





## Program Overview

The Public Assistance (PA) Program provides federal disaster assistance to state and local government organizations for debris removal, emergency protective measures and the permanent restoration of public facilities, as a result of a major disaster or emergency declaration made by the President. Assistance may also be provided to certain private non-profit (PNP) organizations that provide services of a governmental nature.

The Public Assistance Program is administered by the Illinois Emergency Management Agency (IEMA), as the recipient for the state of Illinois. Eligible organizations for the program are considered subrecipients and commonly referred to as applicants.

## Program Authority

The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (P.L. 93-288, as amended) authorizes the delivery of federal assistance following a declaration of a major disaster or emergency by the President. A major disaster is defined by 44 Code of Federal Regulations (CFR), 206.2 as:

“Any natural catastrophe..., or regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.”

An emergency is defined by 44 CFR, 206.2 as:

“Any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement state and local efforts and capabilities to save lives and protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.

The basic assumption of federal disaster assistance is that it is a supplement to existing resources. This means that an event must exceed the capabilities of the state and local governments, before federal assistance will be available.

## Declaration Process

*Major Disaster Declaration.* When a catastrophe occurs in a state, the Governor may request a major disaster declaration. After a disaster incident, a preliminary damage assessment (PDA) is conducted by teams of federal, state and local representatives. The information from this PDA is used to determine the extent of the damage and types of federal assistance that are needed, and serves as the basis of the Governor’s request for a declaration of a major disaster by the President.

*Emergency Declaration.* When an incident occurs or threatens to occur in a state, which would not qualify under the definition of a major disaster, the Governor may request that the President declare an emergency. The request must contain basic information on the need for the emergency declaration and what steps have been already taken to save lives, protect property, public health and safety, or to lessen or avert the threat of a disaster.

*Request Processing.* When all of the information has been collected, it is reviewed by IEMA to determine if a major disaster or emergency declaration should be requested. If it is determined that a declaration of a

major disaster or emergency is warranted, the Governor's letter of request is prepared, signed by the Governor and forwarded to FEMA, Region V. The FEMA Regional Administrator then makes a recommendation on the Governor's letter of request and forwards it to the FEMA Administrator. The FEMA Administrator then makes a recommendation on the Governor's letter of request and forwards it to the President. The President makes the decision whether to declare a major disaster or emergency. Once a declaration is made, FEMA designates the areas eligible for assistance and the types of assistance to be made available.

*Declaration Officials.* Upon a declaration of a major disaster or emergency by the President, the FEMA Administrator appoints a Federal Coordinating Officer (FCO) to assure that federal assistance is provided in accordance with the declaration and applicable statute, regulation and policy. At the same time, the Governor appoints a State Coordinating Officer (SCO) to coordinate state assistance efforts and a Governor's Authorized Representative (GAR) to administer federal assistance programs on behalf of the state.

*FEMA-State Agreement.* The FEMA-State Agreement is finalized immediately after a declaration of a major disaster or emergency and serves as a formal legal document stating the understandings, commitments, and binding conditions for assistance between FEMA and the state. The terms can include, but are not limited to: areas affected, percentage of federal participation, appointment of disaster officials and the incident period of the disaster.

## Applicant's Briefings

Applicant's briefings will be conducted by the IEMA Public Assistance staff with the assistance of FEMA Public Assistance Program staff. All potential applicant organizations will be invited to attend the applicant's briefings. The briefings will consist of an overview of the requirements of the PA Program and a hands-on session of completing the required application forms. Completed application forms may be submitted at the end of the applicant's briefing.

## Application Process

### 1. Federal Application

All applicant organizations must complete and submit a FEMA Form 009-0-49, *Request for Public Assistance (RPA)* form to apply for Public Assistance Program funding. On September 17, 2019, FEMA issued a policy memorandum, "Use of Grants Manager and Grants Portal for All Public Assistance Grant Pre-Award Activities", which requires all RPAs to be submitted using the PA Grants Portal (<https://grantee.fema.gov/>). Applicant organizations may complete and submit the RPA form themselves on the PA Grants Portal or complete the RPA form, submit it to IEMA, and IEMA will input the RPA into the PA Grants Portal. Regardless which submission method is used, all RPAs must be submitted to FEMA using the PA Grants Portal within 30 days of the declaration date or designation of the county. A link for the RPA form is included in the Summary of Documents.

### 2. State Application

#### a. Public Assistance Grant Agreement (IEMA Form PA101)

All applicant organizations must complete and submit an IEMA Form PA101, *Public Assistance Grant Agreement* form prior to the release of funding. A subgrant does not exist

between the state and the applicant organization until the *Public Assistance Grant Agreement* is completed and approved by IEMA. This form is a legal document and must be originally signed and dated by the organization's authorized representative. The authorized representative is the chief elected official of the organization (e.g. county board chairman, township supervisor, township road commissioner, mayor, village president, board president). No funding will be provided to an applicant until an IEMA Form PA101, *Public Assistance Grant Agreement* form has been completed and submitted to IEMA by the applicant, and accepted by IEMA. A link for the *Public Assistance Grant Agreement* form is included in the Summary of Documents.

b. Public Assistance Program Risk Assessment (IEMA Form PA108)

Each applicant must complete and submit an IEMA Form PA108, *Public Assistance Program Risk Assessment* form, in accordance with 2 CFR, Part 200.331(b), so that IEMA can determine the level of monitoring necessary during the grant period of performance. The risk assessment includes questions on 1) the subrecipient's prior experience with the same or similar subawards, 2) the results of previous audits, 3) whether the subrecipient has new personnel or new or substantially changed systems, and 4) the extent and results of federal awarding agency monitoring (if the subrecipient receives federal awards directly from a federal awarding agency). Once the *Public Assessment Risk Assessment* form is submitted to IEMA, it will be reviewed and scored to determine the applicant's level of risk. IEMA will adjust the grant monitoring based on the level of risk identified by the assessment. No payments will be processed for an organization until this form is submitted and accepted by IEMA. A link for the *Public Assistance Program Risk Assessment* form is included in the Summary of Documents.

c. Public Assistance Program FFATA Certification (IEMA Form PA109)

Each applicant must complete and submit an IEMA Form PA109, *Public Assistance Program FFATA Certification* form for their organization to certify their status under the Federal Funding Accountability and Transparency Act (FFATA). The FFATA Certification has each applicant answer questions regarding the funding they receive under federal awards and contracts. Additional information on the FFATA requirements is provided in the FFATA section below. No payments will be processed for an organization until this form is submitted and accepted by IEMA. A link for the *Public Assistance Program FFATA Certification* form is included in the Summary of Documents.

3. Special Application Requirements

a. Applicant Name and Federal Employer Identification Number (FEIN)

It is very important that each applicant use its legal organization name on their application forms. A Federal Employer Identification Number (FEIN) is required for the Illinois Office of the Comptroller to process a payment to an organization. When a payment is made to an applicant, the Comptroller checks the FEIN with records from the Internal Revenue Service (IRS). If the information for payment does not match the information associated with the FEIN in the IRS records, the payment will be rejected and the applicant will be required, at a minimum, to complete and submit a *Form W-9* to IEMA to certify the FEIN. If the information still doesn't match the IRS records, the applicant will be required to contact the IRS (phone no. 877-829-5500), update the

organization's information and submit an updated *Form W-9* to IEMA. If an organization has not received a payment from the state of Illinois within the past year, that organization may also be required to complete and submit a *Form W-9* to IEMA to certify your organization's FEIN for the Comptroller. Any of these occurrences will delay payment to your organization. A copy of the *Form W-9* can be obtained on the IRS website at [www.irs.gov](http://www.irs.gov).

b. Federal Funding Accountability and Transparency Act (FFATA)

The Federal Funding Accountability and Transparency Act (FFATA - P.L.109-282, as amended by section 6202(a) of P.L. 110-252) requires the Office of Management and Budget (OMB) to maintain a single, searchable website that contains information on all federal spending awards. That site is at [www.USASpending.gov](http://www.USASpending.gov).

All new federal awards of \$25,000 or more as of October 1, 2010, are subject to FFATA reporting requirements. The FFATA's definition of "federal awards" includes not only prime awards for grants, cooperative agreements, loans, and contracts, but also includes subawards and subcontracts. Prime recipients, such as the state of Illinois, must report subawards of federal grants where the subawards are \$25,000 or more.

FFATA requires specific data be reported for federal awards, including the Data Universal Numbering System (DUNS) number and US House of Representatives district number(s) for the organization. Since your organization may receive \$25,000 or more in Public Assistance Program funding from IEMA, this information must be provided on your organization's *Public Assistance Program Grant Agreement*. If your organization does not have a DUNS number, you must obtain one from <http://fedgov.dnb.com/webform> or call 866-705-5711.

Under FFATA, if during an organization's preceding completed fiscal year, an organization meets the following conditions, the organization must report the names and total compensation levels of the top five executives in the organization to IEMA:

- 1) Received 80 percent or more of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and
- 2) Received \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and
- 3) The public didn't have access to information about the compensation of the executives in your organization through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.

All applicants must have an active registration at the System for Award Management (SAM) that is linked to their DUNS number, so that IEMA can report funding provided to applicants as required by FFATA. IEMA will validate whether each applicant has an active SAM registration by collecting the SAM Periodic Update Requirement Date (PURD), also known as the SAM registration expiration date, on the *Public Assistance Grant Agreement* and checking it on [www.SAM.gov](http://www.SAM.gov). Payments will not be made to an applicant that does not have a valid DUNS number and current SAM registration. It is the subrecipient's responsibility to ensure that their SAM registration is up to date and active. SAM registrations must be updated annually to remain active. For assistance with SAM registration, please contact the Federal Service Desk at [www.fsd.gov](http://www.fsd.gov) or by

telephone at 866-606-8220.

c. Grant Accountability and Transparency Act (GATA)

The Grant Accountability and Transparency Act (30 ILCS 708/1 et seq.) is legislation that adopts the federal grant guidance and regulations codified at 2 CFR Part 200 (Uniform Requirements). The Grant Accountability and Transparency Unit (GATU) has been established in the Governor's Office of Management and Budget and is charged with implementation of the Act in coordination with state grant-making agencies and grantees.

