

STATE OF WISCONSIN

ADMINISTRATIVE PLAN

for the

PUBLIC ASSISTANCE PROGRAM



Section 406

PL 100-707

The Robert T. Stafford Disaster Relief
And
Emergency Assistance Act

WISCONSIN EMERGENCY MANAGEMENT

Department of Military Affairs

FY-2015

TABLE OF CONTENTS

TABLE OF CONTENTS 1

I. PURPOSE..... 3

II. AUTHORITIES AND REFERENCES: 3

III. DEFINITIONS 4

IV. STATE AGENCY RESPONSIBLE FOR PROGRAM ADMINISTRATION.. 7

V. ORGANIZATION AND STAFFING 7

 A. GOVERNOR’S AUTHORIZED REPRESENTATIVE (GAR) 7

 B. STATE PUBLIC ASSISTANCE OFFICER (PAO) 8

 C. STATE FINANCIAL MANAGEMENT OFFICER (FMO)..... 9

 D. STATE LIAISON OFFICERS 10

 E. STATE HAZARD MITIGATION OFFICER (SHMO)..... 11

 F. ENVIRONMENTAL OFFICER (EO) 11

 G. OTHER REQUIREMENTS 11

VI. PUBLIC ASSISTANCE PROGRAM 11

 A. PRE-DECLARATION ACTIVITIES 11

 B. POST-DECLARATION ACTIVITIES 12

 C. PROGRAM MANAGEMENT 15

 D. PROJECT ADMINISTRATION 15

 E. MANAGEMENT COSTS 22

ATTACHMENT A – Applicant Eligibility 24

ATTACHMENT B – Request for Public Assistance 25

ATTACHMENT C – PNP Facility Questionnaire..... 26

ATTACHMENT D – Eligible Infrastructure Project Worksheet..... 27

ATTACHMENT E – Project Worksheet..... 30

ATTACHMENT F – Special Considerations..... 32

ATTACHMENT G – State Application for Public Assistance..... 33

ATTACHMENT H – Assurances Construction..... 34

ATTACHMENT I - Quarterly Reporting Form 42

ATTACHMENT J – Project Completion and Certification Form (P.4) 43

ATTACHMENT K – Application for Federal Assistance 44

ATTACHMENT L - Sandy Recovery Improvement Act 45

I. PURPOSE

This Plan establishes the organization, staffing and administrative procedures for administering the Public Assistance Program subsequent to a Presidential Disaster Declaration. It assumes that pre-disaster declaration activities involving the Public Assistance Program, such as applicant training and annual updates of specific plans, are covered in Wisconsin Emergency Management (WEM) position descriptions and do not need to be addressed in this plan. It is a supporting document to the **Wisconsin Emergency Operations Plan**.

Federal disaster assistance is made available, through the Federal Emergency Management Agency (FEMA), to state governmental agencies, local governments and certain private non-profit organizations. FEMA provides a grant to the State and authorizes the State to make subgrantees into eligible applicants. Funding is provided on a not less than 75% Federal cost-shared basis, with percentages established in the FEMA-State Agreement.

II. AUTHORITIES AND REFERENCES:

- A. Public Law 93-288, Disaster Relief Act of 1974, as amended by Public Law 100-707 as amended by DMA 2000
- B. FEMA Regulation, 44 CFR Part 206, Subparts G and H
- C. FEMA Regulation, 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- D. FEMA Regulation, 44 CFR Part 14, Single Audit Act of 1996
- E. Executive Order 11988, Floodplain Management
- F. Executive Order 11990, Protection of Wetland
- G. Executive Order 12612, Federalism
- H. Chapter 166, Wisconsin Statutes
- I. Wisconsin Administrative Code, NR 116
- J. Chapter 87.30, Wisconsin Statutes
- K. Wisconsin Emergency Operations Plan
- L. Chapter 86.34, Wisconsin, Flood Damage Aids Program
- M. Public Law 93-234, as amended, Flood Disaster Protection Act of 1973
- N. Public Law 103-325, National Flood Insurance Reform Act of 1994
- O. FEMA Public Assistance Guide, FEMA 322/June 2007
- P. FEMA Public Assistance Policy Digest, FEMA 321/January 2008
- Q. FEMA Applicant Handbook, FEMA 323/March 2010

III. DEFINITIONS

Act - refers to PL 93-288, the Disaster Relief Act of 1974, as amended by PL 100-707, The Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Alternate Project - is the use of funding on an alternate facility when damaged sites will no longer be used.

Applicant - is a State agency, local government or eligible private nonprofit organization, as identified in Subpart H of 44 CFR Part 206, submitting an application to the Governor's Authorized Representative (GAR) for assistance under the State's grant.

Contractor - is any individual, partnership, corporation, agency or other entity (other than an organization engaged in the business of insurance) performing work by contract for the Federal Government or a State or local agency.

Designated Area - refers to any emergency or major disaster-affected portion of a state which has been determined eligible for federal assistance.

Emergency Work - is the work which must be done immediately to save lives and to protect improved property and public health and safety, or to avert or lessen the threat of a major disaster.

Federal Coordinating Officer (FCO) - is the person appointed by the Regional Administrator of FEMA, or if absent, the Deputy Regional Administrator, to coordinate federal assistance in a declared disaster or emergency.

Fire Management Assistance Grant (FMAG) Program - refers to the program established in 2001 under the disaster Mitigation Act of 2000, replacing the previous Fire suppression Grant Program. This new program expands the range of eligible activities from the suppression of forest and grassland fires that threaten to cause major disaster to the "mitigation, management and control" of such fires. The program also allows FEMA to provide funding for eligible local government activities and for emergency-related services, such as evacuations, sheltering and search and rescue operations.

Force Account - refers to an applicant's own labor forces and equipment.

Governor's Authorized Representative (GAR) - is the person empowered by the Governor to execute on behalf of the State, all necessary documents for disaster assistance. In Wisconsin, the responsibilities of the GAR and the State Coordinating Officer (SCO) are generally assigned to the Administrator of Wisconsin Emergency Management (WEM) or the Director of the WEM Bureau of Field Services and Disaster Resources.

Grant - refers to an award of financial assistance. The grant award shall be based on the total eligible Federal share of all approved projects.

Grantee - is the government to which a grant is awarded and which is accountable for the use of the funds provided. The Grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document. For purposes of this Plan and its implementation, the State is the grantee.

Hazard Mitigation - refers to any cost effective measure designed to eliminate the potential for damage to a facility from a disaster event.

Immediate Needs Funding (INF) - provides expedited assistance for emergency work only for expenses which an applicant must pay within the first 60 days after a declared disaster.

Improved Project - refers to a case where the subgrantee desires to repair/rebuild a damaged facility beyond the scope of the Project Worksheet (PW) but still restore its pre-disaster function.

Local Government - is any county, city, village, town, district or other political subdivision of any State; any Indian tribe or authorized tribal organization; and includes any rural community, unincorporated town or village, or other public entity for which an application for assistance is made by the State or a political subdivision thereof.

Major Disaster - is any event within the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Disaster Relief Act to supplement the efforts and available resources of States, local governments and disaster relief organizations in alleviating the damage, loss, hardship or suffering thereby.

Permanent Work - refers to that restorative work that must be performed through repairs or replacement, to restore an eligible facility on the basis of its pre-disaster design and current applicable standards.

Pre-disaster Design - is the size or capacity of a facility as originally designed and constructed or subsequently modified by changes or additions to the original design. It does not mean the capacity at which the facility was being used at the time the major disaster occurred, if different from the designed capacity.

Private Nonprofit Facility - is any private nonprofit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations.

Preliminary Damage Assessment (PDA) - refers to a joint federal/state/local assessment effort conducted within 3-5 days of an event to refine, or correct, previous damage estimates for both the public and private sectors, which are used in the Governor's decision on whether or not a federal disaster assistance request is in order, and whose figures are then utilized to substantiate any such request

Project - refers to the work performed to a damaged facility or site to return it to the pre-disaster condition.

Project Approval - is the process where the Regional Administrator signs an approval of work and costs on a project or group of projects. Such approval is also an obligation of funds to the grantee.

Public Assistance - is supplementary federal assistance provided under the Stafford Act to state and local governments or certain private, nonprofit organizations other than assistance for the direct benefit of individuals and families.

Public Assistance Coordinator (PAC) - is the FEMA appointed single point of contact for an applicant for public assistance guidance during a declared disaster while the Joint Field Office is in operation.

Public Facility - means the following facilities owned and/or maintained by a state or local government: Any navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, airport facility, non-federal aid street, road, or highway; and any other public building, structure or system, including those for educational, recreational or cultural purposes could be defined as a public facility.

Regional Administrator (RA) - is an administrator of a FEMA regional office, or his/her designated representative.

State Coordinating Officer (SCO) - is the person designated by the Governor to act in cooperation with the Federal Coordinating Officer (FCO) to administer disaster recovery efforts. In Wisconsin the responsibilities of the SCO are generally assigned to the Administrator of Wisconsin Emergency Management or the Director of the WEM Bureau of Field Services and Disaster Resources.

Subgrantee - is the government or other legal entity to which assistance is awarded and which is accountable to the state for the use of the funds provided

IV. STATE AGENCY RESPONSIBLE FOR PROGRAM ADMINISTRATION

Wisconsin Emergency Management (WEM), a division of the Wisconsin Department of Military Affairs (DMA) is the state agency responsible for management and administration of the Public Assistance Program for disasters declared within the State of Wisconsin. Responsible WEM personnel, appointed by the Governor's Authorized Representative (GAR), shall provide sufficient guidance and assistance to ensure both Grantee and subgrantee compliance with the FEMA-State Agreement and grant conditions as set out in 44 CFR Part 206, Subparts G and H, and 44 CFR Parts 13 and 14.

