 Project Completion:⁶⁴
A Subrecipient is required to submit a request for final inspection within 60 days upon completion of a Large Project. The Recipient will then perform a final inspection as soon as practical to verify the actual Project cost. See Forms section at www.floridapa.org for the Final Inspection Request Form. If the Subrecipient fails to request Project closeout within 90 days, the Recipient will submit the request on its behalf.

Often a Large Project is 100 percent complete with documented actual costs at the time the PW was approved by FEMA, and the Subrecipient does not claim any change in eligible funding. In this situation, only a Final Inspection Report will be required to close the Project unless necessary funding adjustments are required after a review of the Project file.

For Large Projects totally or partially approved based on estimated costs, the Subrecipient is required to submit actual cost summaries of applicable labor, equipment, material, rental, and contract costs for purposes of final inspection while certifying that the work is completed in accordance with funding approvals and that all claims have been paid in full. See Forms section at www.floridapa.org for the Summary of Documentation of Claimed Expenses Form. The final PW version, including final inspection report, will be submitted to FEMA to finalize and adjust Project funding to eligible actual costs.

If an approved Large Project is not fully completed as authorized or if any expenditures are deemed ineligible, the Subrecipient will be required to return any paid Federal funding for the incomplete authorized scope of work or ineligible expenses for that Project as per the funding agreement.

A Subrecipient may request additional funding for a net actual cost overrun within 60 days after the completion of all Small Projects for the declaration. The Recipient will verify the net cost overrun by conducting a review of all of the Subrecipient’s Small PWs by category of work. The Recipient’s recommendation to FEMA for additional funding will be based upon the documentation obtained during the review. If there is no net Small Project overrun for all the categories of work, the Recipient will recommend that the Subrecipient’s request for additional funding from FEMA be denied. See Forms section at www.floridapa.org for Request for the Small Project Netting Inspection Form.

2.5.7 Recipient:⁶⁵
Upon completion of both Small and Large Projects, the State will send a written “Certification of Project Completion” to the FEMA Regional Administrator.

a. Small Project certifications require that:
   i. All Projects were completed in accordance with FEMA approvals and,
   ii. The State and/or Subrecipients contribution to the non-Federal share, as specified in the FEMA-State Agreement, has been executed.

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⁶⁴ FEMA Required Element. V.E.7
⁶⁵ FEMA Required Element. V.E.8
iii. The Small Project certification is not required to specify the amount spent on Projects, by Subrecipients.

b. Large Project certifications require that:

i. Reported costs were incurred in the performance of eligible work;

ii. The approved Project was completed;

iii. Completed work was in compliance with the provisions of the FEMA-State Agreement and;

   a. Payments for the Project were made in accordance with said agreement.

   b. An accounting of actual eligible costs for each Large Project is required at Project completion.

   c. An accounting of eligible cost means the total amount of actual eligible cost.

   d. If actual cost exceeds the approved Project grant, additional information supporting and explaining the additional claimed costs is required. (See Cost Overruns Above)

2.5.8 Disputes/Conflict Resolution: 66

Often a Subrecipient is not satisfied with a proposed or approved PW because of interpretation or incomplete consideration of the relevant factors in the PW development process. In such cases, in order to expedite funding and minimize Subrecipient appeals, the following conflict resolution process should be followed to minimize the necessity for formal appeals.

a. The Subrecipient will notify the Grant Manager of the unresolved issue.

b. The Grant Manager will work to resolve the issue with the FEMA Program Delivery Manager. If the issue remains unresolved, the Grant Manager will notify the SPAO.

c. The SPAO should work to resolve the issue with the FEMA Infrastructure Branch Director.

d. If the dispute or conflict continues to be unresolved, the Subrecipient will be referred to the appeal process.