After a review of the Public Assistance Program process and requirements, the Governor's Compliance Office has exempted the Program from the Uniform Guidance and GATA because IEMA acts as the federal government's conduit within the state of Illinois for the awards under this Program. Applicants under the Public Assistance Program must still comply with all other program requirements, including 2 CFR, Part 200.

d. Private Non-Profit (PNP) Organizations

PNP organizations must complete and submit a FEMA Form 009-0-121, *PNP Facility Questionnaire*, for each facility where costs will be claimed, as part of their application. A copy of the *PNP Facility Questionnaire* form is included in the Attachments.

Each PNP organization must also submit:

- A current ruling letter from the Internal Revenue Service (IRS) granting tax exemption under sections 501(c), (d), (e) of the Internal Revenue Code or 1954; or documentation from the state substantiating it is a non-revenue producing, non-profit entity organized or doing business under state law, and
- A copy of the organization's charter or by-laws.

The IRS letter and charter/by-laws must be uploaded using the PA Grants Portal or submitted to IEMA as part of the application. No funding can be provided to a PNP organization until these documents are provided and accepted by FEMA.

### Applicant's Agent

The Applicant's Agent is the person authorized by the applicant as the official single point of contact for all Public Assistance Program activities and is responsible for all phases of subgrant administration. The Applicant's Agent is designated by the applicant's authorized representative on the *Public Assistance Grant Agreement*. In some cases, the designation of the Applicant's Agent may require the adoption of an ordinance or resolution by the governing body of the applicant.

If the applicant needs to change their Applicant's Agent, they must submit an IEMA Form PA105, *Change of Applicant's Agent* form to IEMA. A copy of the *Change of Applicant's Agent* form is included in the Attachments.

### Applicant Eligibility

The following organizations are eligible to apply for Public Assistance Program funding:

Organization Type	Examples
State Government	Departments, Agencies, Boards, Commissions, Authorities, Universities

Local Government	Counties, Townships, Cities, Villages, School Districts, Special Districts
Private Non-Profit	Organizations that own or operate a PNP facility as defined in 44 CFR, 206.221. To be eligible for assistance, PNP organizations must provide services of a governmental nature. Some examples of facilities that are typically eligible to apply for assistance include: hospitals, nursing homes, primary and secondary schools, utility cooperatives, churches, museums, zoos, homeless shelters, senior citizen centers and sheltered workshops. Each PNP applicant will be evaluated by FEMA on a case-by-case basis for eligibility.
Indian Tribes & Tribal Organizations	

Eligible Private Non-Profit (PNP) organizations seeking assistance for the permanent repair and restoration of their facilities may apply for assistance according to the following requirements, depending on whether the facility provides critical services:

- For PNP facilities that provide critical services, PNPs may apply directly for Public Assistance Program funding for the permanent repair and restoration of those facilities. Critical services are defined as power, water, sewer/wastewater, communications, education, emergency medical care and fire protection/emergency services.
- For PNP facilities that don't provide critical services, PNPs must apply to the Small Business Administration (SBA) for a low interest loan for permanent repair and restoration funding for these facilities. SBA may be contacted at [www.sba.gov](http://www.sba.gov) or 800-659-2955.

### FEMA Exploratory Call

Once FEMA has received and accepted an organization's RPA form, a Program Delivery Manager (PDMG) will be assigned to guide the applicant through project development process. The PDMG will conduct an Exploratory Call with assigned applicant representatives to obtain general information about the applicant and its disaster impacts, and to explain next steps. Applicant representatives should be prepared to discuss damages, costs and impacts for their organizations. Applicant representatives will also learn more about the PA Grants Portal, which is the online data base used to manage grant applications and upload required documents to FEMA.

### Recovery Scoping Meeting (formerly Kickoff Meeting)

The PDMG will contact each applicant within 21 days of the exploratory call to conduct a Recovery Scoping Meeting. During the meeting, the PDMG and applicant will have an in depth discussion on damages and costs, develop a list of projects and compile any documentation the applicant may have at that time. Applicants have 60 days after the Recovery Scoping Meeting to identify and report damages to FEMA, in accordance with 44 CFR, 206.203(d)(ii). After the meeting, the applicant and the PDMG should agree to weekly status meetings, until all PW work has been completed.

### Special Considerations (SC)

Special considerations are any insurance, flood plain, CBRA, hazard mitigation, historical or environmental issues relating to a project. To assist in quickly identifying these issues, the applicant will be asked the questions below during the Kickoff Meeting. When special considerations issues have been identified, a Federal PA Technical Specialist (FPATS) will be assigned to the project to interpret and



identify information as it relates to the special considerations. The FPATS will work with the applicant to ensure compliance with applicable laws and regulations.

Issue	Questions
Insurance	<i>Question 1:</i> Does the damaged facility or item of work have insurance and/or is it an insurable risk?
Floodplain	<i>Question 2:</i> Is the damaged facility located within a floodplain or coastal high hazard area, or does it have an impact on a floodplain or wetland?
CBRA	<i>Question 3:</i> Is the damaged facility or item of work located within or adjacent to a Coastal Barrier Resource System Unit or an otherwise protected area?
Hazard Mitigation	<i>Question 4:</i> Will the proposed facility repairs/reconstruction change the pre-disaster condition (footprint, location, capacity, use or function)? <i>Question 5:</i> Does the applicant have a hazard mitigation proposal or would the applicant like technical assistance for developing a possible hazard mitigation proposal?
Historic Preservation	<i>Question 6:</i> 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?
Environmental	<i>Question 7:</i> Are there any pristine or undisturbed areas on or near the project site? Are there large tracts of forest land? <i>Question 8:</i> Are there any hazardous materials at or adjacent to the damaged facility and/or item of work? <i>Question 9:</i> Are there any other environmental or controversial issues associated with the damaged facility and/or item of work? <i>Question 10:</i> Will there be any debris stored or placed outside a certified landfill, or is there any debris stored or placed in a floodplain or wetland?

### Environmental/Historic Preservation (EHP) Requirements

The funding provided under PA is considered to be federal funding and all projects must comply with the various federal EHP requirements, including but not limited to the National Environmental Policy Act and Historic Preservation Act. FEMA, as the grantor agency, must assure compliance with these EHP requirements. If an applicant commences or conducts work on a project and doesn't permit FEMA to review the project work for compliance with the EHP requirements, it could jeopardize funding for the entire project, especially when the location or footprint of a facility is changed. Applicants should contact IEMA if there are EHP issues with a project that need to be resolved. Additional information is available at <https://www.fema.gov/environmental-and-historic-preservation>.

### Insurance Requirements

Prior to approval of assistance for the restoration of an insurable facility or its contents damaged by a major disaster, the eligible costs shall be reduced by the amount of any insurance proceeds received or anticipated, relating to eligible costs. Where an insurable facility damaged by flooding is located in a special flood hazard area (100-year floodplain), identified for more than one year by FEMA, payment for eligible costs will be reduced by the maximum amount of the flood insurance proceeds that the applicant could have received had the building and its contents been fully covered by flood insurance, whether or not any insurance was actually in force. This reduction does not apply to a private non-profit (PNP) facility which could not be insured because it was located in a community not participating in the

National Flood Insurance Program (NFIP). However, the provisions of the Flood Disaster Protection Act of 1973 prohibit approval of assistance for the PNP unless the community agrees to participate in the NFIP within six months after the major disaster declaration date, and the required flood insurance is purchased.

If the PW estimate of eligible costs is greater than \$5,000, the applicant shall, as a condition of receiving disaster assistance, obtain and maintain such types and amounts of insurance as are reasonable and necessary to protect against future loss to such property from the types of hazard that caused the major disaster. The applicant must assure that the required insurance coverage will be maintained for the anticipated life of the restorative work or the insured facility, whichever is lesser. No assistance shall be provided for any facility for which assistance was provided as a result of a previous disaster, unless all insurance required by FEMA as a condition of the previous assistance, has been obtained and maintained.

Additional information on insurance requirements under PA is available at <https://www.fema.gov/media-library-data/1558538632295-d4165531878c8c8795551d3a7665d03e/Public Assistance Insurance Policy FP 206-086-1 6-29-2015.pdf>.

### Work Eligibility

The following eligibility criteria apply to all types of work and all applicants. These three criteria are all required, but there may be additional criteria for specific types of work or facilities.

- The work must be required as the result of the presidentially declared disaster incident.
- The work must be within the designated geographic area.
- The work must be the legal responsibility of an eligible applicant at the time of the declared disaster incident.

### Cost Eligibility

The “Common Rule” for grant administration, 2 CFR, Part 200, Subpart E, establishes general policies for allowable costs that may be claimed for the performance of eligible work. Generally, reasonable costs that can be directly tied to the performance of eligible work will be eligible. This includes all labor, materials and equipment costs for the work, as well as contracts awarded for the performance of eligible work. Labor costs include actual wages paid, straight time and overtime for permanent repair or restoration work only, plus fringe benefits actually paid or credited for personnel on the job and for supervisory personnel administering the eligible work. Salaries of general supervisory personnel who are not normally employed in the field are not eligible, unless they are working full time on the project. For emergency work, labor costs only include actual wages paid for overtime, plus a prorated share of fringe benefits for personnel. The provisions of the Davis-Bacon Act that relate to wages to be paid on federal contracts on public buildings or works, do not apply to state or local contracts using Public Assistance Program funds under the Stafford Act. Applicants are required to comply with the Illinois Prevailing Wage Act (820 ILCS 130/1) regarding labor rates and standards for contracts using Public Assistance Program funds.