V. ORGANIZATION AND STAFFING

The staffing for administration of the Public Assistance Program by Wisconsin Emergency Management (WEM) will need to be flexible in order to match the size and scope of damage caused by any given event. For a Presidential Declaration, the minimum state positions needed for the Public Assistance Program would include the Governor's Authorized Representative (GAR), State Public Assistance Officer (PAO), the WEM Financial Specialist, and the State Liaison Officers.

A. GOVERNOR'S AUTHORIZED REPRESENTATIVE (GAR)

The GAR will determine the positions and number of personnel and the budget required for proper program management. The magnitude and severity of each disaster and the anticipated number of subgrantee projects will dictate the level of additional WEM staff that will be required.

The GAR will be the WEM Administrator or the Director of the WEM Bureau of Response and Recovery and responsible for the following:

1. Ensure that the day-to-day activities and functions of Public Assistance Program administration are carried out at the Joint Field Office (JFO).
2. Act as the intermediary between federal, state, and local parties involving conflicts over Public Assistance matters.
3. Ensure coordination between the Public Assistance and Hazard Mitigation Grant Program and ensure actions are taken to identify and implement hazard mitigation activities among subgrantees.
4. Determine if the State will implement Immediate Needs Funding for any declared disaster and notify the Federal Coordinating Officer (FCO) of the decision.
5. Ensure that the Federal-State Agreement is prepared, setting forth the assistance to be rendered, and the respective federal and state shares of that assistance.

B. STATE PUBLIC ASSISTANCE OFFICER (PAO)

The State PAO is responsible for accomplishing the necessary program work assigned to the State to administer the Public Assistance Program and Fire Management Assistance Grant Program to eligible subgrantees to include Native American Tribal Governments.

The State PAO will do the following:

1. Provide a copy of the Public Assistance Program Administrative Plan to the FCO and the Federal PAO when a Presidential Declaration is received to ensure that it meets the needs of the declared disaster.
2. Develop a JFO staffing plan and budget for administration of the Public Assistance Program, and submit them to the GAR/State Coordinating Officer (SCO) for approval and transmittal to the FCO.
3. Participate in the State/Federal meeting and the Environmental Officer's meeting shortly after the disaster declaration. Ensure the FEMA Environmental Officer submits at Notice of Intent with all declared counties.
4. Provide Applicant Briefings to local and state government agencies and entities on the elements of the Public Assistance Program.
5. Implement the State Public Assistance Program Administrative Plan for obtaining a Request for Public Assistance from potentially eligible subgrantees and arrange for the submittal of to the FCO within 30 days following designation of the disaster area in which the damage is located.
6. Determine the need for and obtain State Liaison Officers for participation in the Preliminary Damage Assessment (PDA) and assistance in formulating Project Worksheets (PWs).
7. In conjunction with the Federal PAO, monitor the schedule for Kick-Off meetings with applicants. Based on these meetings, the State PAO will monitor progress of the PWs in conjunction with the Federal PAO.
8. Upon FEMA review and validation of the PWs and obligation of Federal funds, review and approve grants. Coordinate with the WEM Financial Specialist in requesting checks and issuing payments to subgrantees.
9. Provide technical assistance and guidance to subgrantees.
10. Prepare applicant packages for approved projects for each subgrantee. Assume responsibility for the proper handling, processing and filing of all grant documents.

State of Wisconsin Public Assistance Administrative Plan

11. Identify and procure resources required to administer the Public Assistance Program.
12. Determine the need for advances for large projects and arrange for such payments when necessary. Submit quarterly reports for large projects to FEMA.
13. Determine the need for increased funding requirements caused by cost overruns, process and approve requests for time extensions, arrange for final inspections if required, review final cost submittals along with project listings, and issue final payments to subgrantees.
14. Review requests from subgrantees for all Improved Projects and forward to GAR. Review requests for Alternate Projects submitted by subgrantees and submit such requests to the FCO for approval.
15. Process appeals received from subgrantees, obtaining necessary additional information and preparing written recommendations, and forward to the Regional Administrator (RA) for action.
16. Coordinate with the Department of Transportation (DOT) to ensure DOT review and approval of all disaster-funded projects involving major repair or construction of bridges.
17. Track PWs and applicant status through the National Emergency Management Information System (EMMIE) both at the JFO and at the WEM Central Office in Madison.
18. Ensure environmental issues are resolved on projects as they are formulated.

C. STATE FINANCIAL MANAGEMENT OFFICER (FMO)

The State Financial Management Officer is the Fiscal Officer or Fiscal Services Specialist for WEM and he/she will do the following:

1. Provide a Standard Form (SF) 424-Application for Federal Assistance to the RA before obligating Public Assistance funds. At the same time, forward a Summary Sheet for Assurances and Certification to the RA.
2. Manage the Public Assistance accounts opened for the disaster in accordance with FEMA regulations, including: performing financial disbursements and financial revision, submitting quarterly financial reports to FEMA (SF 272 and SF 269A or FEMA Form 20-10), processing the final payments, initiating requests to decrease and close out the Public Assistance accounts, and processing bills for collection.

State of Wisconsin Public Assistance Administrative Plan

3. Work with the State PAO and the Department of Military Affairs (DMA) budget office in processing state checks to subgrantees, and enter disbursements into state financial management system.
4. Develop financial procedures for implementing the provisions of the Single Audit Act.
5. Receive subgrantee single audits and review these for proper compliance.
6. Maintain financial records of all disbursements to subgrantees and prepare fiscal documents for processing the final claim; and process the final state payment and close the file (account) using FEMA Form 20-10 or SF-269A.
7. Report financial management problems or difficulties to the PAO and GAR.
8. Maintain records of salaries and other expenses eligible for reimbursement under FEMA regulations 44 CFR Part 13
9. Maintain records of cost under the administrative cost allowance formula included in the Disaster Relief Act.
10. Maintain property accountability records related to the procurement of property and services under the approved grant.

D. STATE LIAISON OFFICERS

The State Liaison Officers are drawn from supporting state agencies, such as the Department of Transportation (DOT), Department of Natural Resources (DNR), Department of Administration (DOA), Public Service Commission (PSC), Department of Workforce Development (DWD), and others, as needed, and will do the following:

1. Attend training provided by WEM.
2. Participate in the Federal/State/Public Assistance Coordinator (PAC) briefing to establish operational considerations and uniform standards for formulation of the PWs.
3. Represent the State in the PDA process and on the Federal-State Inspection Team.
4. Provide technical assistance and guidance to the State PAO and make eligibility recommendations for restorative work.

E. STATE HAZARD MITIGATION OFFICER (SHMO)

1. The SHMO will cover mitigation issues (for both Public Assistance and Hazard Mitigation Grant Program) at the Applicant Briefings.
2. The SHMO will attend the Federal/State/PAC briefing to ensure mitigation issues are addressed properly.
3. The State PAO and mitigation staff will work closely throughout the administration of the Hazard Mitigation Grant Program and Public Assistance Program dealing with acquisition and demolition of damaged facilities and other Section 406 mitigation opportunities.

F. ENVIRONMENTAL OFFICER (EO)

1. The EO will review projects in conjunction with Public Assistance staff for environmental issues
2. The EO will coordinate with DNR, State Historic Preservation Office (SHPO) and FEMA environmental staff on potential historical and environmental issues.

G. OTHER REQUIREMENTS

The GAR, in consultation with the SCO and the State PAO, will determine other personnel needs, including clerical and administrative support, and ensure that necessary positions are staffed.

VI. PUBLIC ASSISTANCE PROGRAM

A. PRE-DECLARATION ACTIVITIES

1. Following an event where damages may be sufficient to warrant federal aid, Wisconsin Emergency Management (WEM) requires that counties submit Uniform Disaster Survey Reports (UDSRs) documenting damages to private and public facilities. If the UDSRs indicate that the event exceeded the ability of the local and state governments or affected Indian Tribal governments to recover from it, a request for a Preliminary Damage Assessment (PDA) will be made to FEMA.
2. The PDA will be performed in accordance with the State of Wisconsin Guidelines for Assessing and Documenting Disaster Damage and the appropriate Standard Operating Procedures (SOPs) from the State of Wisconsin Natural Disaster SOPs. With the consent of affected Indian tribal government, WEM will prepare a request for a Federal PDA and declaration on their behalf. Information on emergency work that is identified as having the potential for Immediate Needs

Funding will be documented and reported to the State Public Assistance Officer (PAO).

B. POST-DECLARATION ACTIVITIES

1. The Joint Field Office (JFO) will be established by the Federal Emergency Management Administration (FEMA) near the declared area. Required WEM personnel will respond to the JFO.
2. Upon receipt of a Disaster Declaration the State PAO will review and amend the Public Assistance Program Administrative Plan as appropriate or necessary.
3. The State PAO will attend the FEMA-State Briefing and the Environmental Officer's meeting for special considerations. Representatives from the Department of Natural Resources (DNR), Department of Transportation (DOT), State Historical Society, and the Insurance Commissioner's Office will be invited to attend the special considerations meeting.
4. The State PAO is responsible for conducting briefings for all potential subgrantees (applicants). The County Emergency Management Directors will be responsible for identifying eligible applicants within his/her county (See Attachment A). The number and location of applicant briefings will depend upon the size of the disaster area and number of potential subgrantees. The scheduling of these briefings is done in conjunction with the County Emergency Management Directors and should allow the attendance of all potential applicants.

The State PAO or respective WEM Regional Director will coordinate with the respective County Emergency Management Directors on the location of the briefings. The County Emergency Management Directors will ensure that all potential applicants from his/her county attend the briefing and complete a Request for Public Assistance (RPA), FEMA Form 90-49 (Attachment B) at that time or within 30 days following the date of the declaration. County Emergency Management Directors and WEM Regional Directors should also attend the briefings involving their respective counties.

