

Emergency Protective Measures and Donated Resources

Presented by:
Public Assistance Training Section



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Learning Objective

Improve understanding of...

- FEMA Categories of Work
- Emergency Protective Measures
- Donated Resources



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FEMA Categories of Work



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FEMA Categories of Work

FEMA categorizes disaster-related work as:

Emergency Work

Addresses an immediate threat:

- A. Debris Removal
- B. Emergency Protective Measures

Permanent Work

Restoration of:

- C. Roads/bridges
- D. Water control facilities
- E. Buildings/equipment
- F. Utilities
- G. Parks, recreational, and other facilities



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FEMA Categories of Work

To be eligible for reimbursement from FEMA, work must be (at minimum):

- **Required** as a result of the **declared incident**
- **Located** within the **designated area**
(*except for sheltering and evacuation activities*)
- The **legal responsibility** of an **eligible** Applicant

FEMA's *Public Assistance Program and Policy Guide* provides more information.



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Emergency Protective Measures



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Emergency Protective Measures

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Emergency Work

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Permanent Work

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Emergency Protective Measures

What are they?

Emergency protective measures
eliminate or lessen immediate threats...



...to lives, public health, or safety



...of significant additional
damage to improved property



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Emergency Protective Measures

What are they?

Examples* of such measures *may* include:

- *Pre-positioning supplies, equipment, and/or other resources*
- *Certain operating expenses*
- *Emergency access*
- *Supplies and commodities*
- *Medical care and transport*
- *Evacuation and sheltering*
- *Safety inspections*
- *Search and rescue*
- *Fire fighting*
- *Security, law enforcement*
- *Use or lease of temporary generators for essential facilities*
- *Information dissemination*
- *Mass mortuary services*

*(*not a complete list)*



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Emergency Protective Measures

What are they?

FOR COVID-19, these* *may* be eligible:

- *Emergency and inpatient clinical care for COVID-19 patients*
- *Specialized medical equipment*
- *Personal Protective Equipment*
- *Medical waste disposal related to COVID-19*
- *Certain labor costs for staff providing COVID-19 treatment*

(*not a complete list)

See also:

- [FEMA Policy FP 104-010-04](#)
- [COVID-19 Pandemic: Eligible Emergency Protective Measures Fact Sheet \(3/19/2020\)](#)



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Emergency Protective Measures

What costs are eligible?



Labor and fringe benefits

- Budgeted Employees:
Overtime Only
- Unbudgeted Employees:
Straight Time and
Overtime



Supplies and materials

- Purchased
- From stock



Equipment

- Applicant-owned
- Leased



Contract work

- Must meet Federal
procurement
requirements



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Emergency Protective Measures

What labor and fringe benefit costs are eligible?



Labor and fringe benefits

Emergency Work Labor Eligibility		
Budgeted Employee Hours	Overtime	Straight-Time
Permanent employee	✓	
Part-time or seasonal employee working during normal hours or season of employment	✓	
Unbudgeted Employee Hours	Overtime	Straight-Time
Reassigned employee funded from external source	✓	✓
Essential employee called back from furlough	✓	✓
Temporary employee hired to perform eligible work	✓	✓
Part-time or seasonal employee working outside normal hours or season of employment	✓	✓



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Emergency Protective Measures

What documentation is needed?



Labor and fringe benefits

- Employee names
- Dates and hours worked in support of incident
- Activities performed in support of incident
- Hourly pay and benefits rates (straight time and overtime)
- Payroll register or equivalent
- Payroll and benefits policies

Relevant FEMA Forms:

- *Applicant's Benefits Calculation Worksheet*
- *Force Account* Labor Summary Record*

**The term "Force Account" refers to an Applicant's own resources.*



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Emergency Protective Measures

What documentation is needed?



Equipment

- Equipment rates OR actual costs
- Equipment type, size, model, etc.
- Hours used for declared incident
- Lease agreements



Supplies and materials

- Invoices or established pricing methods
- Inventory withdrawal and usage records

Relevant FEMA Forms:

- *Force Account Equipment Summary Record*
- *Rented Equipment Summary Record*
- *Materials Summary Sheet*
- *FEMA Schedule of Equipment Rates*



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Emergency Protective Measures

What documentation is needed?



Contract work

- Contract award records
- Procurement policies



Deductions

- Insurance proceeds
- Non-Federal grants /cash
- Third-party liability
- Other Federal awards
- Dispositions (for market values of \$5,000 or more)

Relevant FEMA Forms:

- *Contract Work Summary Record*



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Donated Resources



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Donated Resources

What are they?

Donated resources are equipment, supplies, materials and/or labor (“resources”) donated by individuals or organizations to assist with disaster response activities.



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Donated Resources

What are they?

Examples* of eligible donated resources may include:

- *Removing eligible debris*
- *Filling and placing sandbags*
- *Donating equipment, such as to raise or reinforce a levee*
- *Donating materials, such as rocks or sand*
- *Search and rescue, when part of an organized search and rescue operation*
- *Professional safety inspections*
- *Mass care and sheltering for disaster survivors*

*(*not a complete list)*



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Donated Resources

What are they?

