

Public Assistance Alternative Procedures Pilot Program – Permanent Work Standard Operating Procedures

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FEMA

**Federal Emergency Management Agency
Department of Homeland Security
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Washington, DC 20472**

**PUBLIC ASSISTANCE
ALTERNATIVE PROCEDURES
PILOT PROGRAM - PERMANENT WORK**



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Standard Operating Procedures

A. Purpose and Applicability

This Public Assistance (PA) Alternative Procedures Pilot Program for Permanent Work (Permanent Work Pilot) - Standard Operating Procedures (SOP) applies to large permanent work projects in any major disaster declared on or after May 20, 2013, and to large permanent work projects in major disasters declared prior to this date if construction has not yet begun. The Permanent Work Pilot will remain in place while the Federal Emergency Management Agency (FEMA) assesses its effectiveness of achieving the goals of the alternative procedures and promulgates regulations to implement permanent program changes. Currently there is not a set end date for the Permanent Work Pilot.

This SOP outlines procedures for documenting and processing requests for federal disaster assistance under the Permanent Work Pilot. The requirements and procedural information outlined in this document are to ensure that the program is consistently implemented and resulting information is captured in a manner that will allow for effective data collection and analysis.

B. Documenting Subgrantee Participation

The Public Assistance Crew Leader (PACL) will explain the Permanent Work Pilot at the Kickoff Meeting in order to ensure a thorough discussion of the Subgrantee's options. Upon completion of the Kickoff Meeting, the Subgrantee should indicate if it is interested in participating in the Permanent Work Pilot and sign the *Public Assistance Alternative Procedures Pilot Program for Permanent Work Acknowledgement* (Appendix A). The PACL must attach the signed form to the first applicable Subgrant Application/Project Worksheet (subgrant) and the Case Management File (CMF). The PACL must note in the CMF that the Subgrantee is "Participating in Alternative Procedures for Permanent Work" or "Not Participating in Alternative Procedures for Permanent Work".

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EMMIE Project Title Numbers/Cost Codes/Standard Comments

FEMA has established national standard project title numbers, cost codes and standard comments to capture and report data and these codes **must** be used at all Joint Field Offices and Regional Offices.

Title Number	Subgrant Title
320	Road System Alternative Procedures
420	Water Control Facilities Alternative Procedures
520	Repair Damages to Public Buildings and Facilities Alternative Procedures
620	Public Utilities for Alternative Procedures
720	Recreation or Other Alternative Procedures

The following Permanent Work Pilot cost codes must be used in the cost section on all applicable Permanent Work Pilot subgrants.

- **9201** – PAAP Fixed Estimate (no value, tracking purposes only)
- **9202** – PAAP Consolidated Fixed Estimate (no value, tracking purposes only)
- **9204** – PAAP Subgrantee Provided Estimate
- **9205** – PAAP Expert Panel Estimate Validation (no value, tracking purposes only)
- **9206** – PAAP Elimination of Alternate Project Reduction (no value, tracking purposes only)
- **9207** – PAAP Excess Funds
- **9208** – PAAP Deobligation of Excess Funds
- **9209** – PAAP Deobligated for Consolidation (no value, tracking purposes only)
- **9210** – PAAP Change in SOW (no value, tracking purposes only)

When there is insurance on the facility, an insurance reduction must be reflected using cost code 5901. When there is mitigation on the facility, it should be reflected using cost code 0909.

See Appendix A for the standard comments to be used for Permanent Work Pilot subgrants. See Appendix B for examples of how to use various combinations of the Permanent Work Pilot cost codes.