The primary purpose of the applicant briefings is to get the eligible applicants enrolled in the Public Assistance Program for the declared disaster and to prepare them for their formulation of Project Worksheets (PWs). The following specific subjects will be discussed at any applicant briefing: applicant work and cost eligibility (Attachment D), program time limits, reporting requirements, advance of funds, insurance requirements, hazard mitigation, program management, contracting procedures, types of projects/funding options, subgrant application procedures, preparing PWs, validation process, appeals, final inspections, final claims, and record keeping. The State Hazard Mitigation Officer (SHMO), FEMA Environmental Officer, and DNR representative will provide information

to the applicants on mitigation issues, construction permits, and special consideration factors involved in the Public Assistance process. (Attachment F)

5. Upon completion of a RPA, each applicant will be assigned a single point of contact for their Public Assistance process. This point of contact is the Public Assistance Coordinator (PAC). The PAC is a federal official with knowledge and experience in the public assistance program.

Prior to PAC and applicant contacts, the Governor's Authorized Representative (GAR), Federal and State PAOs, PACs, Hazard Mitigation personnel, and State Liaisons will meet to ensure there is an understanding of everyone's role. Due to the inability of the state to match the number of personnel that FEMA may send to a disaster, the DOT and State PAO will determine State Liaison assignments at these meetings. Topics may include, but are not be limited to, the Applicant Kick-off Meetings, mitigation issues, Immediate Needs Funding, technical assistance that may be needed and state participation during the project formulation and validation process.

The PACs will conduct Kickoff Meetings with applicants. Based upon the size and scope of the disaster, these meetings *may*:

- Include several applicants,
- Require state presence and assistance,
- Be conducted over the phone, or
- Be used to determine how much assistance will be required by the applicant

The Kickoff Meeting is designed to discuss the particulars of the disaster as it pertains to the applicant. The severity and magnitude of the disaster will determine the number of State Liaison Officers required and length of time that they will be needed.

6. Project formulation will begin with a Kickoff Meeting. At the Kickoff Meeting, the applicant is expected to have all local officials on hand that will be involved in the repair or restoration of damaged facilities in their jurisdiction. During the Kickoff Meeting, the applicant will need to know where and what the damages are and explain them to the PAC. The applicant will indicate whether or not they have adequate resources to determine project costs without federal or state assistance.

Depending on the damages and the resources of the applicant, there will be one of three processes that the applicant will use to determine project costs for each damaged facility. The tool used for determining the costs for repair and restore facilities is the Project Worksheet, FEMA Form 90-91 (Attachment E).

- 1) For FFY 2015, any project costing \$121,600.00 or more is defined as a Large Project. Each Large Project has a FEMA Project Officer assigned

to it. These Project Officers will be teamed with a State Liaison Officer and a local government representative and this team will fill out the PW for the site.

- 2) If a project is expected to be less than \$121,600.00 and the applicant determines that he/she can successfully complete the project worksheet with minimal assistance, it is defined as a Small Project and the applicant is expected to complete the PW within 60 days of the kickoff meeting.
- 3) If the project is less than \$121,600.00 (Small Project) and the applicant feels they do not have the resources or ability to do the project worksheet, then the PAC (or an assigned Project Officer) will be assigned. The federal representative, State Liaison Officer, and local official will work together to complete the PW.

Instructions on how to determine eligibility of work and costs, what is required to complete a PW and time limits will be discussed with the applicant at the Kickoff Meeting. Additional FEMA specialists may be needed to assist in formulating the PWs if special considerations (i.e., mitigation measures, historical structures, insurance, etc. Attachments F) are involved. These specialists will be provided by FEMA.

When all the PWs are completed, the applicant will contact the PAC. The PAC will then review the worksheets for correctness and eligibility. An applicant has 60 days from the kick-off meeting to report all their damages and submit their PWs.

7. The project validation process is determined by the project size. Large Projects (equal to or over \$121,600.00) do not require any validation steps since the PWs are completed by a federal, state, and local team. Small Projects, which are formulated using federal and state assistance in accordance with Paragraph VI B 6 of this plan, do not require validation as they have been formulated by a federal, state, and local team. Small Projects which have been formulated by the applicant with no federal assistance will follow this validation process:
 - a) If the PWs are submitted to the PAC within 30 days of the kickoff meeting, a 20% validation of the Small Projects is conducted:
 - The PAC and State will determine a 20% sample of all the Small Projects submitted by the applicant.
 - A FEMA specialist is assigned by the PAC to check the sample of projects for eligibility and reasonable cost.
 - The State will determine if a state liaison needs to be assigned for the validation.
 - If the sample is within a 20% variance of the costs determined by the specialist, then all small projects for the applicant will be approved. If the sample does not meet the 20% variance, a second

State of Wisconsin Public Assistance Administrative Plan

20% sample of the applicant's projects will be taken and steps 1 through 4 will be repeated. If the 20% variance is not met after the second sample, then 100% of the small projects submitted by the applicant will need to be validated.

- b) All Small PWs submitted by the applicant between 30 and 60 days are required to meet 100% validation. A FEMA specialist will be assigned to validate the projects for eligibility and reasonable cost.
8. Emergency Management Mission Integrated Environment (EMMIE) is the database used by FEMA. Once a PW has been verified for cost and eligibility by the State PAO and PAC, it will be data entered into EMMIE. The State will serve as an active reviewer for PWs in EMMIE, meaning that state review in EMMIE will be required prior to the project being approved. Version changes and management of the program can be reviewed through use of EMMIE throughout the disaster declaration.

C. PROGRAM MANAGEMENT

1. The State PAO will provide County Emergency Management Directors with copies of the complete subgrantee files for the applicants in their counties. County Emergency Management Directors serve as the intermediaries between the state and local governments. All correspondence between the state and applicants will be transmitted through the appropriate county emergency management director. They are responsible for forwarding copies of all documents to the applicant.
2. Each applicant with approved projects will receive as a minimum, a State of Wisconsin Disaster Application for Federal Public Assistance for Subgrantees (DMA Form 1017 (Attachment G)) and Assurances for Construction (DMA Form 1017A (Attachment H)), approved project worksheets, a project summary, and a project listing (Attachments G&H). No payments will be issued to applicants until the state PAO receives the completed and signed DMA Form 1017 (Attachment G) and 1017A (Attachment H) from the applicant. Payments to applicants will be sent through the appropriate county emergency management office.
3. Each County Emergency Management Director and applicant will keep accurate and complete records of all disaster-related costs to ensure that the requirements of the Single Audit Act are met.

D. PROJECT ADMINISTRATION

1. FEMA Grant to the State (Grantee) in accordance with 44CFR 206.202(e)(1) the state will complete and submit an Application for Federal Assistance (SF 424 Attachment J) and Assurances – Construction Programs (SF 424D Attachment

State of Wisconsin Public Assistance Administrative Plan

H) as soon as possible after the Disaster Declaration. Upon FEMA approval of the SF 424, the State is authorized to expend funds and issue checks to applicants.

2. Once Large Projects have been approved and/or Small Projects validated and approved, FEMA will approve funding for that applicant. Once funding is approved by FEMA, the State PAO will fill out a DMA Form 1017 (Attachment G) for each applicant establishing their total grant payments. Normally, the federal government will pay 75% of the total damage amount on a project, 12.5 % of the costs are provided by the state and the remaining 12.5% of damage costs are the responsibility of the applicant. The Federal share for Fire Management Assistance is 75%. The federal government also pays an administrative cost to the applicant. The purpose and amount of administrative payments are explained in Attachment D.
3. Payment will be made in accordance with this Administrative Plan and with the guidelines published in 44 CFR Part 206, Subparts G and H. Approved Projects are defined as Small Projects (between \$3,040 and \$121,600) or Large Projects (>=\$121,600.00). The administration of these two types of projects differs from one another:
 - a) Small Projects: Once the State PAO receives the original signed DMA Form 1017 (Attachment G) and DMA Form 1017A (Attachment H) back from the applicant (both forms need to be signed by an applicant representative), the State PAO will request a check for the federal share (75%) of all Small Projects. Upon completion of all projects, the subgrantee is required to certify in writing to the state that the work has been completed. This is done by the applicant submitting a completed and signed Project Completion and Certification Form P.4 (Attachment I) to the State PAO. At the discretion of the State PAO, random inspections may be made to verify use of grant funds. Upon submission of the Project Completion and Certification Form P.4 (Attachment I) by the applicant, the State PAO will make the final state share of the grant, thereby closing out the grant. If there is significant overrun or underrun of costs associated with any Small Project (normally 10% or more), documentation to include invoices, cancelled checks, and force account sheets and FEMA Public Assistance Approval for all Small Projects is required before an adjustment for final payment can be made. The State PAO will certify to FEMA, prior to the closeout of the disaster contract, that all Small Projects were completed and that the State contribution has been paid, as specified in the FEMA-State Agreement, to the subgrantee. (The certification does not have to specify the amount spent by an applicant on Small Projects. The Federal payment for Small Projects will not be reduced if all of the approved funds were not spent to complete a project as long as the project was completed per the scope of work. Failure to complete a project, however, may require a refund of the Federal share.)