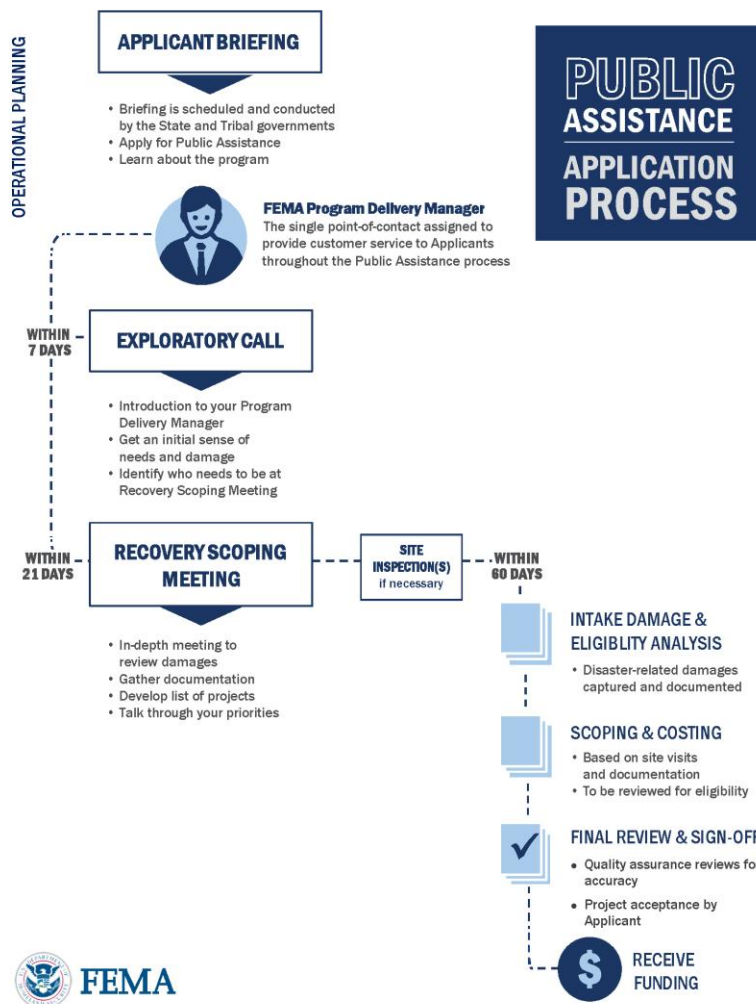
In general, to be eligible for payment, a cost must:

- Be reasonable and necessary to accomplish eligible work.
- Comply with federal, state and local requirements for procurement.
- Not include (or be reduced by) insurance proceeds, salvage value and other credits.

## New Public Assistance (PA) Program Delivery Model

FEMA developed a new delivery model for PA Program delivery and is implementing the model beginning in federal fiscal year 2018 (FFY18). Aspects of the new delivery model will provide better grants management and fiscal responsibility from beginning to end, including:

- Segmenting projects based on complexity and the type of work;
- Standardizing workflow processes, including the development of an on-line PA Grants Manager and Grants Portal technology platform to promote consistency, transparency and accountability;
- Specializing staff roles and responsibilities, matching skill sets with business process requirements to ensure quality; and
- Consolidating subject matter experts in Consolidated Resource Centers (CRC) to improve consistency and accuracy while building agency-wide capacity to support disaster operations nationwide.



FEMA will continue to update and improve the new delivery model as it is implemented. Additional

information is available on the new delivery model at [https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL\\_Updated\\_052418.pdf](https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf).

## PA Grants Portal

A critical component of the new Public Assistance (PA) Program delivery model is standardizing project workflows with improved technology. FEMA has developed the PA Grants Portal as a new information-technology system to request PA and document PA projects in formulation with a seamless transition to grant obligation.

With the PA Grants Portal, applicants now have the ability to account for all activities associated with their damage claims. Unlike in the past, both recipients (states) and applicants can now register to monitor the project development process in parallel with the assigned FEMA Program Delivery Manager (PDMG). Applicants will be able to perform actions included, but not limited to:

- ✓ Complete and update profile information
- ✓ Complete and submit a Request for Public Assistance (RPA)
- ✓ Upload required project documentation
- ✓ Obtain daily oversight of project statuses
- ✓ Approve workflow items for concurrence/acknowledgement
- ✓ Update Essential Elements of Information for projects
- ✓ Notify the assigned Program Delivery Manager of an applicant's actions

Additional information on the PA Grants Portal is available online at [https://www.fema.gov/media-library-data/1574264088858-899401a53ab4c982f7715c1305c5d391/PAGrantManagerandGrantsPortalFactSheet\\_20191119.pdf](https://www.fema.gov/media-library-data/1574264088858-899401a53ab4c982f7715c1305c5d391/PAGrantManagerandGrantsPortalFactSheet_20191119.pdf).

To obtain access to the PA Grants Portal, your organization must register. To receive an invitation to register via email, please contact IEMA at 217-782-8719 or [PA.Grants@illinois.gov](mailto:PA.Grants@illinois.gov).

## Project Worksheets (PWs)

Applicants must identify and report damages to FEMA within 60 days of the Recovery Scoping Meeting, in accordance with 44 CFR, 206.202(d)(ii). Project Worksheets (PWs), also known as Subgrant Applications (SGAs), are prepared to document the work and costs for a project. The development of PWs is coordinated by PDMG, working with the applicant and CRC. In some cases, a State PA Project Specialist (SPAPS) may also participate during the PW development process. When the estimate of work is less than \$3,300.00, such work is not eligible and a PW will not be written. A link for the FEMA Form 90-91, *Project Worksheet (PW)* form is included in the Summary of Documents.

## Small Project Threshold

The classification of small or large projects is based on a small project threshold amount. This amount is adjusted annually to reflect changes in the Consumer Price Index for all Urban Consumers published by

the Department of Labor. The amount established at the time of the declaration remains constant until the declaration is closed.

To be classified as a small project for the federal fiscal year from October 1, 2019, to September 30, 2020, the approved estimate of eligible costs for a project (100%) must be less than \$131,000.00.

### Small Projects

The Stafford Act provides for a small project designation, which is a simplified procedure designed to speed payment of disaster assistance funds to applicants when the cost is below the small project threshold. When the Project Worksheet (PW) estimate of eligible costs for a project is below this threshold, payment of the federal share is based on the PW estimate instead of the actual costs of the work. In most cases, IEMA will provide payment of the full federal share of small projects as promptly as possible after receipt of the approved PWs from FEMA. The federal share payment will not be reduced if the actual cost of the small project is discovered later to be less than the original PW estimate, in accordance with 44 CFR, 206.205. No request for payment needs to be submitted by the applicant for small projects.

### Large Projects

When the PW estimate of eligible costs for a project is equal to or greater than the small project threshold, payment of the federal share is based upon the actual eligible documented costs incurred by the applicant. This means that the applicant must provide actual cost documentation (e.g. bills, invoices, receipts, labor/equipment records, contract documents) to support all project costs claimed.

The PDMG will identify all large projects at the Recovery Scoping Meeting and assign site inspectors to as necessary to compile the documentation for all large projects. IEMA may assign a State PA Project Specialist (SPAPS) to work with the PDMG and site inspectors during the PW development. When all data for the large project has been compiled, the PDMG will submit it to the CRC for final PW development and review. Once the large project PWs are approved by FEMA, the funding is then made available to IEMA to pay the applicant for completed work.

IEMA may reimburse applicants as large project costs are incurred in the completion of eligible work. All large project costs must be supported with actual cost documentation. IEMA can only provide funding to applicants for work/costs included in the approved PW scope of work.

An initial large project payment may be made at the time of PW approval, if any of the work was completed at the time of PW development and cost documentation is submitted with the PW to support the costs. To receive payment for large projects beyond the initial payment, applicants must make requests for payment in accordance with the following provisions:

1. Applicants must complete and submit an IEMA Form PA102, *Request for Payment* form, along with all documentation required to support the eligible costs being claimed. A link for the *Request for Payment* form is included as part of the Attachments.
2. Payments will be made based on the actual costs incurred in the completion of eligible work included in the PW scope of work. Costs incurred must be claimed and certified by the applicant. All costs must be supported with actual cost documentation in accordance with federal regulations and to the satisfaction of IEMA.
3. Payments may be suspended for the failure of the applicant to comply with program requirements

(e.g. Quarterly Progress Reports, procurement, insurance, SAM.gov registration). IEMA also cannot reimburse an applicant for work completed outside of the PW period of performance.

4. All large project PWs must be reconciled and closed by FEMA. Once the large project PW work has been completed, a final *Request for Payment* form must be completed and submitted to IEMA, along with actual documentation to support the costs being claimed. To request the closeout of the large project PW, the applicant must also complete and submit an IEMA Form PA106, *Large Project Closeout Request* form to IEMA. IEMA will review the documentation and forward it to FEMA for final PW reconciliation and closeout. IEMA and/or FEMA may perform a final inspection to verify all of the work has been completed in accordance with Public Assistance Program requirements and PW scope of work. Once FEMA makes a final cost determination and closes the PW, IEMA will process any final payment for the large project PW.

### Quarterly Progress Reports

Applicants that receive more than \$25,000 in grant funding are required to report quarterly on the progress of all the projects approved under their subgrant. To satisfy this requirement, applicants shall complete and submit an IEMA Form PA103, *Quarterly Progress Report* form to IEMA by the 15<sup>th</sup> day of April, July, October and January for the preceding quarter, as a condition of receiving payment for eligible costs. Quarterly progress reports must be submitted until all projects are certified on a report as 100% complete and the full eligible federal share has been reimbursed. Payments may be suspended until quarterly progress reporting requirements are met by the applicant. A link for the *Quarterly Progress Report* form is included in the Summary of Documents.

### Cost Sharing

The Public Assistance Program is a cost sharing program, where the federal share will be at least 75% of the total eligible costs. The non-federal share of eligible costs may be shared between the state and applicants, at the state's discretion. In declarations where the state is not participating in the non-federal cost share, applicants are responsible for the full non-federal portion of eligible costs. State government applicants will not be eligible for reimbursement of the non-federal cost share under any declaration. Any portion of the non-federal share provided by the state will be paid at subgrant closeout.

### Management Costs

The Disaster Recovery Reform Act (DRRA) (PL 105-254) was signed October 5, 2018, and amended Section 324 of the Robert T. Stafford Disaster Relief and Emergency Act to provide management cost funding to Subrecipients (applicants) up to a specific percentage. The DRRA is retroactive to major disasters and emergency declarations made on or after August 1, 2017.

Applicants may request management cost funding for actual reasonable costs to manage their grant, up to a 5% of their final actual eligible project costs, including federal and non-federal cost shares, after insurance and any other reductions. Management cost funding may be requested at subgrant closeout, by completing and submitting an IEMA Form PA110, *Subgrantee Management Cost Request* form and providing actual documentation to support the costs claimed.