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C. Obtaining Agreement on Fixed Amount

Formulation of a fixed estimate subgrant is still developed in accordance with the *Public Assistance Program Field Operations Pocket Guide* - individual sites/facilities should be formulated into logical groupings of damages. After formulating a Subgrantee's damages into subgrants, the PACL must obtain a signed *Fixed Subgrant Agreement Letter* (Appendix B) for each subgrant that a Subgrantee elects to accept based on a fixed estimate. The PACL should not obtain the signed *Fixed Subgrant Agreement Letter* until after the special considerations reviews have occurred, but no later than final review and within the nine (9)-month deadline to agree to an estimate. The PACL must attach the signed agreement to the subgrant. The Subgrantee can reverse or modify its decision up to the point it signs the *Fixed Subgrant Agreement Letter*. If the Subgrantee initially decides to participate in a procedure and later (prior to signing the *Fixed Subgrant Agreement Letter*) decides to not participate, the PACL must record this in the CMF. Once a Subgrantee agrees to a fixed subgrant, it cannot revert back to the standard procedure of receiving reimbursement based on actual costs as defined in Title 44 CFR 206.205(b).

Validation of Subgrantee Provided Estimates

When a Subgrantee prepares its own estimate, it should provide the estimate to the PACL no later than 30 days prior to the nine (9)-month deadline to agree to an estimate. FEMA will validate the Subgrantee provided estimate within 30 days of receipt of the estimate. Refer to the *Public Assistance Alternative Procedures Cost Estimate Validation Job Aid* for additional information on Subgrantee cost estimates.

When the Subgrantee provided estimate meets the requirements of the validation, the PACL will attach the estimate to the subgrant. If the Subgrantee provided estimate does not meet the requirements of the validation, the PACL should meet with the Subgrantee to discuss and resolve. The PACL must record the reason the estimate was not accepted in the General Comments section of the Subgrant.

Expert Panel Validation

When a Subgrantee wishes to request a review by the Expert Panel, the Subgrantee will submit a written request through the Grantee specifying the facility name with the detailed estimate for the total project cost and attach all supporting documentation. The request must be submitted prior to FEMA's obligation of funding for the project. The Grantee will forward the request with all

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attachments to FEMA as soon as possible [no later than one (1) week] after receiving the Subgrantee's request. FEMA must receive the request no later than 30 days prior to the nine (9)-month deadline to agree to an estimate. Once the request is received, FEMA staff will coordinate with the PA Headquarters contracting office. FEMA will not obligate any funding for a subgrant undergoing Expert Panel review until completion of the review.

The Subgrantee will submit the estimate based on unit costs with sufficient detail to allow the Expert Panel to conduct its review.

The Expert Panel will not review estimates based on:

- Lump sum figures (e.g. "Replace bridge, LS, \$1M")
- Estimates without unit costs
- Estimates that contain ineligible work or costs

Upon initial review of the submittal, the Expert Panel will provide a preliminary analysis to FEMA with an estimated date for providing its final analysis. The Expert Panel will identify any necessary information not provided and request it via email directly to the PACL who will work the Grantee and Subgrantee to obtain the information. The Subgrantee must provide all requested information within two (2) weeks of the request unless additional time is authorized.

FEMA will attach the estimate and the Expert Panel's Report to the subgrant noting:

- Date the Subgrantee requested expert panel review
- Date the estimate was provided to the expert panel
- Amount of the estimate
- Date the Expert Panel Report was completed

When the Subgrantee agrees to the amount validated by the Expert Panel, the PACL will obtain the Subgrantee's signature on the *Fixed Subgrant Agreement Letter*.

D. Consolidating Fixed Subgrants

After formulating damages into Subgrants with logical groupings and signing the *Fixed Subgrant Agreement Letter*, the Subgrantee may consolidate any of its fixed subgrants.

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If a Subgrantee wishes to consolidate two (2) or more fixed estimate subgrants into one (1) consolidated fixed estimate subgrant, it should submit a written request through the Grantee to FEMA and must be consolidated no later than one (1) year from the declaration date (or by May 20, 2014, if the request is from a disaster declared prior to May 20, 2013). The request must include the Subgrantee's identification of the fixed subgrants to be consolidated into a single subgrant to include any additions/changes to the original scope of work (SOW) that may trigger additional Environmental and Historic Preservation (EHP) review.