- b) Large Projects: Upon FEMA approval of a Large Project, the State PAO will notify the applicant through the County Emergency Management Director of the amount approved. In the letter, the State PAO will also advise the applicant of the amount of the initial advance. The advance check is normally 75% of the work that has been completed by the applicant as indicated in the PW. The amount of the advance payment is indicated on the DMA Form 1017 (Attachment G). In no case will the total of all advances exceed 75% of the Federal share of the grant. The State PAO will process additional requests for large project advances of funds in accordance with FEMA regulations and the FEMA-State Agreement. The State PAO will adhere to the following guidelines:

The subgrantee must perform eligible work before requesting an advance of funds. Based on actual expenditures and expenditures anticipated in the next 30 days (not estimates), the subgrantee must certify in writing the amount spent, the percentage of work completed, and the anticipated work completion date. This can be done by submitting to the State PAO a letter with supporting documentation. The State PAO will determine the amount of the authorized advance for each request submitted by the subgrantee. The State will request a check so that disbursement can be made to the subgrantee as soon as possible. The State PAO will make an accounting to the RA of eligible costs for each approved large project. This accounting will include the Project Completion and Certification Form P.4 (Attachment I) as well as all documentation (invoices, receipts, contracts, pictures, etc.) to support costs claimed. In submitting the accounting, the State PAO will certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, that the project is in compliance with provisions of the FEMA-State Agreement and that payments have been made in accordance with FEMA regulations. Each accounting for a large project will be submitted by the State PAO to the RA as soon as practical after the subgrantee has completed the approved work and requested payment. The RA will review the accounting to determine the eligible amount of reimbursement for each Large Project and approve eligible costs. If a discrepancy exists between reported costs and approved funding, the RA may conduct field reviews to gather additional information. If discrepancies in the claim cannot be resolved through a field review, a Federal audit may be conducted. If the RA determines that eligible costs exceed the initial approved amount, he/she will obligate additional funds as necessary. Each subgrantee is required to submit quarterly progress status reports on open Large Projects. The status report will be a one page questionnaire for each project and returned to the State PAO for review. The State PAO will review and evaluate all documentation provided, and will certify that all recommended costs were incurred in

the performance of eligible work and are in compliance with the FEMA-State Agreement. Based upon this review, the State PAO may find it necessary to conduct inspections to resolve questions regarding work eligibility, cost overruns, time limits and advances of funds.

4. If a subgrantee desires to make improvements, but still restore the pre-disaster function of a damaged facility, the GAR's approval must be obtained. Federal funding for improved projects will be limited to the original Federal share of the approved estimate of eligible costs. When a subgrantee determines that the public welfare would not be best served by restoring a damaged public facility or the function of that facility, the GAR may request that the RA approve an Alternate Project. The Alternate Project option may be exercised only on permanent restorative work. Federal funding for such Alternate Projects will equal 90% of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstruction, or replacing the facility and of management expenses. Funds contributed for Alternate Projects may be used to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures. These funds may not be used to pay the non-Federal share of any project, nor for any operating expense. Prior to the start of construction of any Alternate Project the State PAO shall submit the following for approval by the RA: a written description of the proposed scope of work; a schedule of work; and the projected cost of the project(s). The State PAO shall also provide the necessary assurances to document compliance with special requirements, including but not limited to: floodplain management, environmental assessment, hazard mitigation, protection of wetlands and insurance.
5. When work cannot be completed within the specified time limits, the subgrantee must request a time extension for each project affected. The subgrantee must specifically identify by letter and supporting documentation those projects which cannot be completed on time and must justify the delay to the State PAO. The subgrantee must specify dates by which work can reasonably be expected to be completed. The State PAO will review the time extension request, carefully considering the reasons given for the extension and also when the applicant expects to finally complete the project(s). If the request is approved, the State PAO can grant time extensions within the Grantee authority. The applicant may be granted extensions for completion up to the maximum limits. Twelve months for Emergency Work and forty-eight months for Permanent Work. If the request is not approved, the State PAO informs the applicant in writing of the decision and states the reasons for disapproval. The State PAO will notify FEMA of all approved time extensions; most often by indication of the time extension granted in the quarterly progress report. Requests for time extensions beyond the grantee's authority (exceeding the maximum time limits listed above) shall be submitted to the RA for action. The request will include dates and provisions of all previous time extensions, a detailed justification for the delay and a projected completion date. The RA will notify the State PAO in writing of the Region's determination, advising of the new completion date and any other requirements

State of Wisconsin Public Assistance Administrative Plan

determined necessary to meet the new completion date. The State PAO will, in turn, notify the applicant of the determination through the County Emergency Management Director.

6. The subgrantee may request a change in the scope of work. The request must be in writing and must include justification for the State PAO evaluation. The State PAO evaluates the request and when justified, submits a request and a favorable recommendation to the RA. The RA will provide written notice to the State PAO after a determination has been made. The State PAO forwards the RA's determination to the subgrantee via the County Emergency Management Director.
7. The subgrantee has 60 days from the first substantive meeting with FEMA to notify FEMA of any newly discovered damage. The State PAO will review the information and, if justified, request that Federal and State inspectors survey the newly discovered damage.
8. Subgrantees with approved Large Projects need to provide a quarterly status summary to the State PAO. The summary shall indicate the status of all approved Large Projects. Based on these quarterly subgrantee reports, the State PAO compiles a consolidated quarterly status summary report for FEMA. These reports are sent to FEMA Region at the end of January, April, July, and October.
9. Financial Management
 - a) To start the Public Assistance Program Account, immediately following a major disaster declaration, the GAR provides the FMO with copies of the Governor's Request for Presidential Declaration, the President's Declaration of Major Disaster, the FEMA-State Agreement, and the Grant Summaries. The FMO establishes separate accounts for Federal and State disaster funds. These funds are accounted for by pay-in and pay-out vouchers prepared and maintained by the FMO and DMA. Damage assessment information determines an estimate of the amount of Public Assistance Program funds needed. FEMA initially obligates funds based on the amounts in the Preliminary Damage Assessment. Subsequent to the Project Worksheet formulation and validation, funds are obligated based on approved grants.
 - b) Payment Management System (PMS) cash drawdowns are made as follow: The State PAO will submit written authorization to the FMO to pay the Federal and/or State share. The FMO draws funds from the PMS electronically and submits the Receipt Remittance Advice to DMA, to ensure timely payment of funds. A drawdown will be requested only if there is an actual need for funds.
 - c) In most cases, checks will be mailed to the County Emergency Management Directors, who will then forward them to the subgrantees.

However, when they are reported lost, action will not be taken to recover them until ten working days have elapsed from the mailing date. If the check has not been recovered after that time, the FMO will request in writing that the State Treasury stop payment on the check. If the check has not been cashed, the Treasury sends the FMO a State Treasury Stop-Payment Affidavit. The FMO forwards the affidavit with the formal letter to the subgrantee. The affidavit must be signed and returned by the subgrantee. On receipt of the completed affidavit, the State Treasury will reissue the check

- d) Every effort will be made to avoid instances where applicants are advanced more funds than can be supported by inspection, review or audit. The requirement to provide documentation of costs prior to disbursement of funds is a fiscal control and should limit, if not eliminate, excess advances of funds. If an over advance is discovered prior to final payment, the State PAO will deduct the over advance from funds still due to the subgrantee, and the remaining balance will be paid. If the over advance exceeds the amount of the final payment, the State PAO will withhold all funds and request the balance from the subgrantee. The State PAO will return the withheld funds to FEMA by making an offsetting entry on PMS. If the subgrantee refuses to repay the over advance, or any part of it, the State PAO will refer the case to the DMA Legal Counsel for initiation of collection efforts. The State PAO will keep FEMA informed of the status of such cases.

10. Appeals

- a) The subgrantee may appeal any determination previously made related to Federal assistance for a subgrantee, including a time extension determination made by the grantee. The subgrantees appeal must be in writing and submitted to the grantee within 60 days after receipt of the notice of the action which is being appealed. The appeal should contain documented justification supporting the subgrantees position.
- b) The State PAO may, on behalf of applicants, appeal any FEMA determination on Federal assistance. Local appeals must be submitted in writing via the State PAO. Subgrantees must provide sufficient information to allow the State PAO to understand the facts and determine the validity of the request. The State PAO will conduct additional investigation or information gathering if needed to substantiate the appeal. The State PAO will forward the appeal with a written recommendation to the RA within 60 days of receipt.
- c) The RA reviews the materials submitted with the appeal, making such additional investigations as deemed appropriate. Within 90 days

following the receipt of such additional requested information, the RA shall notify the Grantee in writing of the disposition of the appeal.

- d) If the initial appeal is denied by the RA, the subgrantee may make a second appeal to the Assistant Administrator (AA). This second appeal will be made in writing through the State PAO/GAR and RA, and shall be submitted no later than 60 days following receipt of AA denial. The AA shall render a determination on the second appeal within 90 days from receipt of the appeal, or shall request additional information. If additional information is requested, the determination must be made within 90 days of receipt of additional information. If the appeal involves highly technical issues, the AA may ask an independent scientific or technical group/person with related expertise to review the appeal so as to obtain the best possible evaluation. In such cases, the 90 day time limit will run from the submission of the technical report. The decision of the second appeal from the associate Director or the Executive Associate Director will be the final administrative decision from FEMA.

11. Program Compliance, Audits, Reviews, and Closeout

- a) The State will ensure compliance with the “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments” (44 CFR Part 13). The State assures that it shall comply with all applicable Federal statutes and regulations, outlined in Attachment H of this document, in effect with respect for which it receives grant funding. The State will ensure compliance with the “Uniform Audit Requirements” (44 CFR Part 14). Each subgrantee, expending \$500,000 or more in total direct and indirect Federal financial assistance per fiscal year, shall have a financial and compliance audit made in accordance with the Single Audit Act of 1996 (P.L. 104-156) and the federal Office of Management and Budget (OMB) Circular A-133. Audit requirements are the responsibility of the local unit of government (municipal or county). The FMO reviews audits completed for subgrantees. If adverse findings are reported, the State PAO is informed and ensures that appropriate actions are taken, and these actions are reported to FEMA. The Legislative Audit Bureau (LAB) submits a copy of the audit performed on State operations to the FEMA Inspector General. FEMA may elect to conduct a separate Federal audit on the disaster assistance grant or on any of the subgrants, and the State will provide any information necessary for completing such audits.
- b) When final payment is made to each subgrantee, the State PAO will give the subgrantee file to the FMO who will review the payments to ensure that the subgrantee has received all approved grant funds authorized to them. The FMO will also ensure that all required documentation is in the

State of Wisconsin Public Assistance Administrative Plan

file (signed Form 1017s, signed Assurances, completed/signed P.4 reports, etc.). Prior to close-out of a disaster declaration, all subgrantee files will be reviewed internally to ensure that they are complete, correct, and contain all required documentation.