Eligible management costs may include costs for the following activities:

- Preliminary Damage Assessments (PDAs)
- Meetings regarding the PA Program or overall PA damage claim

- Organizing PA damage sites into logical groups
- Preparing correspondence
- Site inspections
- Travel expenses
- Developing the detailed site-specific damage description
- Evaluating Section 406 hazard mitigation measures
- Preparing small and large projects
- Reviewing PWs
- Compiling and submitting documentation to support a claim
- Requesting reimbursement for completed PW work
- Training
- PW and subgrant closeout
- Audits

To request subgrantee management cost funding, an applicant must complete and submit an IEMA Form I10, *Subgrantee Management Cost Request* for to IEMA, at subgrant closeout, along with documentation to support all of the costs being claimed. If an IEMA Form PA107, *Subgrant Closeout Certification* is submitted without an IEMA Form PA110, *Subgrantee Management Cost Request* form and cost documentation, it will be assumed the applicant does not desire to claim management costs.

Management costs will not be provided if they are requested after the period of availability has expired. The following is the period of availability for management costs:

- For major disaster declarations, management cost funding for allowable costs is available for a maximum of eight (8) years from the date of declaration or 180 days after the latest performance period of a non-management cost PW, whichever is sooner.
- For emergency declarations, management cost funding for allowable costs is available for a maximum of two (2) years from the date of declaration or 180 days after the latest performance period of a non-management cost PW, whichever is sooner.

Management cost funding is a contribution for eligible costs, and may not fully reimburse the applicant for all of their management costs. Management costs are funded based on actual eligible costs at a 100% federal cost share. All management cost funding requested must be supported with actual cost documentation and requested at subgrant closeout. Management cost funding includes funding for direct and indirect costs. Excess management cost funding may not be retained. FEMA will approve one (1) Category Z PW for the management cost funding and IEMA will provide reimbursement of the appropriate management cost funding amount at subgrant closeout, if requested by the applicant.

### Emergency Work

Emergency work includes removal/disposal of debris and emergency protective measures to save lives, protect improved property and public health and safety, or to avert or lessen the threat of a major disaster.

1. Category A - Debris Removal
  - a. To be eligible for payment, the removal of debris must be necessary to do one of the following:
    - 1) Eliminate immediate threats to lives, public health and safety;

- 2) Eliminate immediate threats of significant damage to improved public or private property; or,
  - 3) Ensure economic recovery of the affected community to the benefit of the community-at-large.
- b. In general, debris that is on public property must be removed to allow continued safe operation of governmental functions and would therefore be eligible under one of the first two criteria listed above. However, not all public property clearance will be eligible if it does not directly satisfy one of the above criteria.
  - c. Debris removal from private property is the responsibility of the individual property owner, aided by insurance settlements and assistance from volunteer agencies. However, an eligible local or state government may collect and dispose of disaster-related debris placed on the public right-of-way (curb) by private property owners for a limited time period.
2. Category B - Emergency Protective Measures
- a. To be eligible for payment, such activities must be necessary to do one of the following:
    - 1) Eliminate or reduce an immediate threat to life, property, public health or safety; or,
    - 2) Eliminate or reduce an immediate hazard that threatens significant damage to improved public or private property. This work can be funded only when the benefits achieved by the measure are greater than the costs.
  - b. The following are examples of activities that may be eligible:
    - 1) Search and rescue
    - 2) Emergency medical care, to the extent that the local and state government is responsible
    - 3) Emergency mass care and sheltering when such cannot be provided by volunteer agencies
    - 4) Security in the disaster area
    - 5) Providing food, water, medicine and other essential needs at central distribution points for use by local citizens
    - 6) Providing temporary facilities for essential community services
    - 7) Activation and operation of an Emergency Operations Center (EOC) to coordinate and direct the response to a disaster event
    - 8) Demolition and removal of substantially damaged public and private buildings and structures that pose an immediate threat to the safety of the general public
    - 9) Removal of health and safety hazards including disposing of dead animals, pumping of trapped flood waters and insect control. For insect control to be eligible, the Centers for Disease Control (CDC) must investigate the problem and determine that a health hazard exists
    - 10) Construction of emergency protective measures to protect lives or improved property, including temporary levees, sandbagging and bracing
    - 11) Emergency temporary communications
    - 12) Emergency public transportation



## Permanent Work

Permanent work is considered to be repairs or replacement that will restore an eligible facility to its pre-disaster design, with the same capacity as before the declaration. The following items can affect the eligibility of project costs:

### 1. Codes and Standards

When a facility must be repaired or replaced, funding may be provided for upgrades that are necessary to meet specific requirements of current codes and standards. However, this does not mean that funding will be provided to bring a facility into full compliance with current codes and standards. The determination of which codes and standards are applicable to the work is very important in determining eligible work. For an upgrade to be eligible, the code or standard requiring the upgrade must meet the five criteria listed below:

- a. The code or standard must apply to the repair work being performed.
- b. The code or standard must be appropriate to the pre-disaster use of the facility.
- c. The code or standard must be reasonable, formally adopted in writing, and implemented prior to the declaration date, or is a legal federal requirement.
- d. The code or standard must apply uniformly to all facilities of the type being repaired within the applicant's jurisdiction.
- e. The code or standard must have been enforced during the time that it was in effect.

### 2. Engineering and Design Services

Basic engineering and design services necessary to complete eligible work are eligible for funding. Engineering and design services generally fall under the following categories:

- a. Basic engineering required to complete a project, including preliminary design and analysis, final design and construction inspection.
- b. Special services such as land surveying, geotechnical/hydrological investigations, resident engineering services, environmental studies and feasibility studies.
- c. Construction inspections. Some projects do not require engineering and design services, but may require full-time construction inspection services because of unusual situations.

All applicants must properly procure engineering and design services in accordance with 2 CFR, 200.320(f). If an applicant fails to properly procure engineering and design services, they may jeopardize funding associated with those services.

### 3. Hazard Mitigation

In approving grant assistance for restoration of facilities, FEMA is authorized under Section 406 of the Stafford Act to approve cost effective hazard mitigation measures not required by codes and standards, but that will reduce the effects of future disaster or emergency events. A facility that did not sustain damages from a disaster or emergency event is not eligible for Public Assistance Program hazard mitigation funding. Applicants should identify hazard mitigation measures (as special considerations) during the development of their PWs and discuss them with the PDMG during the Recovery Scoping Meeting.

FEMA considers mitigation measures to be cost-effective if any of the following criteria are met:

- The cost of the mitigation measure does not exceed 15 percent of the total eligible repair cost (prior to any insurance reductions) of the facility or facilities for which the mitigation measure applies.
- The mitigation measure is specifically listed in the Public Assistance Program and Policy Guide, Appendix J: Cost-Effective Hazard Mitigation Measures, and the cost of the mitigation measure does not exceed 100 percent of the eligible repair cost (prior to any insurance reductions) of the facility or facilities for which the mitigation measure applies.
- The applicant demonstrates through an acceptable benefit-cost analysis (BCA) methodology that the measure is cost-effective. FEMA's BCA software provides appropriate BCA methodologies.

#### 4. Facility Replacement

To promote the mitigation benefits of new construction standards, a facility is eligible for replacement when repairs cost 50 percent or more of the replacement cost. If repairs to a facility would cost 50 percent or more of the cost of replacing the facility to its pre-disaster design, then the facility is eligible for replacement. "Disaster damage" as defined in 44 CFR, 206.226(d)(1) shall include only costs for the repair of damage and not the costs of any mandatory upgrading of the facility beyond the repair of the damaged elements.

#### 5. Facilities Under Construction

The eligibility of facilities under construction follows the basic eligibility criterion that an item of work must be the responsibility of the applicant to be eligible. Generally, a facility under construction is the responsibility of the contractor until it is accepted by the owner. Since a private contractor is not an eligible applicant, that portion of the facility under contractor's responsibility is not eligible for Public Assistance. Those portions of the facility accepted by the owner (eligible applicant) would be eligible. The entire facility could be eligible if the contract documents place the responsibility on the applicant during the construction process.

#### 6. Equipment Rates

Costs for the use of equipment owned by the applicant may be claimed at an hourly rate for the time the equipment is actually performing eligible work. If an applicant is using reasonable rates that have been established under state guidelines, such rates will be eligible up to a rate of \$75 per hour. Rates in excess of \$75 per hour must be approved by FEMA on a case-by-case basis. When an applicant is using locally developed rates, payment is based on those rates or the FEMA Schedule of Equipment Rates, whichever is lower. If a piece of equipment used by an applicant is not on the FEMA schedule, documentation to justify the requested rate must be submitted for review and approval by FEMA. If the applicant doesn't have established rates for use in its normal day-to-day operations, FEMA rates must be used. A link for the *FEMA Schedule of Equipment Rates* is included in the Summary of Documents.

#### 7. Wage Rates

Applicants must comply with the provisions of the Illinois Prevailing Wage Act (820 ILCS 130/1) regarding the use of wage rates for construction contracts. The provisions of the Davis-Bacon Act (40 U.S.C. 276a-276a-71) do not apply to contracts for work completed using Public Assistance Program funds under the Stafford Act. However, the provisions of the Davis-Bacon Act may apply to contracts let by other federal agencies. If a local government incorporates Davis-Bacon wage rates as part of its normal practice for all contracts, regardless of funding source, then those rates

would be eligible for reimbursement.

8. Miscellaneous Restrictions

The following restrictions apply to all facilities:

- a. The facility must have been in active use prior to the disaster or emergency.
- b. Restoration will be limited to the repairs required to resume the immediate pre-disaster use. For example, if an office building was being used as a storage facility at the time of the disaster, only those repairs necessary for a storage building would be eligible.
- c. The designed capacity of the facility either as originally designed or by later design modifications, will govern the extent of eligible work when a facility is being replaced.
- d. If the replacement of a facility was scheduled to begin within 12 months following the declaration using federal funds, the repair of that facility will not be eligible for Public Assistance Program funding.

9. Permanent Work Categories of Facilities

Category	Type of Facility	Examples
C	Road and Bridge Systems	roads, bridges and associated systems
D	Water Control Facilities	dams, levees, drainage channels and pumping facilities
E	Buildings and Equipment	building structures, contents and all types of equipment
F	Utility Systems	electric distribution, water supply, sanitary and storm sewers
G	Parks, Recreational and Other	facilities or items of work in a park or similar area

**Alternative Procedures – Sandy Recovery Improvement Act (SRIA)**

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 FEMA to implement the alternative procedures through a pilot program. 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.