2.5.9 Final Inspection: 67

After a Subrecipient has completed work on a Large Project, the Recipient will perform a final inspection. The final inspection will include reviewing the Subrecipient’s supporting documentation, verifying the work was completed as approved within the PW’s scope of work, insurance is properly reflected, and confirming special consideration conditions placed on the

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66 FEMA Required Element. V.E.9
67 FEMA Required Element. V.E.10
Project. Any overruns or underruns will be summarized in a Final Inspection Report (FIR) and submitted to FEMA in a new PW version. When there is no change in the eligible Project funding, the Final Inspection Report will be submitted to FEMA for final review and closure of the Project. After closure, the Recipient will adjust the reimbursement to reflect the final eligible amount.

(See Attachments 16 a, b)

2.5.10 Appeals:68

If a Subrecipient wishes to appeal any denied assistance or other adverse action related to the subgrant, the representative should submit the appeal along with documented justification in support of the Subrecipient’s position. This justification should contain documentation supporting the Subrecipient’s position, the monetary figure in dispute, and the provisions in Federal law, regulations, or policy that are in question. Sufficient information should be provided to allow a determination of the facts and validity of the appeal. Appeals should be submitted to the Recipient within the following time deadlines;

a. First appeal of any FEMA Determination:
   60 days from the Subrecipient’s receipt of written notice of the determination being appealed.

b. Second (Final) Appeal of any FEMA Determination:
   60 days from the Subrecipient’s receipt of written notice of the determination made on the first appeal.

Note: Normally, it is not necessary to formally appeal decisions regarding estimated funding for initial Large Project PW’s. In lieu of appeal in these situations, the Recipient can conduct an interim inspection to properly document the need to adjust the Project funding in a new PW version for the Project or the Project funding can be adjusted to actual eligible costs at final inspection. In some situations, where FEMA has made a determination of ineligibility of costs which cannot be resolved between FEMA and the Subrecipient, a formal appeal may be necessary prior to Project completion. Under certain circumstances, such as for errors, omissions, and necessary change in scope of work, Small Project funding may also be adjusted in interim inspections without the need for formal appeal. Also, the Recipient may submit an interim inspection to develop a new PW version to resolve a requested formal appeal rather than processing the formal appeal to FEMA.

Upon receipt of an appeal from the Subrecipient of denied FEMA assistance or other adverse action in the Public Assistance Program, the Recipient will review the material submitted, make such additional investigations as necessary, and will forward the appeal with a written recommendation to FEMA within 60 days of receipt of the Subrecipient’s letter requesting appeal.

Upon receipt of a Subrecipient’s appeal package from the Recipient, the FEMA Regional Administrator shall review the submitted material and make such additional investigations as deemed appropriate. Within 90 days following receipt of an appeal, the FEMA Regional Administrator shall notify the Recipient in writing as to the disposition of the appeal or of the

68 FEMA Required Element. V.E.11
need for additional information. If the decision is to grant the appeal in whole or in part, the FEMA Regional Administrator will take appropriate implementing action to adjust the affected PWs.

If the FEMA Regional Administrator denies any part of the first appeal, the Subrecipient may submit a second (final) administrative appeal to the Recipient within 60 days of receiving written notification of the first appeal determination. The Recipient will submit the Subrecipient’s second appeal, along with Recipient’s recommendation to the FEMA Associate Director through the Regional Administrator within 60 days of the Recipient’s receipt of the Subrecipient’s letter requesting a second appeal. The FEMA Associate Director shall render a determination on the Subrecipient’s second appeal package within 90 days following receipt of the appeal or shall make a request for additional information. If the decision is to grant the appeal in whole or in part, the FEMA Regional Administrator will be instructed to take appropriate implementing action.

The FDEM Appeals Officer will utilize the [www.floridapa.org](http://www.floridapa.org) Projects/Appeals workflow to track all phases of the appeal process. FEMA appeal decisions that are overdue will be identified for DEM management to make follow-up inquiries and to advise Subrecipients as necessary.

**Note:** In appeals involving highly technical issues, the FEMA Regional Administrator or the FEMA Associate Director, may request an independent subject matter expert to review the appeal in order to obtain the best possible evaluation. In such cases, the 90-day time limit will run from the submission of the technical report. The FEMA Associate Director may also assign appeals to persons not associated with FEMA’s Response and Recovery Directorate for recommendations on the appeal resolution.