Upon receipt of the request, FEMA will consolidate the Subgrantee's identified fixed subgrants as follows:

- Select the fixed subgrant with the most largest dollar amount of those identified by the Subgrantee for consolidation.
- Using site sheets in EMMIE, FEMA will transfer the damage descriptions, SOW (including any changes in the SOW) and costs of the remaining fixed subgrants identified for consolidation. FEMA will de-obligate each fixed subgrant that is now part of the consolidated subgrant.

Once a fixed subgrant is consolidated with another fixed subgrant, it cannot be removed from the consolidated subgrant.

E. Alternate Projects and Changes in SOW on Fixed Subgrants

When a Subgrantee wishes to use fixed subgrant funds for an alternate project, it should notify FEMA in writing, through the Grantee. Additionally, when any changes to the SOW might trigger additional EHP review, the Subgrantee is responsible for notifying FEMA, through the Grantee. In both cases, the requests should include a detailed description of the proposed SOW. FEMA will prepare a \$0.00 version to capture the proposed SOW and review it for compliance with EHP laws and regulations. If construction is initiated prior to EHP clearance, funding may be jeopardized.

F. Use of Excess Funds (Underruns)

When a Subgrantee completes a project funded through a fixed subgrant, it will provide an accounting of actual costs to FEMA, through the Grantee, within 90 days of completing the

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project. If there are excess funds, the Subgrantee will include its proposed SOW tied to the use of the excess funds along with a project timeline. FEMA will de-obligate the excess funds and process a new subgrant defining the proposed SOW and will review it for compliance with the requirements in the *Public Assistance Program Alternative Procedures Pilot Program Guide* and EHP laws and regulations. FEMA will evaluate the proposed timeline and document the approved period-of-performance upon approval and obligation of the excess funds subgrant.

G. Quality Control Reviews

In order to ensure FEMA is able to capture data on the utilization of the alternative procedures, it is critical that data be entered in a consistent manner. PACLs, Task Force Leaders and other staff conducting initial and final reviews must conduct a quality control review to ensure that the information is being captured properly.

This review should include the following:

- CMF indicates participation/non-participation in the alternative procedures
- Only national cost codes are used
- Cost codes are used appropriately
- Costs are assigned to the proper cost code
- Attachments are properly uploaded to the CMF and subgrant
- Fixed estimate agreement is attached and signed
- Subgrantee's written request for a consolidated fixed estimate subgrant

APPENDICES

Appendix A – Standard Comments for Permanent Work Pilot

Appendix B – Application of Permanent Work Pilot Cost Codes

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APPENDIX – A

Standard Comments for Permanent Work Pilot

Standard Comment Number:	Standard General Comment:
12	Grant Conditions for Single Fixed Estimate Subgrant: Subgrantee agrees to fund any cost overrun associated with completion of the approved Scope of Work.
13	Grant Conditions for Consolidated Fixed Estimate: Additional subgrants can be included in this consolidation during the 12 months following the date of declaration. Subgrantee agrees to fund any overrun associated with completion of the work.
14	Use of Excess Funds (De-obligation from original PW): The Subgrantee has provided a final accounting of its expenditures to complete this project. The total funds expended are less than the funding provided in the fixed estimate. In accordance with the alternative procedures, the Subgrantee can use these funds for eligible actions as defined in the <i>Public Assistance Alternative Procedures Pilot Program Guide for Permanent Work</i> . The excess funds are being deobligated on this project and reobligated on a PW using the same Project Number. The scope of work associated with the use of these funds are captured in the new PW and will be reviewed for program and EHP compliance.
15	Use of Excess Funds (New PW): The Subgrantee can use these excess funds for eligible actions as defined in the <i>Public Assistance Program Alternative Procedures Pilot Program Guide for Permanent Work</i> . The excess funds obligated on this PW have been deobligated from the original PW. The approved use of these funds is documented in the Scope of Work. The Subgrantee must notify FEMA through the Grantee of any changes to the intended use of these to ensure program and EHP compliance.
16	Cost Estimate Validation: The Subgrantee provided the estimate for this PW. FEMA validated the estimate and found it to be reasonable for the work to be performed.
17	Expert Panel Review: The Expert Panel validated the estimate included on this PW. The project estimate and Expert Panel Report are attached to the PW.
18	De-obligation of Fixed Estimate Subgrant: The Subgrantee has indicated that it wants to transfer this PW to a Consolidated Fixed Estimate PW.