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
- Providing incentives to a state, 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 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).
- 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 Recipient or Subrecipient 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 Subrecipient, 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).

Before committing to utilize alternative procedures, an applicant should thoroughly read SRIA guides developed by FEMA at: <https://www.fema.gov/alternative-procedures>.

### Other Federal Agencies

Public Assistance Program funds are not generally available for work that another federal agency has the statutory authority to fund. This restriction will apply whether or not the responsible agency has funds at the time the request is made.

Some of the programs administered by other federal agencies require the work to be performed by a contractor that they have hired, so it may be in the best interest of the applicant to wait until they contact

the other federal agency before starting the work. Public Assistance funds will not be provided if the applicant proceeds with the work and by doing this, makes them not eligible for the program administered by the other federal agency.

The following is a list of other federal agencies with statutory authority for work items related to disaster assistance:

- **U.S. Army Corps of Engineers (USACE)** - The USACE has authority under P.L. 84-99 to conduct advance flood preparation measures, flood fighting and rescue operations, and emergency repair and restoration of damaged flood control works. The USACE also has authority to assist in the repair of locally owned and operated flood control works if they meet USACE eligibility criteria. By memorandum of agreement with the Natural Resources Conservation Service (NRCS), the USACE is responsible for repairing works constructed for flood control with drainage areas greater than 400 square miles that meet their criteria.
- **USDA - Natural Resources Conservation Service (NRCS)** - The NRCS has authority under P.L. 95-334 to repair flood control works that is very similar to the USACE for locally owned facilities. However, the NRCS is responsible for repairing flood control works constructed to prevent erosion or damage by erosion with drainage areas less than 400 square miles that meet their criteria.
- **Federal Highway Administration (FHWA)** - The FHWA has authority under 23 CFR, Part 125, the Emergency Relief (ER) Program, to provide assistance for roads and highways on Federal Aid highways throughout the United States. Activation of the ER Program is an independent determination made by the Secretary of Transportation when requested by the Governor and is not automatic when the President declares a major disaster. Frequently, the ER Program is not activated when a major disaster is declared by the President. FEMA is prohibited from granting assistance for permanent repair of Federal Aid highways by the Stafford Act.
- **Department of Education (ED)** - The ED has authority under P.L. 81-815 and 81-874 to grant assistance for the repair of publicly owned primary and secondary schools. Under the policy of deferral to the authority of another federal agency, FEMA would allow ED to fund such repairs. However, under an exception to such policy for educational facilities, by mutual agreement between FEMA and ED, FEMA assumed responsibility for assistance for the repair of all facilities owned by local school districts.
- **Department of Housing and Urban Development (HUD)** - When a Public Housing Authority (PHA) is determined to be an eligible applicant, disaster assistance may be available from both FEMA and HUD. FEMA will provide essential assistance for emergency work, including debris removal, demolition of unsafe structures and any actions necessary to reduce an immediate threat to life, property and public health and safety. In most cases, HUD will provide assistance for permanent restoration costs as authorized by the United States Housing Act of 1937. PHAs that do not qualify for assistance under the Housing Act of 1937 may apply for Public Assistance Program funding for permanent restoration work.

## Procurement

Applicants may use their own procurement procedures, which reflect applicable state and local laws and regulations, provided that the procurement process conforms to federal laws and the standards identified in 2 CFR, Part 200, Subpart D. All procurement for services shall be conducted in a manner providing full and open competition. Applicable state and local procurement standards take precedence over federal

procurement standards, only when they are more stringent than the federal standards. Federal procurement standards take precedence when they are more stringent than the state and local procurement standards, or when no state or local standard exists to address a particular governmental body or organization.

## 1. General Procurement Standards

In general, applicants must:

- Have written procedures for procurement transactions. These procedures must ensure that all solicitations incorporate a clear and accurate description of the technical requirements, identify all requirements that the offerors must fulfill and all factors used in evaluating bids or proposals, and that pre-qualified lists of persons, firms or products are current and include enough qualified sources to ensure maximum open and free competition.
- Maintain written standards of conduct covering conflict of interest and governing the performance of its employees engaged in a procurement selection. Applicants must also maintain written standards of conduct covering organizational conflicts of interest.
- Maintain records sufficient to detail the history of the procurement, including the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and basis for the contract price.
- Not use time and materials contracts unless a determination is made that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk.
- Not select contractors on federal or state de-barred contractor lists.

## 2. State Procurement Standards

### a. Counties (as summarized from 55 ILCS 5/5-1022)

Any purchase by a county with fewer than 2,000,000 inhabitants of services, materials, equipment or supplies in excess of \$30,000, other than professional services, shall be contracted for in one of the following ways:

- 1) By a contract let to the lowest responsible bidder after advertising for bids in a newspaper published within the county or, if no newspaper is published within the county, then a newspaper having general circulation within the county; or
- 2) By a contract let without advertising for bids in the case of an emergency if authorized by the county board.

In determining the lowest responsible bidder, the county board shall take into consideration the qualities of the articles supplied; their conformity with the specifications; their suitability to the requirements of the county, availability of support services; uniqueness of the service, materials, equipment, or supplies as it applies to networked, integrated computer systems; compatibility to existing equipment; and the delivery terms. The county board also may take into consideration whether a bidder is a private enterprise or a state-controlled enterprise and, notwithstanding any other provision of this Section or a lower bid by a state-controlled enterprise, may let a contract to the lowest responsible bidder that is a private enterprise.

### b. Townships (as summarized from 60 ILCS 1/85-30)

Any purchase by a township for services, materials, equipment, or supplies in excess of

\$20,000 (other than professional services) shall be contracted for in one of the following ways:

- 1) By a contract let to the lowest responsible bidder after advertising for bids at least once in a newspaper published within the township, or if no newspaper is published within the township, then in one published within the county, or if no newspaper is published in the county, then in a newspaper having general circulation within the township.
- 2) By a contract let without advertising for bids in the case of an emergency if authorized by the township board.

c. Municipalities (as summarized from 65 ILCS 5/8-9-2)

- 1) In municipalities with a population of less than 500,000, any work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, when the expense thereof will exceed \$25,000, shall be constructed either (1) by a contract let to the lowest responsible bidder after advertising for bids, in the manner prescribed by ordinance, except that any such contract may be entered into by the proper officers without advertising for bids, if authorized by a vote of two-thirds of all the aldermen or trustees then holding office; or (2) in the following manner, if authorized by a vote of two-thirds of all the aldermen or trustees then holding office, to-wit: the commissioner of public works or other proper officers to be designated by ordinance, shall superintend and cause to be carried out the construction of the work or other public improvement and shall employ exclusively for the performance of all manual labor thereon, laborers and artisans whom the municipality shall pay by the day or hour; and all material of the value of \$20,000 and upward used in the construction of the work or other public improvement, shall be purchased by contract let to the lowest responsible bidder in the manner to be prescribed by ordinance.
- 2) In municipalities with a population of 500,000 or more, all purchase orders or contracts of whatever nature, for labor, services or work, the purchase, lease, or sale of personal property, materials, equipment or supplies, involving amounts in excess of \$10,000, made by or on behalf of any such municipality, shall be let by free and open competitive bidding after advertisement, to the lowest responsible bidder, or in the appropriate instance, to the highest responsible bidder, depending upon whether such municipality is to expend or to receive money. All such purchase orders or contracts, as defined above, which shall involve amounts of \$10,000, or less, shall be let in the manner described above whenever practicable, except that such purchase orders or contracts may be let in the open market in a manner calculated to insure the best interests of the public, after solicitation of bids by mail, telephone, or otherwise.

d. Local Government Professional Services Selection Act (as summarized from 50 ILCS 510/)

Local units of government within the State of Illinois must negotiate and enter into contracts for architectural, engineering and land surveying services on the basis of demonstrated competence and qualifications for the type of services required and at fair and reasonable compensation. Whenever a project requiring architectural, engineering or land surveying services is proposed for a local unit of government, the local unit of government shall:

- 1) Mail or e-mail a notice requesting a statement of interest in the specific project to all firms who have a current statement of qualifications and performance data on file with the political subdivision;
- 2) Place an advertisement in a secular English language daily newspaper of general circulation throughout such political subdivision, requesting a statement of interest in the specific project and further requesting statements of qualifications and performance data from those firms which do not have such a statement on file with the political subdivision. Such advertisement shall state the day, hour and place the statement of interest and the statements of qualifications and performance data shall be due; or
- 3) Place an advertisement for professional services on the political subdivision's website requesting a statement of interest in the specific project. The professional services advertisement shall include a description of each project and state the time and place for interested firms to submit its letter of interest, statement of qualifications, and performance data, as required.

Local units of government shall evaluate the firms submitting letters of interest, taking into account qualifications, ability of professional personnel, past record and experience, performance data on file, willingness to meet time requirements, location, workload of the firm, and such other qualifications-based factors as the political subdivision may determine in writing are applicable. The political subdivision may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project, and ability to furnish the required services.

The local unit of government shall prepare a written description of the scope of the proposed services to be used as a basis for negotiations and shall negotiate a contract with the highest qualified firm at compensation that the political subdivision determines in writing to be fair and reasonable. In making this decision, the political subdivision shall take into account the estimated value, scope, complexity and professional nature of the services to be rendered.

A political subdivision may waive these requirements of if it determines, by resolution, that an emergency situation exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than \$25,000.

e. Other Organization Procurement Standards

The procurement standards of other governmental and private non-profit organizations not specifically mentioned above shall be determined as established under the state statute that authorized their organization. If no state requirements exist for an organization, the federal procurement standards included under 2 CFR, Part 200, Subpart D and summarized below, shall establish their minimum standards.

2. Federal Procurement Methods (as summarized from 2 CFR, 200.320)

a. Procurement by Micro-Purchases (under \$10,000)

Procurement by micro-purchases is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the extent practicable, the applicant



must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the applicant considers the price to be reasonable.

b. Procurement by Small Purchase Procedures (\$10,000 - \$250,000)

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies or other property that do not cost more than the Simplified Acquisition Threshold, currently set at \$250,000. If small purchase procedures are used, price or rate quotations shall be obtained from an adequate number of qualified sources.

c. Procurement by Sealed Bids (over \$250,000)

Bids are publicly solicited and a firm fixed-price contract is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction services.