### 2.6 RECORDS & REPORTS

#### 2.6.1 State Procedures for Day to Day Operations:

(See Attachments 5 a, b, c, d)

#### 2.6.2 Progress Reports & Requirements:

a. **Subrecipient Quarterly Reports:** Each Subrecipient in each open disaster declaration will be required to submit a Quarterly Report to the Recipient on all open Large Projects in each open declaration including percent complete, anticipated/actual Project completion date, time extensions and any other applicable comments on the Project status, and the actual grant funds received per PW. The Quarterly Report should be submitted online at [www.floridapa.org](http://www.floridapa.org). Forms are available on the Forms page of [www.floridapa.org](http://www.floridapa.org) if required. The Recipient’s recovery staff, as assigned, will review the Quarterly Reports to assure that needed time extension requests are submitted by the Subrecipient and to follow-up on preparing the Subrecipient for final inspection of completed Projects. Subrecipient Quarterly Reports are due on the 15th of each month after the close of the State Fiscal Year Quarter commencing upon agreement between FEMA and the Recipient at a reasonable time after the Declaration Date.

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69 FEMA Required Element. V.F.1
70 FEMA Required Element. V.F.2
b. **Recipient Progress Reports:** The Recipient receives a quarterly report from FEMA’s Office of Chief Financial Officer (OCFO) and based off of that report, will submit a quarterly progress report to FEMA, containing the status of all open Large Projects that are not 100% complete and paid. The first quarterly report will be submitted three months from the JFO opening or as otherwise agreed upon by FEMA and the State.

2.6.3 **Financial Status Reports:** The Recipient will apply State standards to meet basic financial requirements to track funds to level of expenditure and to apply the required State procurement rules and for internal controls for property and records. The Recipient shall submit financial reports to the FEMA Regional Administrator 30-days after the end of the first Federal quarter following the initial grant award date. Financial Reports will be submitted to FEMA quarterly thereafter for Recipient-administered disaster assistance programs authorized by the **Stafford Act**. Reports are due January 30, April 30, July 30 and October 30. A Final Financial Status Report will be filed at time of Declaration closure. (See Attachments 18 & 19)

2.6.4 **Closeout of Large Projects, Applicants, and the Grant Program:**

a. **Large Project Final Inspection Reports:** The Recipient will submit a Final Inspection Report to request closure for each Large Project, for which damages have been estimated in excess of the established Large Project threshold. In cases where a Large Project has been reduced below the Large Project threshold by insurance proceeds the Project will be designated as a Small Project. Projects that are affected in this manner, and have an actual cost and or insurance variance can and will be addressed by conducting a Final Inspection to correct the final eligible amount with a new version written according to the actual costs. This is completed after the authorized Project scope of work is completed, paid for, and the cost documentation including expense summaries (i.e. labor, equipment use, materials, rentals, contracts, or travel as applicable) for the eligible work is compiled by the Subrecipient.

i. **The assigned Grant Manager will:**

   a. Review the completed work and supporting documentation for the Project to determine whether there have been any ineligible improvements;

   b. Randomly sample the cost documentation to determine the reliability of the Subrecipient’s expense summaries as per the attached Recipient’s Final Inspection Procedures;

   c. Determine any necessary adjustments to the Subrecipient’s claimed costs for the Project;

   d. Write a Final Inspection Report and a final PW version as necessary to adjust the Project funding to actual eligible costs. The Grant Manager should be sure to

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71 FEMA Required Element. V.F.3
72 FEMA Required Element. V.F.4
include selected supporting documentation for the Project in the Final Inspection Report for submittal to FEMA to close the Large Project. \textit{(See attachment 17 b)}

\textbf{Note:} The SOP for the Final Reconciliation Report (FRR) for closing Large Projects is attached and incorporated as part of this plan. It includes the Final Inspection Report (FIR) and a Final PW Version if there is a Project overrun or underrun. If there is no PW funding adjustment necessary as a result of the final inspection, the submitted FRR shall only contain the FIR and the necessary supporting documentation as per the FRR SOP. \textit{(See Attachment 17 a, b, c)}

\textbf{b. Subrecipient Closeouts:} Each Subrecipient’s account in each declaration will be closed out after the Recipient has determined that all work has been completed, all Projects have been closed, all approved funding has been paid, all claimed costs for actual management costs have been resolved for post-2007 Declarations, and all necessary documents have been received for the applicable Subgrant. Accounts with pending appeals will be closed, as FDEM, in conjunction with FEMA Region IV, will re-open Subrecipient Accounts based on FEMA appeal determinations.