APPENDIX – B

Application of Permanent Work Pilot Cost Codes

Examples of various combinations of the Permanent Work Pilot cost codes are shown below.

Cost Estimate Format (CEF): When FEMA prepares a cost estimate using CEF, cost code 9000 will be used to capture the costs. Cost code 9201 must be used to indicate that the Subgrantee has agreed to a fixed estimate. Standard Comment 12 must be noted in any subgrant that the Subgrantee has agreed to a fixed estimate.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9000	<i>CEF Cost Estimate</i>	1/LS	\$Cost	\$Cost
9201	<i>PAAP Fixed Estimate</i>	1/LS	N/A	N/A
		Total		\$Costs

Subgrantee Provided Estimate: When a Subgrantee provides an estimate that FEMA has validated and accepted, the cost of the estimate must be captured using cost code 9204. Standard Comment 16 must be noted for all subgrants that include a Subgrantee provided estimate that FEMA validated and accepted.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9204	<i>PAAP Subgrantee Provided Estimate</i>	1/LS	\$Cost	\$Cost
9201	<i>PAAP Fixed Estimate</i>	1/LS	N/A	N/A
		Total		\$Costs

Expert Panel Validated Estimate: Cost code 9205 must be used to indicate that the Expert Panel validated the cost estimate. Cost code 9201 must be used to capture the costs and indicate the Subgrantee agreed to a fixed subgrant. Standard Comment 17 must be noted on all subgrants that include an estimate validated by the Expert Panel.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9204	<i>PAAP Subgrantee Provided Estimate</i>	1/LS	\$Cost	\$Cost
9205	<i>PAAP Expert Panel Estimate Validation</i>	1/LS	N/A	N/A
9201	<i>PAAP Fixed Estimate</i>	1/LS	N/A	N/A
		Total		\$Costs

Change in SOW on a Fixed Subgrant:

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9999	Amendment 2	1/LS	N/A	N/A
9210	PAAP Change in SOW	1/LS	N/A	N/A
		Total		\$0.00

Fixed Subgrant Alternate Project: Cost code 9206 must be used to indicate use of the alternate project alternative procedure. When entering the change request for the alternate project version, ensure that “neither” is checked for the “Project Type” section; do not check “alternate project”.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9000	<i>CEF Cost Estimate</i>	1/LS	\$Cost	\$Cost
9201	<i>PAAP Fixed Estimate</i>	1/LS	N/A	N/A
0000	Amendment 1	1/LS	N/A	N/A
9206	<i>PAAP Elimination of Alternate Project Reduction</i>	1/LS	N/A	N/A
		Total		\$Costs

Excess Funds: FEMA will de-obligate the excess amount using cost code 9208 and transfer it to a new subgrant. Standard Comment 14 must be noted in any subgrant where FEMA de-obligates excess funds.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
0000	Amendment 1	1/LS	N/A	N/A
9208	<i>PAAP Deobligation of Excess Funds</i>	1/LS	(\$Cost)	(\$Cost)
		Total		\$Costs

FEMA will obligate the excess funds on a new subgrant using cost code 9207. The category of work, standard project number/title, and reference number remain the same as the original subgrant. The “Application Title” should state “Alternative Procedures (Use of Excess Funds)”. Standard Comment 15 must be used on any PW that uses excess funds.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9207	<i>PAAP Excess Funds</i>	1/LS	\$Cost	\$Cost
		Total		\$Costs