In order for sealed bids to be feasible, the following conditions should be present:

- 1) A complete, adequate and realistic specification or purchase description is available;
- 2) Two or more responsible bidders are willing and able to compete effectively and for the business; and
- 3) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- 1) The invitation for bids will be publically advertised and bids shall be solicited from an adequate number of known suppliers, providing them with sufficient response time prior to the date set for the opening of bids;
- 2) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
- 3) All bids will be publicly opened at the time and place prescribed in the invitation for bids;
- 4) A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
- 5) Any and all bids may be rejected if there is a sound documented reason.

d. Procurement by Competitive Proposals

The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. This procurement method is used when the conditions are not appropriate for sealed bids. This method is not appropriate for construction projects.

If this manner is used for a procurement of services, the following requirements apply:

- 1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- 2) Proposals must be solicited from an adequate number of qualified sources;
- 3) The applicant must have a written method for conducting technical evaluations of the proposals received and selecting recipients;
- 4) Contracts must be awarded to the responsible entity whose proposal is most advantageous to the program, with price and other factors considered; and
- 5) The applicant must use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) services whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable competition. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

e. Procurement by Non-Competitive Proposals

Procurement by non-competitive proposals is a procurement of services, equipment or materials through solicitation of a proposal from one source and may be used only when one or more of the following circumstances apply:

- 1) The item is available from only one source;
- 2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- 3) The federal awarding agency or pass-through entity expressly authorizes non-competitive proposals in response to a written request from the applicant; or
- 4) After solicitation of a number of sources, competition is determined inadequate.

3. Contracting with Small and Minority Businesses, Women's Business Enterprises and Labor Surplus Area Firms (2 CFR, 200.321)

Applicants must take all necessary affirmative steps to assure small and minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

- a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- b. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
- d. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and Minority Business Development Agency of the Department of Commerce; and
- e. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in this section.

4. Bonding Requirements (2 CFR, 200.325) For all construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the minimum bonding requirements shall be as follows:
  - a. *A bid guarantee from each bidder equivalent to five percent of the bid price.* This bid guarantee shall consist of a firm commitment such as a bid bond, certified check or other negotiable instrument accompanying the bid as assurance that the bidder will, upon acceptance of his or her bid, execute such contractual documents as may be required within the time specified.
  - b. *A performance bond on the part of the contractor for 100 percent of the contract price.* A performance bond is executed in connection with a contract to secure fulfillment of all the contractor's obligations under the contract.
  - c. *A payment bond on the part of the contractor for 100 percent of the contract price.* A payment bond is executed in connection with a contract to assure payment as required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.
5. Contract Provisions (2 CFR, 200.326) – All contracts must contain the applicable provisions described in Appendix II, to Part 200-Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

#### Force Account Work

Use of the applicant's own personnel, equipment and materials to perform eligible work is called force account work. Applicants must document their costs using the *Force Account Labor Summary Record*, *Force Account Equipment Summary Record* and *Material Summary Record* forms or use similar applicant records, to document their force account costs. The following are guidelines for the documentation that must be maintained by the applicant for force account work:

1. Labor

- a. General

Force account labor is defined as labor performed by the applicant's employees, rather than by a contractor. Force account labor costs associated with the performance of eligible work may be claimed at an hourly rate. Labor rates include actual wages and fringe benefits paid or credited to employees.

- b. Reassigned Employees

The labor costs for employees assigned to perform tasks that are not part of their normal job is eligible as long as the reassigned employees are performing eligible permanent work. A reassigned employee may have a higher salary than the personnel normally performing the work, but the applicant will only receive payment for the average rate for the employees who normally do that type of work.

- c. Temporary Employees

Temporary employees are extra personnel hired as a direct result of the disaster or emergency to perform eligible work. All reasonable wages paid to temporary employees who perform eligible work are eligible.

d. Regular Time and Overtime

Only overtime labor costs are typically eligible for permanent employees performing debris removal and emergency protective measures work. Regular time labor costs, as defined by the applicant's established policies, are not eligible for debris removal and emergency protective measures work. Both regular time and overtime costs are eligible for employees performing eligible permanent work.

If an applicant chooses to participate in the alternative procedures under the Sandy Recovery Improvement Act (SRIA), then regular time hours for permanent employees performing debris removal may be eligible. However, these are fixed cost PWs where no additional costs may be claimed once the PW is approved.

e. Compensatory Time

If an applicant has a policy for providing compensatory time in place of overtime, payment will be based on that policy. Payment at premium rates for overtime hours is not eligible. Costs for compensatory time are eligible at regular rates, but must be part of the official time-keeping system.

f. Fringe Benefits

Fringe benefits that are paid as part of an established policy are eligible. Because certain items in a benefit package are not dependent on hours worked, such as health insurance, the fringe benefit rate will be different for regular and overtime hours. The overtime fringe benefit rate is usually significantly lower. Use the FEMA Form 90-128, *Applicant's Benefits Calculation Worksheet*, to calculate the appropriate fringe benefit rate for each employee. A copy of the *Applicant's Benefits Calculation Worksheet* is included in the attachments.

2. Equipment

The incurred cost of force account equipment used to perform eligible work is eligible. Costs for use of automobiles and pick-up trucks may be reimbursed on the basis of mileage. For all other types of equipment, costs are reimbursed on an hourly rate. Equipment rates typically include fuel, operation, insurance, depreciation and maintenance. However, the rates do not include the labor costs of the operator. Stand-by time for equipment is not eligible. If an applicant uses equipment intermittently for the majority of the day, use for the entire day may be claimed if adequate documentation is submitted. Equipment that is used for less than half a day is reimbursed only for the hours used.

3. Materials

The cost of supplies that were purchased or taken from an applicant's stock and used during the performance of eligible work is eligible. If available, actual costs for materials should be taken from invoices. If the materials were taken from stock and invoices are not available, costs may be developed from the applicant's historical data or by contacting area vendors.

## Funding Options

The following funding options are designed to give the applicant a greater degree of flexibility with the use of their Public Assistance Program funding:

### 1. Improved Projects

There may be times when an applicant wishes to take advantage of the opportunity presented by the necessary repairs to a damaged facility to make improvements or change the design of the facility. This improvement may be done with no change in the original amount of funding approved for the repairs, if the original function and capacity of the facility remains the same as before the disaster or emergency. This improved project option is available for small or large projects. Any project that results in a significant change from the pre-disaster configuration (e.g. different size, location, footprint or function) must be reviewed and approved by FEMA prior to starting the work to ensure completion of the appropriate environmental and historic review. The applicant must receive approval from IEMA for an improved project before beginning any work on that project.

### 2. Alternate Projects

In any case where an applicant determines that the public welfare would not be best served by restoring a damaged facility or the function of that facility, the applicant may request that IEMA and FEMA approve an alternate project. The alternate project option may be taken only on permanent restorative work. The applicant must receive approval from IEMA and FEMA for an alternate project before starting the project. To request an alternate project the applicant must submit the following information to IEMA:

- a. A description of the proposed alternate project, including but not limited to:
  - 1) A narrative project scope of work
  - 2) Location plan (site location(s) on map)
  - 3) Construction documents (site plan with utilities, floor plan, building section and elevation)
- b. A schedule for the work including projected dates of commencement and completion (in month and days from date of approval).
- c. A detailed cost estimate for the project.

## Cost Overruns

### 1. Small Projects

- a. Since the federal share of small projects is paid to the applicant based on the estimate of eligible costs approved in the PW, a small project overrun will only be considered if there is a net cost overrun for all of the small projects under a subgrant.
- b. Applicants must request a net small project overrun by submitting a written appeal to IEMA within 60 days of the last small project being completed. The appeal must include documentation for all of the small projects to support the costs being claimed and an explanation of the overrun.
- c. IEMA will compare the total final cost of all the small projects to the total amount originally approved for those projects. If the applicant completed the scope of work outlined on the PWs, but spent more to complete all of the projects than was originally approved, IEMA will recommend to FEMA that supplemental funding be provided for the

additional costs. If the total cost for all of the small projects is less than the total amount originally approved for those project, IEMA will not recommend additional funding be provided.

## 2. Large Projects

- a. Applicants must submit a written request for supplemental funding to IEMA for a large project cost overrun. All requests for supplemental funding must include an explanation of the cost overrun and documentation to support the costs being claimed.
- b. IEMA will evaluate each request for supplemental funding on a case-by-case basis and make a recommendation to FEMA. In some cases, FEMA may choose to wait until the project is completed before considering a request for supplemental funding.

## Project Performance

A project period of performance (PoP) is set from the declaration date and applies to all projects approved for Public Assistance Program funding, in accordance with 44 CFR, 206.204. The project periods of performance are as follows:

Category(s) of Work	Type of Work	Project Period of Performance
A	Debris removal	6 months
B	Emergency protective measures	6 months
C-G	Permanent work	18 months

IEMA may extend these project periods of performance based on extenuating circumstances or unusual project requirements beyond the applicant's control. The period of performance for Category A and B projects may be extended an additional six (6) months, with approval of IEMA. The period of performance for Category C-G projects may be extended an additional 30 months, with approval of IEMA.

To obtain an extension of the project performance period, the applicant should complete and submit an IEMA Form PA104, *Time Extension Request* form to IEMA, along with all documentation necessary to justify the extension, at least 30 days in advance of the expiration of the project performance period. A copy of the *Time Extension Request* form is included in the Attachments. Any costs incurred after the project period of performance has expired are not eligible for payment.

## Noncompliance (2 CFR, 200.338)

If an applicant fails to comply with federal statutes, regulations or the terms and conditions of a federal award, FEMA or IEMA may impose additional conditions, as described in 2 CFR, 200.338. If FEMA or IEMA determines that noncompliance cannot be remedied by imposing additional conditions, FEMA or IEMA may take one or more of the following actions, as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the applicant or more severe enforcement action by FEMA or IEMA.
2. Disallow all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the federal award.
4. Initiate suspension or debarment proceedings as authorized under 2 CFR, Part 180 and federal awarding agency regulations.
5. Withhold further federal awards for the project or program.