- c) After all grant fund payments have been made, the FMO determines eligible Grantee management costs and administrative allowances and requests reimbursement from FEMA. Upon receipt of these allowances, the State PAO notifies the RA in writing that no further claims for the disaster will be made and that all Public Assistance Program activity has been closed. The FMO will submit a final FEMA Form 20-10 for the total Public Assistance Program disaster grant amount within 90 days following the completion of all required work and administrative actions. FEMA will review its final claim and close the grant.

12. This Administrative Plan will be reviewed annually to ensure compliance with applicable laws, implementing regulations and State policies. This plan will also be updated as whenever necessary to reflect new or revised Federal regulatory or policy changes; reflect a material change in any State law, organization, policy or State agency operation; or to improve Public Assistance Program administration. When updated, each will be submitted to FEMA Region V for review and approval. Following a Presidential Disaster Declaration, the State PAO will prepare, publish and distribute updates, amendments or revisions to this Administrative Plan in order to meet the then current policy guidance or any program administration changes that have occurred. This Administrative Plan will be submitted to the FCO for review and approval prior to use during that Declared Disaster.

E. MANAGEMENT COSTS

WEM, as the Grantee for the State of Wisconsin, will request management cost funding, in accordance with 44 CFR §207.7 and Disaster Assistance Policy 9525.9 *Section 324 Management Costs and Direct Administrative Costs*.

1. Management Cost Funding Request Process:

- a) Within 30 to 35 days of the Date of Declaration (DD), FEMA will provide the state with a preliminary lock-in amount for Management Costs (MC).
- b) Upon receipt of the preliminary lock-in, the GAR will submit an initial MC funding request to FEMA. When FEMA accepts this request they will prepare a PW to obligate 25% of preliminary lock in.
- c) Within 120 days of DD, the GAR will provide documentation to support MC funding. This documentation can include descriptions of activities and personnel required to administer the grants, process payments, and

State of Wisconsin Public Assistance Administrative Plan

monitor the management costs, and estimate the funding passed through the state to subgrantees (if FEMA rejects this submission, the State has 30 days to resubmit).

- d) Six months after the DD, FEMA will provide the state with a revised lock-in of MC. If there is a bona-fide need for an interim obligation at six months, the GAR may submit a request, with justification, to the RA. The interim lock-in amount will not exceed 10% of the six month interim lock-in amount.
- e) Twelve months after the DD, FEMA will provide the state with a final lock-in on the MC.
- f) Once the State receives the final lock-in from FEMA, the GAR will submit final funding request including the revised documentation.
- g) If the request and documentation are accepted by FEMA, then the final MC funds are obligated to the State.
- h) The State will report MC spending in the Public Assistance and financial quarterly reports.
- i) Expenditure of MC funds are limited to a maximum time of 8 years for a Disaster (or 2 years after an Emergency Declaration), or 180 days after the latest performance period of a non-management cost PW, whichever is sooner. The State and FEMA will compare what funds were expended and the excess (if any is left) will be de-obligated.

2. Subgrantee Administrative Costs:

- a) The determination and disbursement of subgrantee administrative costs is explained in Attachment D.

ATTACHMENT A – Applicant Eligibility

Applicant Eligibility: The following entities are eligible to apply for assistance under the Public Assistance Program:

1. State government agencies and local governments
2. Indian tribes or authorized tribal organizations
3. Private, nonprofit organizations or institutions owned or operated by a private, nonprofit facility as defined by 44 CFR Part 206.221 (e).
 - a) Private, nonprofit facilities: In determining eligibility, potential private, nonprofit applicants will need to complete a PNP Questionnaire (Attachment C) with their Request for Public Assistance (RPA) and submit it to the State PAO for review and determination of status. The applicant is also required to provide an effective ruling letter from the US Internal Revenue Service granting tax exemption under Section 501(c), (d) or (e) of the Internal Revenue Code of 1954 or acceptance from the state for recognition as a tax exempt not for profit organization.
 - b) Facilities serving a rural community or unincorporated town or village. To be eligible for assistance, a facility not owned by an eligible applicant, as defined in 44 CFR Part 206.222, must be owned by a private, nonprofit organization and provide an essential governmental service to the general public. Applications for these facilities must be submitted through the State or a political subdivision of the State.
 - c) Examples of eligible private nonprofit organizations include but are not limited to educational institutions, museums, public libraries, community centers, and emergency response agencies.

Eligible private nonprofit organizations that are not providing a critical function; emergency medical, electrical or telephone service, or water/wastewater treatment, must first apply to the Small Business Administration for low interest loans when available before being considered for public assistance grants.

State of Wisconsin Public Assistance Administrative Plan

ATTACHMENT B – Request for Public Assistance

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY REQUEST FOR PUBLIC ASSISTANCE			O.M.B. NO. 1660-0017 Expires April 30, 2013	
PAPERWORK BURDEN DISCLOSURE NOTICE Public reporting burden for this form is estimated to average 10 minutes. Burden means the time, effort and financial resources expended by persons to generate, maintain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (OMB Control Number 1660-0017). You are not required to respond to this collection of information unless it displays a valid OMB number. NOTE: Do not send your completed questionnaire to this address.				
APPLICANT (Political subdivision or eligible applicant)			DATE SUBMITTED	
COUNTY (Location of Damages. If located in multiple counties, please indicate)			DUNS NUMBER	
APPLICANT PHYSICAL LOCATION				
STREET ADDRESS				
CITY	COUNTY	STATE	ZIP CODE	
MAILING ADDRESS (if different from Physical Location)				
STREET ADDRESS				
POST OFFICE BOX	CITY	STATE	ZIP CODE	
Primary Contact/Applicant's Authorized Agent			Alternate Contact	
NAME			NAME	
TITLE			TITLE	
BUSINESS PHONE			BUSINESS PHONE	
FAX NUMBER			FAX NUMBER	
HOME PHONE (Optional)			HOME PHONE (Optional)	
CELL PHONE			CELL PHONE	
E-MAIL ADDRESS			E-MAIL ADDRESS	
PAGER & PIN NUMBER			PAGER & PIN NUMBER	
Did you participate in the Federal/State Preliminary Damage Assessment (PDA)? <input type="checkbox"/> YES <input type="checkbox"/> NO				
Private Non-Profit Organization? <input type="checkbox"/> YES <input type="checkbox"/> NO				
If yes, which of the facilities identified below best describe your organization? _____				
Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." "Other essential governmental service facility means museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety safety services of a governmental nature. All such facilities must be open to the general public."				
Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.				
OFFICIAL USE ONLY: FEMA - _____ -DR- _____ - _____ FIPS# _____ DATE RECEIVED _____				

ATTACHMENT C – PNP Facility Questionnaire

**FEDERAL EMERGENCY MANAGEMENT AGENCY
PNP FACILITY QUESTIONNAIRE**

This questionnaire is to be used by FEMA and state personnel to help determine the eligibility of specific facilities of an approved Private Non-Profit (PNP) organization. Obtain answers to the following questions for each PNP organization. If the organization has more than one facility that incurred damage, complete a separate sheet for each facility.

Name of PNP Organization: _____

Name of the damaged facility and location: _____

What is the primary purpose of the damaged facility? _____

Who may use this facility? _____

What fee, if any, is charged for the use of the facility? _____

Was the facility in use at the time of the disaster? Yes No

Did the facility sustain damage as a direct result of the disaster? Yes No

What type of assistance is being requested? _____

Does the PNP organization own the facility? Yes No

If "Yes," obtain proof of ownership; check here if attached.

If "No," do they lease / rent the facility? Yes No

If "Yes," obtain a copy of the lease or rental agreement for the damaged facility; check here if attached.

Are the repairs of this facility the legal responsibility of the organization? Yes No

Is the facility insured? Yes No

If "Yes," obtain a copy of the insurance policy; check here if attached.

Additional information or comments:

Name of contact person

Phone number

ATTACHMENT D - Eligible Infrastructure Project Worksheet

Emergency Work

1. Category A – Debris Removal
 - a) From public and private lands and waters and must be in the public interest to eliminate immediate threats to life, public health and safety; or eliminate immediate threats of significant damage to improved public or private property; or ensure economic recovery of the affected community to the benefit of the community-at-large.
 - b) Debris removal from private property, when in the public interest, is eligible in urban and rural living, recreational and working areas, except those areas used for crops and livestock, or unused areas.
 - c) No assistance will be provided directly to an individual or private organization, or to an eligible applicant for reimbursement of an individual or private organization, for the cost of removing debris from their own property. Exceptions to this are private nonprofit organizations operating eligible facilities.
2. Category B - Emergency Protective Measures
 - a) Emergency measures to save lives, to protect public health and safety, and to protect improved property are eligible. Examples include: search and rescue, traffic control, security, sandbagging, temporary levees, emergency pumping, and temporary repairs such as installing plastic sheeting on damaged roofs or building low water crossings at washed out bridges.

Permanent Work Eligibility

1. General Information
 - a) Other Federal agency programs - FEMA assistance cannot be provided to restore a facility when another Federal agency has authority to do so.
 - b) Standards - Facilities will be restored on the basis of the design of such facilities as they existed immediately prior to the disaster and in conformity with applicable standards. For standards to justify changing the pre-disaster construction of a facility they must: apply to the type of repair or restoration required, be in writing and formally adopted by the applicant prior to project approval, and apply uniformly to all similar facilities within the jurisdiction of the owner. These standards also must have been enforced if they were in effect before the disaster.
 - c) Hazard Mitigation – FEMA may require cost effective hazard mitigation measures. The cost of any requirements for hazard mitigation placed on restoration projects by FEMA will be an eligible cost for FEMA assistance.

- d) Repair vs. Replacement – A facility is considered repairable when disaster damages do not exceed 50% of the cost of replacing a facility to its pre-disaster condition, and it is feasible to repair the facility so that it can perform the function for which it was being used as well as it did immediately prior to the disaster.
- e) Equipment and Furnishings – When destroyed or damaged beyond repair, comparable replacement items are eligible. Insurance coverage for damaged buildings or equipment is covered by Public Assistance.
- f) Library Books and Publications – Replacement of library books and publications is based on an inventory of the quantities of various categories of books or publications damaged or destroyed.