Consolidated Fixed Subgrants

De-obligation of Fixed Subgrant for Consolidation: Cost code 9209 must be used to indicate the fixed estimate subgrant is being de-obligated for the purpose of consolidating it with another subgrant. Standard Comment 18 must be noted on any subgrant that de-obligates funds from fixed estimate subgrant for inclusion in a consolidated fixed estimate subgrant.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
0000	Amendment 1	1/LS	N/A	N/A
9000	<i>CEF Cost Estimate</i>	1/LS	(\$Cost)	(\$Cost)
9209	<i>PAAP Deobligated for consolidation</i>	1/LS	N/A	N/A
		Total		\$Costs

Establishing the Consolidated Fixed Subgrant: Cost code 9202 must be used to capture the costs for each subgrant that is added to a consolidated subgrant. Standard Comment 13 must be noted on any consolidated fixed subgrant.

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
0000	Amendment 0	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	\$Cost	\$Cost
9201	PAAP Fixed Estimate	1/LS	N/A	N/A
0000	Amendment 1	1/LS	N/A	N/A
9999	Site 1: Fixed Estimate Amendment 0	1/LS	N/A	N/A
9209	PAAP Deobligated for consolidation	1/LS	N/A	N/A
9202	PAAP Consolidated Fixed Estimate	1/LS	N/A	N/A
9999	Site 2: Fixed Estimate PW #	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	\$Cost	\$Cost
9202	PAAP Consolidated Fixed Estimate	1/LS	N/A	N/A
9999	Site 3: Fixed Estimate PW #	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	\$Cost	\$Cost
9202	PAAP Consolidated Fixed Estimate	1/LS	N/A	N/A
		Total		\$Costs

Mitigation on a Consolidated Fixed Subgrant: When consolidating a subgrant that includes hazard mitigation funds, the mitigation costs must be de-obligated and carried over as a separate line item to the consolidated subgrant to track any mitigation funds approved on the consolidated subgrant.

De-obligation of Fixed Estimate Subgrant for Consolidation (Mitigation Example):

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9999	Amendment 1	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	(\$Cost)	(\$Cost)
0909	Mitigation	1/LS	(\$Cost)	(\$Cost)
9209	PAAP Deobligated for Consolidation	1/LS	N/A	N/A
		Total		\$Costs

New Consolidated Fixed Estimate Subgrant (Mitigation Example):

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
0000	Amendment 0	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	\$Cost	\$Cost
9201	PAAP Fixed Estimate	1/LS	N/A	N/A
0909	Mitigation	1/LS	\$Cost	\$Cost
0000	Amendment 1	1/LS	N/A	N/A
9999	Site 1: PAAP Fixed Estimate Amendment 0	1/LS	N/A	N/A
9202	PAAP Consolidated Fixed Estimate	1/LS	N/A	N/A
9209	PAAP Deobligated for Consolidation	1/LS	N/A	N/A
9999	Site 2: Fixed Estimate PW #	1/LS	N/A	N/A

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9000	<i>CEF Cost Estimate</i>	1/LS	\$Cost	\$Cost
9202	<i>PAAP Consolidated Fixed Estimate</i>	1/LS	N/A	N/A
0909	Mitigation	1/LS	\$Cost	\$Cost
		Total		\$Costs

Insurance on a Consolidated Fixed Subgrant: When consolidating a subgrant with an insurance reduction, the insurance reduction must be added back into the subgrant so that the entire amount is carried over to the consolidated subgrant and the insurance deduction is accounted for on the consolidated subgrant. Cost code 5901 is used with a positive value.

