

# PUBLIC ASSISTANCE ALTERNATIVE PROCEDURES PILOT PROGRAM



# FEMA

## Fact Sheet

On January 29, 2013, President Obama signed into law the Sandy Recovery Improvement Act of 2013 (now Public Law 113-2) which amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act and authorizes alternative procedures for the Public Assistance (PA) Program (section 428). FEMA is currently implementing these new authorities as pilot programs.

### ***Alternative Procedures Pilot Program for Debris Removal***

- The Public Assistance alternative procedures pilot program for debris includes the following provisions:
  - **Accelerated Debris Removal Incentive (Sliding Scale)**

<b>Debris Removal Completed (Days from Start of Incident Period)</b>	<b>Federal Cost Share</b>
0-30	85%
31-90	80%
91-180	75%
Federal dollars will NOT be provided for debris removal after 180 days (unless an extension is granted by FEMA)	

- **Retaining Recycling Revenues**
- **Reimbursement for Straight Time Force Account Labor**
- **One-Time Incentive for Debris Management Plans**
- The *Public Assistance Alternative Procedures Pilot Program Guide for Debris Removal* provides additional guidance on the pilot program.
- The debris removal pilot is available to any subrecipient in major disasters or emergencies declared on or after June 28, 2013, until the end of the pilot program period.
- The pilot program for debris removal is voluntary.
- Debris removal pilot procedures can be used individually or with any other pilot procedures.
- For incidents declared between June 28, 2013, and June 27, 2014, the alternative procedures are for large projects only with the exception of reimbursement for straight time force account labor which can be applied to both small and large projects. For disasters and emergencies declared on or after June 28, 2014, all of the debris removal alternative procedures can be applied to both small and large projects. Small projects, with the exception of those using the Accelerated Debris Removal--Increased Federal Cost Share

# PUBLIC ASSISTANCE ALTERNATIVE PROCEDURES PILOT PROGRAM



# FEMA

(Sliding Scale) alternative procedure, will be processed using the Simplified Procedures authorized by section 422 of the Stafford Act..

- FEMA is not implementing debris removal subawards based on fixed estimates at this time.

## ***Alternative Procedures Pilot Program for Permanent Work***

- The Public Assistance alternative procedures pilot program for permanent work includes the following provisions:
  - **Federal Awards Based on Fixed Estimates**
  - **Consolidation of Multiple Fixed Estimate Subawards into a Single Subaward**
  - **Use of Excess Funds for Allowable Activities**
  - **Elimination of the Alternate Project Cost Share Reduction (for in-lieu contributions)**
  - **Acceptance of Subrecipient Cost Estimates**
  - **Referral of Cost Estimates to an Expert Panel (subawards over \$5M federal share)**
- The *Public Assistance Alternative Procedures Pilot Program Guide for Permanent Work* provides additional guidance on the pilot program.
- The pilot program for permanent work is available in major disasters declared on or after May 20, 2013. It may also be applied to projects in major disasters declared prior to May 20, 2013, where construction (to include demolition and site preparation) on that project has not yet begun.
- The pilot program for permanent work is voluntary.
- The pilot procedures are available for large projects only, and a subrecipient may choose to include some or all of their large projects in the pilot.
- For a permanent work project to be eligible for the pilot, the subrecipient must agree to a subgrant based on a fixed estimate.
- A subrecipient has nine months from the date of declaration to agree to the fixed estimate amount and twelve months to consolidate any of its fixed estimate subawards.

## ***Special Considerations and Federal Awards Management***

- FEMA must ensure compliance with environmental and historic preservation requirements.
- Insurance reductions will be included in the fixed estimate and will only be adjusted further if a subrecipient receives more/less funds than originally anticipated.
- Section 406 hazard mitigation may be included in the fixed estimate subawards for permanent work (see *Public Assistance Alternative Procedures Pilot Program Guide for Permanent Work* for more information).
- Work must be completed within regulatory timeframes and progress reports submitted.

# PUBLIC ASSISTANCE ALTERNATIVE PROCEDURES PILOT PROGRAM



# FEMA

- Contracts must be procured in accordance with federal standards (44 CFR Part 13, for subawards made prior to December 26, 2014; and 2 CFR Part 200 for subawards made on or after December 26, 2014).
- Funding is subject to audit and financial accountability.

**Additional Information is available at:** <http://www.fema.gov/alternative-procedures>