2. Permanent Work Categories

- a) Category C – Road systems including streets, bridges and traffic control facilities. Roads eligible for Federal Highway Administration (FHWA) aid are not eligible for permanent repair by FEMA.
- b) Category D – Water control facilities such as dams, drainage channels and irrigations works.
- c) Category E – Publicly owned buildings and equipment including contents such as the equipment, furnishings and library books.
- d) Category F – Utility systems such as sewer lines, wastewater and potable water treatment plants, and electric power distribution systems.
- e) Category G – Park, recreational and other facility restorative work that does not fit other categories.

3. Cost Eligibility

- a) Force Account Costs:
 - i. Labor – Eligible personnel costs include salaries and wages (regular time, overtime, fringe benefits and compensatory time) of the applicant’s employees engaged in eligible permanent work. Regular time salaries and fringe benefits of normal full-time employees engaged in emergency work are not eligible. Overtime costs of regular employees and all labor costs for temporary employees expressly activated to be engaged in emergency work is eligible.
 - ii. Applicant Owned Equipment - The Wisconsin Department of Transportation Equipment Rates will be the basis for reimbursement in cases where an applicant can prove that they are used on a day-to-day basis. In cases where the applicant does not use the state rates, the FEMA cost codes will be used.

State of Wisconsin Public Assistance Administrative Plan

- iii. Materials - Reimbursement is provided for the purchase of materials needed to accomplish eligible disaster work, including materials taken from the applicant's stock.

b) Contract Costs

- i. Reasonable contract costs will be allowed to complete approved eligible work. Grantees and subgrantees will use their own contract procedures which reflect applicable State and local laws and regulations, provided that the contracts conform to applicable Federal standards identified in 44 CFR Part 13.
- ii. Applicants may use their own procurement procedures, which reflect applicable state and local laws. Applicable state procurement standards take precedence over federal standards when they are more stringent. Federal procurement standards take precedence over state requirements when they are more stringent. Generally, state requirements are more stringent in Wisconsin.

Subgrantee Administrative Costs

Administrative costs are those expenses not directly chargeable to a specific project that are reasonably incurred by a subgrantee in administering the PA program. Examples of administrative costs include conducting applicant briefings, filed inspections, preparing damage assessments, and providing documentation on costs.

For FEMA-4141, applicants will pursue administrative costs directly related to each project worksheet by coordinating with their respective PAC or project officer to determine what items can be declared as administrative costs attributed to the formulation and processing of the PA program for each project worksheet. Eligible administrative costs will be determined as part of each project worksheet and reimbursed through the normal PA process. The State of Wisconsin will not pass indirect administrative costs through to the subgrantees.

Minimum Reportable Costs

The minimum dollar amount for a project worksheet to be written is \$3,040. The intent of this minimum is to improve the program efficiency and reduce the administrative costs associated with small claims. The minimum threshold is based upon the Consumer Price Index that is updated every year.

Property Acquired by Federal Funds

WEM 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 44CFR 13.32.

ATTACHMENT E - Project Worksheet

U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET				O.M.B. No. 1660-0017 Expires October 31, 2008	
PAPERWORK BURDEN DISCLOSURE NOTICE Public reporting burden for this form is estimated to average 90 minutes per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden to: Information Collections Management, U.S. Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (OMB Control Number 1660-0017). You are not required to respond to this collection of information unless a valid OMB number appears in the upper right corner of this form. NOTE: Do not send your completed questionnaire to this address.					
DISASTER FEMA-_____-DR-____		PROJECT NO.	PA ID NO.	DATE	CATEGORY
DAMAGED FACILITY				WORK COMPLETE AS OF _____ : _____ %	
APPLICANT			COUNTY		
LOCATION				LATITUDE	LONGITUDE
DAMAGE DESCRIPTION AND DIMENSIONS					
SCOPE OF WORK					
Does the Scope of Work change the pre-disaster conditions at the site? <input type="checkbox"/> Yes <input type="checkbox"/> No Special Considerations issues included? <input type="checkbox"/> Yes <input type="checkbox"/> No Hazard Mitigation proposal included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is there insurance coverage on this facility? <input type="checkbox"/> Yes <input type="checkbox"/> No					
PROJECT COST					
ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
TOTAL COST				▶	
PREPARED BY		TITLE	SIGNATURE		
APPLICANT REP.		TITLE	SIGNATURE		

PROJECT WORKSHEET INSTRUCTIONS

The Project Worksheet must be completed for each identified damaged project. A project may include damages more than one site.

After completing all Project Worksheets, submit the worksheets to your Public Assistance Coordinator.

Identifying Information

Disaster: Indicate the disaster declaration number as established by FEMA (i.e. "FEMA 1136-DR-TN", etc.).

Project No.: Indicate the project designation number you established to track the project in your system (i.e. 1,2,3, etc.).

PA ID No.: Indicate your Public Assistance identification number on this space. This is optional.

Date: Indicate the date the worksheet was prepared in MM/DD/YY format.

Category: Indicate the category of the project according to FEMA specified work categories (i.e., A,B,C,D,E,F,G). This is optional.

Applicant: Name of the government or other legal entity to which the funds will be awarded.

County: Name of the county where the damaged facility is located. If located in multiple counties, indicate "Multi-County."

Damage facility: Identify the facility and describe its basic function and pre-disaster condition.

Work Complete as of: Indicate the date the work was assessed in the format of MM/DD/YY and the percentage of work completed to that date.

Location: This item can range anywhere from an "address," "intersection of...," "1 mile south of...on..." to "county wide." If damages are in different locations or different counties please list each location. Include latitude and longitude of the project if known.

Damage Description and Dimensions: Describe the disaster-related damage to the facility, including the cause of the damage and the area or components affected.

Scope of Work: List work that has been completed, and work to be completed, which, is necessary to repair disaster-related damage.

Does the Scope of Work change the pre-disaster conditions of the site: If the work described under the Scope of Work changes the site conditions (i.e. increases/decreases the size or function of the facility or does not replace damage components in kind with like materials), check (x) yes. If the Scope of Work returns the site to its pre-disaster configuration, capacity and dimensions check (x) no.

Special Considerations: If the project includes insurable work, and/or is affected by environmental (NEPA) or historic concerns, check (x) either the Yes or No box so that appropriate action can be initiated to avoid delays in funding. Refer to *Applicant Handbook* for further information.

Hazard Mitigation: If the pre-disaster conditions at the site can be changed to prevent or reduce the disaster-related damage, check (x) Yes. If no opportunities for hazard mitigation exist check (x) no. Appropriate action will be initiated and avoid delays in funding. Refer to *Applicant Handbook* for further information.

Is there insurance coverage on this facility: Federal law requires that FEMA be notified of any entitlement for proceeds to repair disaster-related damages from insurance or any other source. Check (x) yes if any funding or proceeds can be received for the work within the Scope of Work from any source besides FEMA.

Project Cost

Item: Indicate the item number on the column (i.e. 1, 2, 3, etc.). Use additional forms as necessary to include all items.

Code: If using the FEMA cost codes, place the appropriate number here.

Narrative: Indicate the work, material or service that best describes the work (i.e. "force account labor overtime", "42 in. RCP", "sheet rock replacement", etc.).

Quantity/Unit: List the amount of units and the unit of measure ("48/cy", "32/lf", "6/ea", etc.).

Unit Price: Indicate the price per unit.

Cost: This item can be developed from cost to date, contracts, bids, applicant's experience in that particular repair work, books which lend themselves to work estimates, such as RS Means, or by using cost codes supplied by FEMA.

Total Cost: Record total cost of the project.

Prepared By: Record the name, title, and signature of the person completing the Project Worksheet.

Applicant Rep.: Record the name, title, and signature of Applicant's representative.

Records Requirements

Please review the *Applicant Handbook, FEMA 323* for detailed instructions and examples.

For all completed work, the applicant must keep the following records:

- *Force account labor documentation sheets identifying the employee, hours worked, date and location;
- *Force account equipment documentation sheets identifying specific equipment, operator, usage by hour/mile and cost used;
- *Material documentation sheets identifying the type of material, quantity used and cost;
- *Copies of all contracts for work and any lease/rental equipment costs.

For all estimated work, keep calculations, quantity estimates, pricing information, etc. as part of the records to document the "cost/estimate" for which funding is being requested.

ATTACHMENT F – Special Considerations

FEDERAL EMERGENCY MANAGEMENT AGENCY SPECIAL CONSIDERATIONS QUESTIONS		
1. APPLICANT'S NAME	2. FIPS NUMBER	3. DATE
4. PROJECT NAME	5. LOCATION	
Form must be filled out—for each project.		
1. Does the damaged facility or item of work have insurance and/or is it an insurable risk? <i>(e.g., buildings, equipment, vehicles, etc.)</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
2. Is the damaged facility located within a floodplain or coastal high hazard area, or does it have an impact on a floodplain or wetland? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
3. Is the damaged facility or item of work located within or adjacent to a Coastal Barrier Resource System Unit or an Otherwise Protected Area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
4. Will the proposed facility repairs/reconstruction change the pre-disaster condition? <i>(e.g., footprint, material, location, capacity, use or function)</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
5. Does the applicant have a hazard mitigation proposal or would the applicant like technical assistance for a hazard mitigation proposal? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
6. Is the damaged facility on the National Register of Historic Places or the state historic listing? Is it older than 50 years? Are there more, similar buildings near the site? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
7. Are there any pristine or undisturbed areas on, or near, the project site? Are there large tracts of forestland? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
8. Are there any hazardous materials at or adjacent to the damaged facility and/or item of work? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		
9. Are there any other environmentally or controversial issues associated with the damaged facility and/or item of work? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure Comments _____ _____		

Wisconsin Emergency Management
Department of Military Affairs
Public Assistance

DMA Form 1017A

ATTACHMENT H - ASSURANCES – CONSTRUCTION

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
4. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
5. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
6. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
7. Will comply with the Intergovernmental Personnel Act of 1970 [42 U.S.C. (4728-4763)] relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A or OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).
8. Will comply with the Lead-Based Paint Poisoning Prevention Act [42 U.S.C. (4801 et seq.)] which prohibits the use of lead based paint in construction or rehabilitation or residence structures.