De-obligation of Fixed Estimate Subgrant for Consolidation (Insurance Example):

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
9999	Amendment 1	1/LS	N/A	N/A
9000	<i>CEF Cost Estimate</i>	1/LS	(\$Cost)	(\$Cost)
5901	Deduct Anticipated Insurance Proceeds	1/LS	\$Cost	\$Cost
9209	<i>PAAP Deobligated for Consolidation</i>	1/LS	N/A	N/A
		Total		\$Costs

New Consolidated Fixed Estimate Subgrant (Insurance Example):

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
0000	Amendment 0	1/LS	N/A	N/A
9201	<i>PAAP Fixed Estimate</i>	1/LS	N/A	N/A
9000	<i>CEF Cost Estimate</i>	1/LS	\$Cost	\$Cost
0000	Amendment 1	1/LS	N/A	N/A
9999	<i>Site 1: Fixed Estimate Amendment 0</i>	1/LS	N/A	N/A
9209	<i>PAAP Deobligated for consolidation</i>	1/LS	N/A	N/A
9202	<i>PAAP Consolidated Fixed Estimate</i>	1/LS	N/A	N/A
9999	<i>Site 2: PAAP Fixed Estimate PW #</i>	1/LS	N/A	N/A
9000	<i>CEF Cost Estimate</i>	1/LS	\$Cost	\$Cost
5901	<i>Deduct Anticipated Insurance Proceeds</i>	1/LS	(\$Cost)	(\$Cost)
9202	<i>PAAP Consolidated Fixed Estimate</i>	1/LS	N/A	N/A
9999	<i>Site 3: Fixed Estimate PW #</i>	1/LS	N/A	N/A
9000	<i>CEF Cost Estimate</i>	1/LS	\$Cost	\$Cost
5901	<i>Deduct Anticipated Insurance Proceeds</i>	1/LS	(\$Cost)	(\$Cost)
9202	<i>PAAP Consolidated Fixed Estimate</i>	1/LS	N/A	N/A
		Total		\$Costs

Example Consolidated Fixed Estimate Subgrant

Project Description	
Disaster Number:	4125
Pre-Application Number:	PA-08-SD-4125-RPA-0010
Applicant ID:	014-49211-00
Applicant Name:	MOORE
Subdivision:	
Project Number:	MOO1ARP
Standard Project Number/Title:	520 – Repair Damages to Public Buildings and Facilities Alternative Procedures
Please Indicate the Project Type:	Neither Alternate nor Improved
Application Title:	
Category:	E
Percentage Work Completed?	0.0 %
As of Date:	07-04-2013

Cost Code	Narrative	Quantity / Unit	Unit Price	Cost
0000	Amendment 0	1/LS	N/A	N/A
9201	PAAP Fixed Estimate	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	\$Cost	\$Cost
5901	Deduct Anticipated Insurance Proceeds	1/LS	(\$Cost)	(\$Cost)
0909	Mitigation	1/LS	\$Cost	\$Cost
0000	Amendment 1	1/LS	N/A	N/A
9999	Site 1: Fixed Estimate Amendment 0	1/LS	N/A	N/A
9209	PAAP Deobligated for consolidation	1/LS	N/A	N/A
9202	PAAP Consolidated Fixed Estimate	1/LS	N/A	N/A
9999	Site 2: PAAP Fixed Estimate PW #	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	\$Cost	\$Cost
5901	Deduct Anticipated Insurance Proceeds	1/LS	(\$Cost)	(\$Cost)
0909	Mitigation	1/LS	\$Cost	\$Cost
9202	PAAP Consolidated Fixed Estimate	1/LS	N/A	N/A
9999	Site 3: Fixed Estimate PW #	1/LS	N/A	N/A
9000	CEF Cost Estimate	1/LS	\$Cost	\$Cost
5901	Deduct Anticipated Insurance Proceeds	1/LS	(\$Cost)	(\$Cost)
0909	Mitigation	1/LS	\$Cost	\$Cost
9202	PAAP Consolidated Fixed Estimate	1/LS	N/A	N/A
	Total	1/LS	\$Cost	\$Cost