The Subrecipient closeouts will be tracked in \url{www.floridapa.org}. The process for Subrecipient closure will involve verifying that Small and Large Projects were closed out and performing a financial reconciliation to ensure that there are no pending payments owed to the Subrecipient. Upon validating this information, the Grant Manager will send the P.4 for the Subrecipient for signature.

The Recipient will notify FEMA when all eligible funds have been paid to a Subrecipient with a request for Subrecipient closure with an executed Project listing P.4 Report from EMMIE grant database attached. After FEMA’s review of the Subrecipient closure request and finding no discrepancies, FEMA will issue a Grant Closeout Letter to the Recipient for forwarding to the Subrecipient. The Subrecipient closeout does not affect:

\begin{itemize}
  \item[i.] FEMA’s right to disallow costs and recover funds on the basis of a later audit or other review;
  \item[ii.] Recipient’s obligation to return any funds due as a result of later refunds, corrections, or other transactions;
  \item[iii.] Records retention as required by 44 CFR §13.26;
  \item[iv.] Property management as required by 44 CFR §13.31 and §13.32;
  \item[v.] Audit as required by 44 CFR §13.26.\textsuperscript{73}
\end{itemize}

\textbf{Note:} The Recipient’s SOP for Subrecipient Closeouts is attached and incorporated as part of this Plan. \textit{(See Attachment 20)}

\textbf{a. Declaration Closeout:} After all Subrecipients have been closed out for a declaration and

\textsuperscript{73} FEMA Required Element. V.F.4.a
all accounts have been reconciled to include SMAC, the Recipient will begin the disaster closeout process. If there is a balance in SMARTLINK, a new CAT Z PW will be written to liquidate unused funds. Upon processing of the liquidation PW the Recipient shall submit a letter to FEMA requesting closure of the FEMA/State agreement for the specified declaration accompanied with a final Financial Status Report (SF 425).

2.6.2 Record Retention Requirements:74
Pursuant to Florida Statute Sections 119.021(2) and 257.36 respectively and the State of Florida General Records Schedule GS1-SL for State and Local Government Agencies (dated November 1, 2006), Subrecipients must maintain records for Public Assistance Subgrant funds, expenses, management, and audits for a period of five years from Subrecipient closure.

The Federal documentation requirements for work funded under the Stafford Act require documentation maintenance for only three years from the date of Subrecipient closure. During this period all approved PWs are still open to State or Federal audit. Despite this requirement, Subrecipients must still comply with the State of Florida requirement described above as it is longer.

2.7 STATE AUDIT REQUIREMENTS
In addition to all State audit requirements for Subrecipients, State audits include requirements from 44 CFR Part 13; & Part 206, as well as, OMB Circulars A-87, A-110, & A-13375 as appropriate.

2.7.1 Single Audit: Subrecipients receiving $750,000 or more in total Federal financial assistance in a fiscal year are required to have an audit in accordance with OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations (Federal Single Audit Act). Subrecipients are required to provide copies of their single audits to DEM.76

DEM’s OIG provides Single Audit technical assistance to DEM’s grant monitors. This assistance includes receiving, tracking, reviewing and monitoring Subrecipient Single Audit submissions. On an annual basis the DEM OIG office obtains Subrecipient expenditure data from the State of Florida’s accounting system (FLAIR – Florida Accounting Information Resource). This data contains a listing of all Subrecipients who have expended State and/or Federal funds received from DEM for the previous Federal fiscal year (October to September). The DEM OIG compares the FLAIR data with Subrecipient submissions to identify Subrecipients that have not submitted a Single Audit within the 9-month deadline outlined in the Subrecipient’s agreements. DEM OIG notifies each Subrecipient reminding them of their responsibility to submit their audit. If the Subrecipient has not met the threshold they are requested to respond by letter or e-mail stating this.