State of Wisconsin Public Assistance Administrative Plan

9. Will comply with all federal statutes relating to non-discrimination. These include but are not limited to:
 - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin;
 - b. Title IX of the Education Amendments of 1972, as amended [20 U.S.C. (1681-1683, and 1685-1686)] which prohibits discrimination on the basis of sex;
 - c. Section 504 of the Rehabilitation Act of 1973, as amended [29 U.S.C. (794)] which prohibits discrimination on the basis of handicaps;
 - d. The Age Discrimination Act of 1975 as amended [42 U.S.C. (6101-6107)] which prohibits discrimination on the basis of age;
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255), as amended, relating to non-discrimination on the basis of drug abuse;
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism;
 - g. 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended relating to confidentiality of alcohol and drug abuse patient records;
 - h. Title VIII of the Civil Rights Act of 1968 [42 U.S.C. (3601 et seq.)], as amended relating to non-discrimination in the sale, rental or financing or housing;
 - i. Any other non-discrimination provisions in the specific statute(s) under which application for federal assistance is being made, and
 - j. The requirements on any other non-discrimination Statute(s) which may apply to the application.
10. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
11. Will comply with the provisions of the Hatch Act [5 U.S.C. (1501-1508 and 7324-7328)] which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

12. Will comply, as applicable, with the provisions of the Davis-Bacon Act [40 U.S.C. (276a to 276a-7)], the Copeland Act [40 U.S.C. (276c) and 18 U.S.C. (874)], the Contract Work Hours and Safety Standards Act [40 U.S.C. (327-333)] regarding labor standards for federally assisted construction subagreements.
13. Will comply with the Flood Insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
14. Will comply with environmental standards which may be prescribed pursuant to the following:
 - a. Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - b. Notification of violating facilities pursuant to EO 11738;
 - c. Protection of wetlands pursuant to EO 11990;
 - d. Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - e. Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 [16 U.S.C. (1451 et seq.)];
 - f. Conformity of federal actions to state (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended [42 U.S.C. (7401 et seq.)];
 - g. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and
 - h. Protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-250).
15. Will comply with the Wild and Scenic Rivers Act of 1968 [16 U.S.C. (1271 et seq.)] related to protecting components or potential components of the national wild and scenic rivers system.
16. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. (470)], EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 [16 U.S.C. (469a-1 et seq.)].

State of Wisconsin Public Assistance Administrative Plan

17. In accordance with the provisions of Section 319 of P.L. 101-121, and implementing regulations at 44 CFR Part 18, the subgrantee shall submit to the Department of Military Affairs, Wisconsin Emergency Management Division, a “Certification Regarding Lobbying” and “Disclosure of Lobbying Activities” (Form SF-LLL) for Public Assistance awards of \$100,000 or more. The subgrantee shall require that the language of this certification be included in all award documents for all sub-awards of \$100,000 or more at all tiers (including subcontracts, subgrants, and contracts under grants) and that all subgrantees shall certify and disclose accordingly, “Certifications Regarding Lobbying” and Forms SF-LLL must be submitted to the Department of Military Affairs, Wisconsin Emergency Management Division with the subgrantees request for final reimbursement.
18. In accordance with E.O. 12549, entities that are debarred, suspended, or otherwise declared ineligible for federal funding cannot be involved with the public assistance process. Applicants must check the federal Excluded Parties List System (EPLS) at <http://epls.arnet.gov> to ensure that any contractor used in performing public assistance activities is eligible for federal funding.
19. Will comply with the required financial and compliance audits in accordance with the Single Audit Act of 1996, as listed below.
20. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.

FEDERAL AUDIT REQUIREMENTS

For subgrantees that are State, Indian Tribes or Local Governments:

If the subgrantee receives total direct and indirect federal assistance of:

1. \$500,000 or more per fiscal year, the subgrantee agrees to obtain a financial and compliance audit made in accordance with the Single Audit Act of 1996 (P.L. 104-156) and the federal Office of Management and Budget (OMB) Circular A-133. The law and circular provide that the audit shall cover the entire operations of the subgrantee government, it may cover departments, agencies or establishments that received, expended, or otherwise administered federal financial assistance during the year.
2. Audits shall be made annually unless the state or local government has, by January 1, 1987, a constitutional or statutory requirement for less frequent audits. For those governments, the cognizant agency shall permit biennial audits, covering both years, if the government so requests. It shall also honor requests for biennial audits by governments that have an administrative policy calling for audits less frequent than annual, but only for fiscal years beginning before January 1, 1987.

For subgrantees who are institutions of higher education, hospitals, or other nonprofit organizations:

1. If the subgrantee receives total direct and indirect federal assistance of \$500,000 or more per year, the subgrantee agrees to obtain a financial and compliance audit made in accordance with OMB Circular A-133. The audit shall cover either the entire organization or all federal funds of the organization. The audit must determine whether the subgrantee spent federal assistance funds in accordance with applicable laws and regulations.
2. Audits shall usually be made annually, but not less frequently than every two years.
3. The audit shall be made by an independent auditor. An independent auditor is a state or local government auditor or a public accountant who meets the independence standards specified in the General Accounting Office's Standards for Audit of Governmental Organizations, Programs, Activities, and Functions.
4. The audit report shall state that the audit was performed in accordance with the provisions of OMB Circular A-133.
5. The reporting requirements for audit reports shall be in accordance with the American Institute of Certified Public Accountants' (AICPA) audit guide, "Audits of State and Local Governmental Units" issued in 1986. The federal government has approved the use of the audit guide.

State of Wisconsin Public Assistance Administrative Plan

6. In addition to the audit report, the subgrantee shall provide comments on the findings and recommendations in the report, including a plan for corrective action taken or planned and comments on the status of corrective action taken on prior findings. If corrective action is not necessary a statement describing the reason it is not should accompany the audit report.
7. The subgrantee agrees that the grantor, the Legislative Auditor, the State Auditor and any independent auditor designated by the grantor shall have such access to subgrantees records and financial statements as may be necessary for the grantor to comply with the Single Audit Act the OMB Circular A-133.
8. Grantees of federal financial assistance from subgrantees are also required to comply with the Single Audit Act and the OMB Circular A-133.
9. The subgrantee agrees to retain documentation to support the schedule of federal assistance.
10. Required audit reports must be filed with the State Legislative Audit Bureau and with the Department of Military Affairs, Wisconsin Emergency Management Division within six months of the subgrantees fiscal year end. If a federal cognizant audit agency has been assigned for the subgrantee, copies of the required audit reports will be filed with that agency also.

The Department of Military Affairs' audit report should be addressed to:

Wisconsin Department of Military Affairs
Emergency Management Division
2400 Wright Street, Room 213
P.O. Box 7865
Madison, WI 53707-7865

STATE ASSURANCES OF DISASTER APPLICATION SUBGRANTEES

In accordance with the State Department of Military Affairs, Wisconsin Emergency Management Division State Administrative Plan, as a subgrantee I agree to the following:

1. Subgrantees Duties

- a. The subgrantee shall perform the tasks specified in the State Administrative Plan and shall complete the tasks therein during the period specified in the Federal-State Agreement dated 2010.

2. Terms for Reimbursement

- b. The Department of Military Affairs, Wisconsin Emergency Management Division, shall reimburse the subgrantee their eligible costs incurred by the subgrantee in accordance with their Disaster Application for Federal Assistance for Subgrantees. This reimbursement will be made from funds made available through the Federal Emergency Management Agency (P.L. 93-288 as amended by P.L. 100-707) and the State Legislature. The subgrantee shall be reimbursed only for those costs specified in the approved Disaster Application for Federal Public Assistance for Subgrantees and supplements thereto.
- c. The Department of Military Affairs, Wisconsin Emergency Management Division, shall reimburse the federal and state shares to the subgrantee in accordance with the requirements specified in the Federal/State Agreement.
- d. All claims for reimbursement shall be supported by written documentation including receipts, invoices.
- e. Reimbursement for costs will not be paid on any encumbrance made by the subgrantee prior to the dates as specified in an approved grant.

3. Records and Documentation

- f. The subgrantee shall be responsible for keeping records that fully disclose the amount and disposition of funds and the total costs of each project for which the funds are provided. The accounting procedures utilized by the subgrantee shall provide for the accurate and timely recording of the receipt of funds and expenditures.
- g. The books, records, documents and accounting procedures and practices of the subgrantee relevant to this agreement are subject to examination by the Department of Military Affairs, Wisconsin Emergency Management Division by either the legislative auditor or state auditor as appropriate, and by the federal government.

State of Wisconsin Public Assistance Administrative Plan

- h. The subgrantee shall provide written quarterly progress reports on a form prescribed by the Department of Military Affairs, Wisconsin Emergency Management Division.

4. Miscellaneous

- i. When the Department of Military Affairs, Wisconsin Emergency Management Division, finds that there has been a failure to comply with the provisions of this agreement or with the provision of the Disaster Application for Federal Assistance for Subgrantees, or that the purposes for the funds have not been, or will not be fulfilled, notwithstanding any other provisions of this agreement to the contrary, The Department of Military Affairs, Wisconsin Emergency Management Division may take such action as it deems necessary and appropriate to protect the interest of the federal government and the State of Wisconsin, including the refusal to disburse additional funds and requiring the repayment of any funds already disbursed.
- j. The subgrantee agrees to indemnify and save and hold the Department of Military Affairs, Wisconsin Emergency Management Division, its agents and employees harmless from all claims or causes of action arising from the performance of this grant by the subgrantee or subgrantees agent or employees.
- k. The Department of Military Affairs' authorized agent for the purposes of this contract is Jeff Whittow, Fiscal Services Specialist, Wisconsin Emergency Management Division.