6. Take other remedies that may be legally available.

IEMA or FEMA may investigate reported program noncompliance and take any necessary action, up to and including termination of the grant, to assure compliance with the terms and conditions of the federal award.

### Appeals (44 CFR, 206.206)

Applicants may appeal determinations made by FEMA. All appeals must be made in writing and 1) contain documented justification supporting the organization's position, 2) specify the monetary figure in dispute, 3) cite provisions in federal law, regulation or policy with which the organization believes the determination was inconsistent, and 4) be submitted to the following address within 60 days of receipt of the determination notification:

Illinois Emergency Management Agency  
Governor's Authorized Representative  
Public Assistance Program  
1035 Outer Park Drive  
Springfield, Illinois 62704-4462

IEMA will review all appeals and make a recommendation to FEMA based on the information provided within 60 days of receipt. There are two levels of appeals within FEMA. The applicant's appeal must be denied at the first level before it can proceed to the second level. At each level, FEMA has 90 days to review the appeal and make a determination. The two levels of appeals are as follows:

1. FEMA Regional Administrator (in Chicago, IL)
2. FEMA Assistant Administrator (in Washington, D.C.)

Submitting an appeal should be a last resort to resolve a grant issue. Please contact IEMA at (217) 782-8719 or [PA.grants@illinois.gov](mailto:PA.grants@illinois.gov) to discuss any pending appeals an organization may be considering.

### Audit and Monitoring Requirements

1. Audits
  - a. Non-federal entities that expend \$750,000 or more in total federal assistance (from all sources) during their fiscal year are required to have an audit performed in accordance with the Single Audit Act of 1984 (as amended) and 2 CFR, Part 200, Subpart F. Applicants must comply with the reporting requirements of 2 CFR, Part 200, Subpart F. If an applicant fails to comply with the reporting requirements, grant payments will be suspended and funding may have to be returned.
  - b. Single audits conducted in accordance with this Section, including any program or regulatory audit requirements, must be completed and the reporting packet described in subsection (h) below, must be submitted by the non-federal entity (grantee/subrecipient) to the Federal Audit Clearing House, as required by Uniform Guidance (UG) section 200.512. The results of peer and external quality control reviews, management letters, AU325 communications and Consolidated Year-End Financial Report (CYEFR) must be submitted to the GATA Grantee Portal. Due date of the submission is the earlier of 30 calendar days after receipt of the auditor's reports or 9 months after the end of the non-federal entity's audit period. If the due date falls on a Saturday, Sunday or State/federal holiday, the reporting packet is due the next business day.

- c. For Single Audit and Program Specific Audit submissions, reporting packet submissions must include:
  - 1) All items identified in Uniform Guidance section 200.512(c);
  - 2) Financial statements and schedule of expenditures of Federal awards discussed in §200.510 Financial statements, paragraphs (b) and (c) above, respectively;
  - 3) Summary schedule of prior audit findings discussed in §200.511 Audit findings follow-up, paragraph (c);
  - 4) Auditor's report(s) discussed in §200.515 Audit reporting;
  - 5) Corrective action plan discussed in §200.511 Audit findings follow-up, paragraph (c);
  - 6) Management letters and AU 325 communication issued by the auditors, and their respective corrective action plans;
  - 7) Consolidated Year-end Financial Report with an 'In Relation To' opinion (if applicable); and
  - 8) A copy of the results of peer and external quality control reviews of the Audit Firm.
- d. For Financial Statement Audit submissions, reporting packet submissions must include:
  - 1) Financial Statements;
  - 2) Summary schedule of Prior Audit Findings;
  - 3) Auditor's report;
  - 4) Corrective Action Plan;
  - 5) Management letters and AU 325 communications issued by the auditors, and their respective corrective action plans;
  - 6) Consolidated Year-end Financial Report with an 'In Relation To' opinion; and
  - 7) A copy of the results of peer and external quality control reviews of the Audit Firm.
- e. Non-Federal Entities that are not required to have an audit conducted are required to submit a Consolidated Year-end Financial Report.
- f. The Catalog of Federal Domestic Assistance (CFDA) number for the Public Assistance Program is 97.036. Auditors will use this CFDA number to perform single audits.
- g. The Catalog of State Financial Assistance (CSFA) number for the Public Assistance Program is 588-00-0448. Auditors will use this CSFA number to perform state audits.

## 2. Monitoring

- a. The risk of each applicant will be assessed by IEMA using the *IEMA Public Assistance Program Risk Assessment* form completed by the applicant during the application process. IEMA will monitor the work completed under PWs in accordance with IEMA Public Assistance Program Subrecipient Monitoring Procedures and the applicant risk level identified.
- b. Applicants may be placed on the state of Illinois Stop Payment List for non-compliance identified during monitoring or audits. Applicants may remain on the Stop Payment List until the non-compliance is corrected or three (3) years, whichever is shorter. Applicants on the Stop Payment List may not be paid by any state agency while they are on the list.

## Subgrant Closeout

Once an applicant has completed all of the work under their subgrant and has been reimbursed the federal share for all projects, an IEMA Form PA107, *Subgrant Closeout Certification*, form should be completed and submitted to IEMA. The form must be originally signed and dated by the Applicant's Agent or



Applicant's Authorized Representative. IEMA will review the form and make any required inspections that may be necessary to determine if the work was completed in compliance with subgrant requirements. If the form has been completed properly and the inspections confirm the work was completed properly, IEMA will issue a closeout letter. The subgrant is considered closed when the applicant receives the closeout letter. In accordance with 2 CFR, 200.333, applicants are required to maintain their subgrant records for at least three (3) years from the date their subgrant is closed. A copy of the *Subgrant Closeout Certification* form is included in the Attachments.

If an applicant wishes to request subgrantee management cost funding, they must complete and submit a IEMA Form PA110, *Subgrantee Management Cost Request* form to IEMA, at subgrant closeout, along with documentation to support the costs being claimed. All subgrantee management costs must be supported with cost documentation. IEMA may only provide subgrantee management cost funding up to 5% of an applicant's total approved costs.

### Correspondence and Information

All application documents, correspondence and requests should be sent to the following address:

Illinois Emergency Management Agency  
Public Assistance Program  
1035 Outer Park Drive  
Springfield, Illinois 62704-4462  
Ph. (217) 782-8719  
Fax (217) 782-8753  
Email: [PA.Grants@illinois.gov](mailto:PA.Grants@illinois.gov)

### References

*Robert T. Stafford Disaster Relief and Emergency Assistance Act*, P.L. 93-288, as amended, <https://www.fema.gov/robert-t-stafford-disaster-relief-and-emergency-assistance-act-public-law-93-288-amended>.

*Disaster Recovery Reform Act of 2018 (DRRA)*, P.L. 105-254, <https://www.fema.gov/disaster-recovery-reform-act-2018>

*Sandy Recovery Improvement Act (SRIA)*, P.L. 113-2, as amended, <https://www.fema.gov/sandy-recovery-improvement-act-2013>

*Code of Federal Regulations (CFR) 44*, Emergency Management and Assistance, National Archives and Records Administration, latest edition, [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44tab_02.tpl).

*Public Assistance Program and Policy Guide*, FP 1-4-009-2, Federal Emergency Management Agency, January 1, 2016, <https://www.fema.gov/public-assistance-policy-and-guidance>.

*Illinois Compiled Statutes (ILCS)*, state of Illinois, latest edition, <http://www.ilga.gov/legislation/ilcs/ilcs.asp>.

*Illinois Public Assistance Program Administrative Plan*, Illinois Emergency Management Agency, latest edition.

## Glossary of Terms and Acronyms

CBRA	Coastal Barrier Resource Act
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CRC	Consolidated Resource Center
CSFA	Catalog of State Financial Assistance
CYEFR	Consolidated Year End Financial Report
DUNS	Data Universal Numbering System
EC	Exploratory Call
ED	U.S. Dept. of Education
FCO	Federal Coordinating Officer
FEIN	Federal Employer Identification Number
FEMA	Federal Emergency Management Agency
FFATA	Federal Funding Accountability and Transparency Act
FFY	Federal Fiscal Year
FHWA	U.S. Federal Highway Administration
FPAGS	Federal PA Group Supervisor
FPATS	Federal PA Technical Specialist
GAGAS	Generally Accepted Government Auditing Standards
GAR	Governor's Authorized Representative
GATA	Grant Accountability and Transparency Act
HUD	U.S. Dept. of Housing and Urban Development
IEMA	Illinois Emergency Management Agency
ILCS	Illinois Compiled Statutes
INF	Immediate Needs Funding
IRS	Internal Revenue Service
NFIP	National Flood Insurance Program
NRCS	USDA Natural Resources Conservation Service
OMB	Office of Management and Budget
PA	Public Assistance
PDA	Preliminary Damage Assessment
PDMG	Program Delivery Manager
PHA	Public Housing Authority
PNP	Private Non-Profit Organization
PoP	Period of Performance
PTE	Pass Through Entity
PURD	Periodic Update Requirement Date
PW	Project Worksheet
RPA	Request for Public Assistance
RSM	Recovery Scoping Meeting
SAM	System for Award Management
SGA	Subgrant Application
SBA	Small Business Administration
SC	Special Considerations
SCO	State Coordinating Officer
SPAGS	State PA Group Supervisor
SPAPS	State PA Project Specialist
UG	Uniform Guidance
USACE	U.S. Army Corps of Engineers
USDA	U.S. Dept. of Agriculture