The DEM OIG reviews submitted audits to determine if the independent auditor noted material findings and/or questioned costs. If findings or costs were identified the DEM OIG determines if there would be an effect on DEM programs and notifies the appropriate DEM functional area. The DEM OIG will notify the DEM functional area if a Management Letter is required. The

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74 FEMA Required Element. V.F.5
75 FEMA Required Element. V.G.3
76 FEMA Required Element. V.G.1
DEM functional area is then responsible for additional actions as necessary.\textsuperscript{77}

DEM’s Recovery Bureau monitors Subrecipients that have been sent a Management Letter and sends a follow-up Management Letter if the Subrecipient does not comply within 60-days with a corrective action plan. After the corrective action plan has been returned to the Recipient, it will be forwarded to the Deputy IG for review.\textsuperscript{78}

If the corrective action plan is sufficient, the IG will notify the Recipient to send a final audit close-out letter to the Subrecipient. If the corrective action plan is not sufficient, the IG will notify the Recipient of additional actions needed.\textsuperscript{79}

2.7.2 Right to Audit:\textsuperscript{80}
Per 44 CFR § 206 16 (2011) FEMA or State auditors, the Governor's Authorized Representative, the Administrator, the Regional Administrator, the Assistant Administrator for the Disaster Assistance Directorate, the DHS Inspector General, and the Comptroller General of the United States, or their duly authorized representatives, may inspect any books, documents, papers, and records of any person relating to any activity undertaken or funded under the Stafford Act.

2.8 FINANCIAL MANAGEMENT

2.8.1 General Financial Procedures:\textsuperscript{81}
Immediately following a Major Disaster or Emergency Declaration, the Recipient will provide The Division of Emergency Management’s Bureau of Finance with copies of the Governor’s request for declaration and the implementing executive order, President’s declaration of major disaster or emergency, and a list of declared counties.

a. Financial Management Systems:\textsuperscript{82}
The Division of Emergency Management’s Bureau of Finance will establish separate cost identifiers in the State’s accounting system to identify and track activity for Public Assistance Program funding.\textsuperscript{83} Funds will then be obligated by FEMA based on approved PWs. Budget authority for all Public Assistance Program expenditures must be approved by the Governor’s Office of Planning and Budgeting and the State Legislature prior to authorization of any payment of these funds.

i. Property Management:\textsuperscript{84} The Recipient will use the State property management system to maintain property records on equipment purchased with grant funds with a value of $5,000 or more, in accordance with 44 CFR § 13.32. Property inventories will be maintained in accordance with the State inventory policies and procedures as required by the Department of Financial Services. If practical, property identification tags will be

\textsuperscript{77} FEMA Required Element. V.G.2
\textsuperscript{78} FEMA Required Element. V.G.4
\textsuperscript{79} FEMA Required Element. V.G.5
\textsuperscript{80} FEMA Required Element. V.G.6
\textsuperscript{81} FEMA Required Element. V.H.1
\textsuperscript{82} FEMA Required Element. V.H.1.a
\textsuperscript{83} FEMA Required Element. V.H.1.a.i
\textsuperscript{84} FEMA Required Element. V.H.1.a.ii
affixed to each piece of inventoried equipment. Division Finance is responsible for property management for the Recipient and for internal control, the assigned property officer along with the financial property analyst will physically check the property inventory by tags on a semi-annual basis.

b. **Payment Procedures:** The DEM Public Assistance staff will process grant fund payments based on the funding approved under the PWs and in accordance with 44 CFR 206.205. The assigned Grant Manager will complete and submit a Request for Payment and Subrecipient Worksheet to Division Finance to initiate separate payments for the Federal and State shares to a Subrecipient.