By Signing Below I hereby agree that my jurisdiction/agency will abide by all terms and conditions of the preceding documents:

**ATTACHMENT H - ASSURANCES OF CONSTRUCTION
FEDERAL AUDIT REQUIREMENTS
STATE ASSURANCES OF DISASTER APPLICATION SUBGRANTEES**

Name of Authorized Certifying Official (Print)

Signature of Authorized Certifying Official

Title

Applicant Organization

Date

ATTACHMENT I – Wisconsin Public Assistance Quarterly Reporting Form

Wisconsin Public Assistance Quarterly Reporting Form



Basic Contact Information:	
Name of organization/applicant:	
Project Worksheet (PW) <small>(Enter entire PW# as it appears on the report i.e. PA-05-WI-xxxx-PW-xxxx)</small>	
Person Completing Form:	
Contact Address:	
Contact City/Zip Code:	
Contact E-mail Address:	
Today's Date:	

Project Phase:
Please select at least one of the following boxes regarding what "phase" of project implementation you are in.

<input type="checkbox"/>	Planning/engineering/design
<input type="checkbox"/>	Applying for permit(s)
<input type="checkbox"/>	Bids in progress/accepted
<input type="checkbox"/>	Construction in progress
<input type="checkbox"/>	Construction completed

You must complete the next two boxes as accurately as possible.

% Completed	
Estimated completion date:	

Project Cost Status:
This portion allows us to help anticipate cost overruns or underruns.

Amount expended to date: \$ _____

Are you expecting a: (You MUST choose one option)	No change in cost estimate	<input type="checkbox"/>
	Cost underrun	<input type="checkbox"/>
	Cost overrun (You MUST explain below)	<input type="checkbox"/>

Why?

Project Status:
Please select one of the following boxes regarding the "status" of your project.

<input type="checkbox"/>	No problems; project on schedule
<input type="checkbox"/>	Delayed or problems encountered
<input type="checkbox"/>	Project cancelled
<input type="checkbox"/>	Project completed

Project Scope Status:
This section helps to identify if a time extension or change to a scope of work is required. These actions may require WEM to work with FEMA for approval.

Any proposed changes to your approved Scope of Work (SOW)? (If anything except "No change" is selected, you must provide an explanation)	No change	<input type="checkbox"/>
	Alternate project	<input type="checkbox"/>
	Improved project	<input type="checkbox"/>
	Mitigation Measure	<input type="checkbox"/>

Why?

Do you need a time extension?

Approved completion date can be found on attached form

No

Yes (You **MUST** explain below)

Please provide as much detail as possible, as we need to provide a detailed explanation in our request to FEMA.

If you have any questions or concerns, please email the Public Assistance Office: DMAWEMPublicAssistance@wisconsin.gov

ATTACHMENT J – Project Completion and Certification Form (P.4)

DMA Form P.4



WISCONSIN EMERGENCY MANAGEMENT
 Department of Military Affairs

PROJECT COMPLETION AND CERTIFICATION FORM P.4

Applicant Name:	Applicant Address:	Disaster:
Applicant FEMA ID:	State Tax ID:	Declaration Date:
Project Number:	Project Title:	Project Total Cost:
% Complete at FEMA Inspection	Approved Project Completion Date:	Federal Share: State Share: Federal/State Share:

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL WORK AND COSTS CLAIMED ARE ELIGIBLE IN ACCORDANCE WITH THE GRANT CONDITIONS, ALL WORK CLAIMED HAS BEEN COMPLETED, AND ALL COSTS CLAIMED HAVE BEEN PAID

I CERTIFY THAT ALL FUNDS WERE EXPENDED IN ACCORDANCE WITH THE PROVISIONS OF THE FEMA-STATE AGREEMENT AND I RECOMMEND AN APPROVED AMOUNT OF \$_____

SIGNED: _____ **DATE:** _____

APPLICANT'S AUTHORIZED REPRESENTATIVE

SIGNED: _____ **DATE:** _____

GOVERNOR'S AUTHORIZED REPRESENTATIVE

ATTACHMENT K – Application for Federal Assistance

OMB Number: 4040-0004
Expiration Date: 03/31/2012

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify) _____
* 3. Date Received: _____	4. Applicant Identifier: _____	
5a. Federal Entity Identifier: _____	* 5b. Federal Award Identifier: _____	
State Use Only:		
6. Date Received by State: _____	7. State Application Identifier: _____	
8. APPLICANT INFORMATION:		
* a. Legal Name: _____		
* b. Employer/Taxpayer Identification Number (EIN/TIN): □□□□□□□□□□	* c. Organizational DUNS: _____	
d. Address:		
* Street1: _____	_____	
Street2: _____	_____	
* City: _____	_____	
County: _____	_____	
* State: _____	_____	
Province: _____	_____	
* Country: _____	_____	
* Zip / Postal Code: _____	_____	
e. Organizational Unit:		
Department Name: _____	Division Name: _____	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: _____	* First Name: _____	
Middle Name: _____	_____	
* Last Name: _____	_____	
Suffix: _____	_____	
Title: _____		
Organizational Affiliation: _____		
* Telephone Number: _____	Fax Number: _____	
* Email: _____		

State of Wisconsin Public Assistance Administrative Plan

Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type:

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

*** 15. Descriptive Title of Applicant's Project:**

Attach supporting documents as specified in agency instructions.

State of Wisconsin Public Assistance Administrative Plan

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant <input type="text"/>	* b. Program/Project <input type="text"/>
Attach an additional list of Program/Project Congressional Districts if needed. <input type="text"/>	
17. Proposed Project:	
* a. Start Date: <input type="text"/>	* b. End Date: <input type="text"/>
18. Estimated Funding (\$):	
* a. Federal	<input type="text"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text"/>
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/> .	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation in attachment.)	
<input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", provide explanation and attach.	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)	
<input type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <input type="text"/>	* First Name: <input type="text"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text"/>	
Suffix: <input type="text"/>	
* Title: <input type="text"/>	
* Telephone Number: <input type="text"/>	Fax Number: <input type="text"/>
* Email: <input type="text"/>	
* Signature of Authorized Representative: <input type="text"/>	* Date Signed: <input type="text"/>

ATTACHMENT L – Sandy Recovery Improvement Act

On January 29, 2013, President Obama signed into law the Sandy Recovery Improvement Act of 2013 (P.L. 113-2). This law amends Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) (Stafford Act). Specifically, the law adds section 428, which authorizes alternative procedures for the Public Assistance Program under sections 403(a)(3)(A), 406, 407 and 502(a)(5) of the Stafford Act. It also authorizes the Federal Emergency Management Agency (FEMA) to implement the alternative procedures through a pilot program. The program will remain in place for one year, at which point FEMA will assess the pilot's effectiveness at achieving its goals. Based on the evaluation of the pilot, FEMA may elect to discontinue the program, extend the pilot for an additional performance period, or issue regulations that would institute the program changes authorized by the law.

The law identifies the following goals for these procedures:

- Reducing the costs to the Federal Government of providing Public Assistance.
- Increasing flexibility in the administration of such assistance.
- Expediting the provision of assistance to a State, Tribal or local government, or nonprofit owner or operator of a private nonprofit facility.
- Providing financial incentives and disincentives for timely and cost-effective completion of projects with such assistance.

The alternative procedures authorized under the law pertain to debris removal and repair, restoration, and replacement of disaster-damages public and private nonprofit facilities.

For debris removal, the law allows for, and FEMA is currently piloting:

- The use of a sliding scale for determining the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal;
- The use of program income from recycled debris without offset to the grant amount;
- Reimbursing base and overtime wages for the employees of State, Tribal or local governments, or owners or operators of private nonprofit facilities performing or administering debris and wreckage removal; and June 28, 2013;
- Providing incentives to a State or Tribal or local government to have a debris management plan approved by the FEMA Administrator and have pre-qualified one or more debris and wreckage removal contractors before the date of declaration of the major disaster.

For permanent work, the law:

- Allows for making grants for permanent work projects on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost-effective completion of work if the State, tribal, or local government, or owner or operator of the private nonprofit facility agrees to be responsible for actual costs that exceed the estimate.
- Provides an option for State, tribal, or local government, or owner or operator of the private nonprofit facility to receive an in-lieu contribution, without reduction, on the basis

State of Wisconsin Public Assistance Administrative Plan

of estimates for repair, restoration, reconstruction, or replacement of a public facility and management expenses (i.e., eliminates the penalty for alternate projects under sections 406(c)(1)&(2) of the Stafford Act). May 20, 2013

- Allows for consolidating, as determined by the Administrator, the facilities of a State, tribal, or local government, or owner or operator of the private nonprofit facility as a single project based upon estimates adopted under the procedures.
- Allows for the Administrator to permit a Grantee or Subgrantee to use all or part of the excess grant funds for cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster and other activities to improve future Public Assistance operations or planning.
- Requires the Administrator to make available an independent expert panel to validate the estimated eligible cost if requested by a Subgrantee, and where the Administrator or certified cost estimate prepared by the applicant's professionally licensed engineers has estimated an eligible Federal share for a project of at least \$5 million.
- Requires the Administrator, at an applicant's request, to consider properly conducted and certified cost estimates prepared by professional licensed engineers (mutually agreed upon by the Administrator and the applicant).

The State of Wisconsin will be piloting the Public Assistance Alternative Procedures, beginning with the disaster FEMA-4141-DR-WI that was declared on August 8, 2013. The applicant will be asked to sign the Public Assistance Alternative Procedures Pilot Program Acknowledgement for either permanent work or debris removal, with the documentation being included into the project worksheet.