## Summary of Documents

1. FEMA Form 009-0-49, *Request For Public Assistance (RPA)*. This is the federal form used to apply for Public Assistance Program funding. The form must be completed and submitted to IEMA within 30 days after the Presidential disaster declaration date. No signature is required on this form and it may be mailed, emailed, faxed or called into IEMA. Link: [https://www.fema.gov/media-library-data/1505397829631-758807d2f22ea320a71a74ade429675d/FEMA\\_Form\\_009-0-49\\_RPA\\_508\\_FINAL.pdf](https://www.fema.gov/media-library-data/1505397829631-758807d2f22ea320a71a74ade429675d/FEMA_Form_009-0-49_RPA_508_FINAL.pdf)
2. IEMA Form PA101, *Public Assistance Grant Agreement*. This is a state form which must be completed and submitted to IEMA to be eligible for Public Assistance funding. The agreement is a legal binding document, which establishes the basic requirements of the subgrant. The form provides information on the applicant organization, designates the Applicant's Agent for the subgrant, explains the conditions of the grant and must be originally signed by the Applicant's Authorized Representative (e.g. county board chairman, township supervisor, road commissioner, mayor, village president, board president, etc.). Link: <http://www.illinois.gov/iema/LocalEMA/Documents/PAforms/GrantAgreement.pdf>.
3. IEMA Form PA108, *Public Assistance Program Risk Assessment*. This is a state form which must be completed and submitted to IEMA to be eligible for Public Assistance funding. The form permits IEMA to assess the risk of an applicant organization, so that monitoring can be adjusted the appropriate level of risk for the organization. Link: [https://www.illinois.gov/iema/LocalEMA/Documents/PAforms/PA\\_Risk\\_Assessment.pdf](https://www.illinois.gov/iema/LocalEMA/Documents/PAforms/PA_Risk_Assessment.pdf)
4. IEMA Form PA109, *FFATA Certification*. This is a state form which must be completed and submitted to IEMA to be eligible for Public Assistance funding. The form provides information on an organization's status under the Federal Funding Accountability and Transparency Act (FFATA). IEMA must use this information to report all subawards provided of \$25,000 or more in accordance with FFATA. Link: [https://www.illinois.gov/iema/LocalEMA/Documents/PAforms/PA\\_FFATA\\_Certification.pdf](https://www.illinois.gov/iema/LocalEMA/Documents/PAforms/PA_FFATA_Certification.pdf)
5. Standard Form 424D, *Assurances for Construction Programs*. This is a federal form that establishes the basic federal requirements regarding construction programs. Applicants must comply with the assurances contained within this document as a condition of receiving the grant funds. Link: [https://www.fema.gov/media-library-data/20130726-1856-25045-9508/sf424d\\_assurances\\_construction.pdf](https://www.fema.gov/media-library-data/20130726-1856-25045-9508/sf424d_assurances_construction.pdf).
6. FEMA Form 009-0-91, *Project Worksheet (PW)*. This is a federal form that is used to document damages that occurred as a result of the disaster. Applicants may use this form to develop small project estimates. FEMA Forms 90-91A, 90-91B, 90-91C and 90-91D may be used to support the information on the PW. Links: [https://www.fema.gov/media-library-data/1564166864713-605fc1371614e4827d35769a42edbf59/FEMAForm009-0-91\\_PW.pdf](https://www.fema.gov/media-library-data/1564166864713-605fc1371614e4827d35769a42edbf59/FEMAForm009-0-91_PW.pdf).
7. FEMA Schedule of Equipment Rates. This is a federal form that establishes the FEMA rates for the use of standard equipment. Unless other rates have been established under state guidelines, these rates must be used to prepare applicant PWs. Link: <http://www.fema.gov/schedule-equipment-rates>.

8. FEMA Form 009-0-120, *Special Considerations Questions*, This is a federal form that is used to review the special considerations that may affect a project. A Special Considerations Questions form must be completed for each project under a subgrant. Link: [https://www.fema.gov/media-library-data/1564167876332-c13b3d299d09cd528c466600aab9d4bb/FEMAFForm009-0-120\\_SPECON.pdf](https://www.fema.gov/media-library-data/1564167876332-c13b3d299d09cd528c466600aab9d4bb/FEMAFForm009-0-120_SPECON.pdf).
9. FEMA Form 009-0-121, *PNP Facility Questionnaire*, This is a federal form that must be completed by private non-profit (PNP) organizations to assist FEMA and IEMA in determining the eligibility of a specific PNP facility. One questionnaire must be completed for each PNP facility. Link: [https://www.fema.gov/media-library-data/1564167981892-d51db2f0e9cac461cf4f47b1c721fe25/FEMAFForm009-0-121\\_PNP.pdf](https://www.fema.gov/media-library-data/1564167981892-d51db2f0e9cac461cf4f47b1c721fe25/FEMAFForm009-0-121_PNP.pdf).
10. FEMA Form 009-0-123, *Force Account Labor Summary Record*. This is a federal form used by the applicant to record force account labor costs under the subgrant. This form is typically used by the applicant and/or inspection team to document the force account labor costs incurred by the applicant. Link: [https://www.fema.gov/media-library-data/1525884909451-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009\\_0\\_123\\_FAL.pdf](https://www.fema.gov/media-library-data/1525884909451-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009_0_123_FAL.pdf).
11. FEMA Form 009-0-124, *Materials Summary Record*. This is a federal form used by the applicant to record force account material costs under the subgrant. This form is typically used by the applicant and/or inspection team to document the force account material costs incurred by the applicant. Link: [https://www.fema.gov/media-library-data/1525884928608-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009\\_0\\_124\\_Materials.pdf](https://www.fema.gov/media-library-data/1525884928608-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009_0_124_Materials.pdf).
12. FEMA Form 009-0-125, *Rented Equipment Summary Record*. This is a federal form used by the applicant to record rented equipment costs under the subgrant. This form is typically used by the applicant and/or inspection team to document the rented equipment costs incurred by the applicant. Link: [https://www.fema.gov/media-library-data/1525884946222-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009\\_0\\_125\\_Rented\\_Equipment.pdf](https://www.fema.gov/media-library-data/1525884946222-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009_0_125_Rented_Equipment.pdf).
13. FEMA Form 009-0-126, *Contract Work Summary Record*. This is a federal form used by the applicant to record contract work costs under the subgrant. This form is typically used by the applicant and/or inspection team to document the contractual costs incurred by the applicant. Link: [https://www.fema.gov/media-library-data/1525884957969-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009\\_0\\_126\\_Contract\\_Work.pdf](https://www.fema.gov/media-library-data/1525884957969-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009_0_126_Contract_Work.pdf).
14. FEMA Form, 009-0-127, *Force Account Equipment Summary Record*. This is a federal form used by the applicant to record force account equipment costs under the subgrant. This form is typically used by the applicant and/or inspection team to document the force account equipment costs incurred by the applicant. Link: [https://www.fema.gov/media-library-data/1525884967567-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009\\_0\\_127\\_FAE.pdf](https://www.fema.gov/media-library-data/1525884967567-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009_0_127_FAE.pdf).
15. FEMA Form 009-0-128, *Applicant's Benefits Calculation Worksheet*. This is a federal form used by the applicant to calculate fringe benefit costs under the subgrant. This form is typically used by the applicant and/or inspection team to document the personnel benefit costs incurred by the applicant. Link: [https://www.fema.gov/media-library-data/1525884980630-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009\\_0\\_128\\_AppBenefitsCalc.pdf](https://www.fema.gov/media-library-data/1525884980630-10c6cbc7410ae830e2635c8214b686a0/FEMAFForm009_0_128_AppBenefitsCalc.pdf).
16. IEMA Form PA102, *Request for Payment*. This is a state form used to request payment for eligible project costs incurred by the applicant. Generally, this form is used to request payment for large project costs only, because small projects are paid at the time of approval. The applicant

must complete the form and attach all necessary documentation to support the costs requested.  
Link:

<http://www.illinois.gov/iema/LocalEMA/Documents/PAforms/RequestForReimbursement.pdf>.

17. IEMA Form PAI03, *Quarterly Progress Report*. This is a state form used to report on the progress of projects on a quarterly basis where the final federal share payment for the project has not been made, regardless whether it is a small or large project. Generally, this form is used to report the progress of large projects only, because small projects are paid at the time of approval. Reports must be submitted by the 15<sup>th</sup> of January, April, July and October. Link:  
<http://www.illinois.gov/iema/LocalEMA/Documents/PAforms/QuarterlyProgressReport.pdf>.
18. IEMA Form PAI04, *Time Extension Request*. This is a state form used to request an extension of the project performance period. The form must be completed and submitted to IEMA for approval. Link:  
<http://www.illinois.gov/iema/LocalEMA/Documents/PAforms/TimeExtensionRequest.pdf>.
19. IEMA Form PAI05, *Change of Applicant's Agent*. This is a state form used to change the Applicant's Agent for the subgrant. The form must be completed, signed by the Authorized Representative, and submitted to IEMA. Link:  
<http://www.illinois.gov/iema/LocalEMA/Documents/PAforms/ChangeApplicantsAgent.pdf>.
20. IEMA Form PAI06, *Large Project Closeout Request*. This is a state form used to request the closeout of a large project PW. The form must be completed and submitted to IEMA when a large project PW is to be reconciled and closed. Link:  
<http://www.illinois.gov/iema/LocalEMA/Documents/PAforms/LargeProjectCloseoutRequest.pdf>
21. IEMA Form PAI07, *Subgrant Closeout Certification*. This is a state form used to close the applicant's Public Assistance Program subgrant. The form must be completed and submitted to IEMA when all projects have been completed. Link:  
<http://www.illinois.gov/iema/LocalEMA/Documents/PAforms/SubgrantCloseoutCertification.pdf>
22. IEMA Form PAI08, *Public Assistance Risk Assessment*. This is a state form used to evaluate the risk of each applicant as a grant subrecipient. The form must be completed and submitted to IEMA as part of each applicant's application. Link:  
[https://www2.illinois.gov/iema/LocalEMA/Documents/PAforms/PA\\_Risk\\_Assessment.pdf](https://www2.illinois.gov/iema/LocalEMA/Documents/PAforms/PA_Risk_Assessment.pdf)
23. IEMA Form PAI09, *FFATA Certification*. This is a state form to certify the status of each applicant under the Federal Funding Accountability and Transparency Act (FFATA). The form must be completed and submitted to IEMA as part of each applicant's application. Link:  
[https://www2.illinois.gov/iema/LocalEMA/Documents/PAforms/PA\\_FFATA\\_Certification.pdf](https://www2.illinois.gov/iema/LocalEMA/Documents/PAforms/PA_FFATA_Certification.pdf)
24. IEMA Form PAI10, *Subgrantee Management Cost Request*. This is a state form used by applicants to request subgrantee management cost funding. If the applicant wishes to claim subgrantee management cost funding, they must complete and submit the form at subgrant closeout, along with documentation to support the costs being claimed. Link:  
<https://www2.illinois.gov/iema/LocalEMA/Documents/PAforms/SubgranteeMgtCostRequest.pdf>

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