i. **Minimize time for cash on hand:** Finance has procedures in place to minimize cash on hand and remain in compliance with Federal standards. *(See Attachment 21)*

ii. **Interest Earned on Advanced Grant Funds:** Any interest earned on advanced grant funds in excess of $100 per year shall be remitted quarterly to FEMA, in accordance with 44 CFR 13.21. A copy of the check returning the funding is also placed in the Subrecipient’s Public Assistance account on floridapa.org. The Recipient will forward the interest payment check to Division Finance, along with the Subrecipient’s information. Division Finance records the interest funding in the accounting system and submits the earned interest payments to FEMA quarterly.

c. **Procurement:** The State and Subrecipients may normally use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurement process conforms to Federal laws and the standards identified in 44 CFR §13.36. Procurement for services shall be conducted in a manner providing full and open competition except when allowed otherwise in emergency conditions. State procurement regulations for emergencies may be expedited as necessary by the Governor in an emergency Executive Order upon need for timely action for the public health and safety or for the protection of improved property. Federal procurement standards apply when no applicable State or local standard exists or is not applicable to the Subrecipient.

3. **ADMINISTRATIVE PLAN DEVELOPMENT & MAINTENANCE INSTRUCTIONS**

3.1 **Recipient PA Administrative Plan Overview:**

This plan is intended to be inclusive of JFO and post-JFO operations and will be reviewed and updated annually by the Recipient, to meet current policy guidelines, and be submitted to the FEMA Regional Administrator for approval as soon as practical after the beginning of each Calendar Year. The plan will:

a. This plan will be modified during the year as necessary with addenda, for each

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85 FEMA Required Element. V.H.1.b  
86 FEMA Required Element. V.H.1.b.i  
87 FEMA Required Element. V.H.1.b.ii  
88 FEMA Required Element. V.H.1.c
declaration, to be submitted to the Federal Coordinating Officer (FCO) at the time of the
execution of the FEMA/State Agreement, containing descriptions of the declaration
including date, declared counties, incident period, etc. and a description of Joint Field
Office (JFO) staffing, operations, procedures for special considerations, the PW process
flow, and any other necessary information for policy updates.

b. This plan will be updated to comply with changes in new or revised Federal statutes,
regulations, or policies in the program requirements or as needed by the Recipient to
comply with a material change in State law.

c. The Recipient will request technical assistance, as necessary, from FEMA in developing
and maintaining this State plan. The primary objective of this State PA Administrative
Plan is to meet the intent of the Stafford Act in providing timely disaster relief while
finding means to expedite the Interim/Final Inspection and Subrecipient closure
processes.

3.2 Administrative and Direct Administrative Costs Funding:
For all disasters, the Recipient will develop a PA Staffing Plan (See Attachment 8 a, b) prior to
the start of each State Fiscal Year and will be modified as necessary when additional declarations
occur or as otherwise needed by the Recipient. This PA Staffing Plan, and corresponding
organizational chart will describe the allocations of staff, indirect costs, and support costs to
various disasters based upon assignments and anticipated workloads. Costs will be projected for
each by disaster.
For disasters declared prior to November 2007, funding will be provided by FEMA in the form
of State Management Administrative Costs (SMAC). For disasters declared after November
2007, funding will be provided by FEMA in the form of State Management Costs (SMC) to be
supplemented by Direct Administrative Costs (DAC) for costs, time, and activity spent directly
on a specific Subrecipient’s PW.

SMC costs will be made available to the Recipient by FEMA not earlier than 30 days and not
later than 35 days from the date of the declaration and will include a preliminary lock-in of 25%
of 3.34% of the projected Federal costs of the disaster. After 12 months, FEMA will provide the
final, 100% lock-in amounts. SMC funds will be primarily utilized for those indirect activities
that Recipient or Contract staff cannot claim through DAC.
Unlike SMAC, SMC funding is limited to the 3.34% of Federal costs of the disaster. As a result,
DAC funding will be utilized to supplement SMC funding for activities related to a
Subrecipient’s PW. A time-tracking system, currently on FloridaPA, are utilized by Recipient
staff to track eligible activities, by 15-minute increments, on a Subrecipient’s PW. A time period
of activities for submission to FEMA, such as each quarter year, will be determined by the
Recipient.

For disasters declared after August 23, 2017, the Recipient may opt to participate in the Public
Assistance Alternative Procedures for Direct Administrative Costs (DAC Pilot) for any
respective declared incident (FEMA’s Public Assistance Alternative Procedures for Direct
Administrative Costs [Version 1.1]). If the Recipient does not opt to participate in the DAC Pilot,
Subrecipients may not participate for that declaration. The Recipient should make a decision
prior to the Applicant Briefing and no later than the first Subrecipient’s request to opt in, the
Recipient may not opt out. (See Attachment 24)
DAC Pilot simplifies and reduces the administrative burden on FEMA, Recipient’s, and Subrecipient’s as it relates to tracking and requesting reimbursement for administrative tasks associated with PWs. This is achieved by consolidating DAC funding into a single Category Z PW to reimburse DAC for all of a Subrecipient’s eligible PA projects; allowing Subrecipient’s to track direct administrative tasks and related costs for all of its PA projects rather than on a project-by-project basis; and making DAC available for Subrecipient’s to use for any eligible PA project once the DAC PW is obligated.

The DAC PW amount is locked-in at 5 percent of the total eligible project costs based on the PWs that have been signed and submitted to FEMA within two years of the declaration date (with the exception of DAC costs for Permanent Work Pilot projects). When a fixed estimate is developed under the Permanent Work Pilot, FEMA will calculate and lock-in the related DAC amount based on the agreed-upon Permanent Work fixed-estimated amount once the agreed-upon amount is determined irrespective of when it is determined. The 5 percent includes a 1 percent closeout incentive, which is held by the Recipient and deobligated if the closeout requirements are not met.

For any Contractor Augmentation, the expectation is that the Contractor will have their own time-tracking system to ensure a majority of funds expended by the Recipient will be reimbursed by FEMA once each individual DAC Project is obligated. Anything more specific on this activity will be included in contractual agreements.

On October 5, 2018, the President signed the 2018 Disaster Recovery Reform Act (DRRA) into law. Section 1215 of the DRRA revised the definition of management costs to include both direct and indirect costs. FEMA provides contributions for management costs based on actual costs incurred up to 7% for the total award for the Recipient and 5% of the total award amount for each Subrecipient. Additionally, the DRRA eliminates the $20 million cap and the lock-in amounts.

This policy retroactively applies to incidents declared on or after August 1, 2017, which includes Hurricane Irma. As such, more than half of the eligible applicants for Hurricane Irma will be forced to adhere to the new management cost policy. However, some applicants may choose between the new management cost structure or DAC. The below table illustrates options for Hurricane Irma applicants:

| Recipients or Subrecipients that (as of the date of this Interim Policy) have: | OPTIONS |
| --- | --- | --- | --- |
| | Management Costs Interim Policy | DAC Pilot | Previous DAC Policies |
| Opted into the DAC Pilot (regardless of whether funding has been obligated). | ✓ | ✓ | – |
| Not opted into the DAC Pilot, but have DAC funding obligated. | ✓ | – | ✓ |
| Not opted into the DAC Pilot and have no DAC funding obligated. | ✓ | – | – |

Note: For an example of a plan of the usage of SMC funding for Hurricane Hermine and
Hurricane Matthew. (See Attachments 22 a, b, c, d)
## SCHEDULE OF ATTACHMENTS

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<td>(a) DEM Plan of SMC Funds (DR4280)</td>
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<td>Attachment 22b:</td>
<td>(b) DEM Plan of SMC Funds (DR4280) SMC 30 Day PW(v1)</td>
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<td>Attachment 22c:</td>
<td>(c) DEM Plan of SMC Funds (DR4283)</td>
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<td>Attachment 22d:</td>
<td>(d) DEM Plan of SMC Funds (DR4283) SMC 30 Day PW(v1)</td>
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<td>Attachment 23a:</td>
<td>(a) Request for Fire Management Declaration</td>
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<tr>
<td>Attachment 23b</td>
<td>(b) Principal Advisor’s Report</td>
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<td>Attachment 23c:</td>
<td>(c) Request for Fire Management Subgrant</td>
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<td>Attachment 24:</td>
<td>DAC Pilot: Agreement for Participation</td>
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