Examples* of eligible donated resources for COVID-19 *may* include:

- *Donations of personal protective equipment (PPE), durable medical equipment, or consumable medical supplies*
- *Donations or use of specialized medical equipment*
- *Use of space and/or property for temporary or expanded medical facilities*
- *Volunteer labor performed to help administer or maintain temporary, expanded, or Alternate Care Sites*

*(*not a complete list)*

To be considered, each of the above examples **must be necessary to respond to COVID-19.**



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Donated Resources

What are they?

Examples* of ineligible donated resources may include:

- *Debris removal on private property (aside from certain exceptions)*
- *Feeding volunteers who were doing ineligible work*
- *Volunteer firefighters working within their own jurisdiction*
- *Emergency repairs to private property*
- *Unapproved donation warehouse and point of distribution activities*

(*not a complete list)



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Donated Resources

Wait. FEMA reimburses for donated resources?!?

No. FEMA **does not** *directly* provide Public Assistance funding for donated resources.

HOWEVER...

An Applicant may **use the value** of donated resources **to offset its non-Federal share** of other eligible assistance.



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Donated Resources

What requirements must be met?

Donated resources must meet **all four** of the following conditions to be **eligible**:

- Provided by a third party
- Used in the performance of eligible work
- Tracked and adequately documented by a local public official or designee
- Necessary and reasonable



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Donated Resources

What requirements must be met?

A few clarifications:

- A “third party” **can** be member or employee of the organization, as long as the donated work was **unpaid**
- Resources donated by an organization that would normally provide the same resources under its mission are **eligible IF** that organization is **not federally funded**
- **Mutual aid** provided at **no cost** is eligible
- Contributions may be **cash**, third-party in-kind **services, materials**, or any combination thereof



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Donated Resources

What requirements must be met?

Donated resources are **ineligible** if:

- Donated by a Federal agency
- Funded through a Federal award
- Donated by another federally-funded source
- Used as an offset to any other Federal award
- Used for ineligible work
- Considered a duplication of other benefits



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Donated Resources

What offset amounts can be counted?



Volunteer Labor:

- The offset is based on the same straight-time hourly labor rate, plus fringe benefits, as a similarly-qualified person in the Applicant's organization who normally performs similar work
- FEMA does not offset volunteer labor based on overtime or premium rates
- If the Applicant does not have employees performing similar work, FEMA credits the non-Federal share based on a rate consistent with those ordinarily performing the work in the same labor market



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Donated Resources

What offset amounts can be counted?



Donated Equipment:

- The offset is based on equipment rates from the FEMA Schedule of Equipment Rates
- Specify equipment details, such as make, model, capacity, horsepower, and/or operators as applicable
- The amounts claimed must not exceed the fair rental value (if loaned) or the fair market value (if donated with a transfer of title) of equipment that is in similar age and condition at the time of donation



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Donated Resources

What offset amounts can be counted?



Donated Supplies or Materials

- The offset is based on current commercial rates
- FEMA validates based on invoices from previous purchases or information from vendors in the area
- The amount claimed may not exceed fair market value at time of donation



Donated Buildings or Land

- The offset is based on the fair market value at the time of donation as established by an independent appraisal and certified by the Applicant



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Donated Resources

What offset amounts can be counted?



Donated Space

- The offset is based on the fair rental value as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality



Donated Logistical Support

- Reasonable logistical support for volunteers doing eligible work, such as donations warehousing and management related to eligible Emergency Work, may be eligible as donated resources if provided by a third party



Donated Resources

What documentation is needed?



Volunteer labor

- Volunteer names
- Name of volunteer organization (if applicable)
- Dates and hours worked
- Work site(s)/location(s)
- Activities performed in support of incident

Note:

- *All Donated Resources must be documented by a local public official or designee.*
- *The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.*



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Donated Resources

What documentation is needed?



Donated equipment

- Name of donating organization
- Detailed equipment description
- Dates and hours used
- Equipment operator(s)
- Work site(s)/location(s) where used
- Activities performed in support of incident
- Schedule of equipment rates

Note:

- *All Donated Resources must be documented by a local public official or designee.*
- *The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.*



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Donated Resources

What documentation is needed?



Donated supplies/materials

- Name of donors
- Description of supplies/materials
- Quantities received/used
- Explanation of how used in support of incident
- Work site(s)/location(s) where used
- Any other documentation to substantiate value

Note:

- *All Donated Resources must be documented by a local public official or designee.*
- *The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.*



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Donated Resources

What documentation is needed?



Donated space/buildings/land



- Location(s)
- Explanation of how used in support of incident
- Independent appraisals
- Any other documentation to substantiate value

Note:

- *All Donated Resources must be documented by a local public official or designee.*
- *The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.*



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Donated Resources

How are donated resources applied?

For Emergency Work, Donated Resources...

- Offset the **combined** non-Federal cost share of **ALL** of an Applicant's Emergency Work projects (Cat. A & B)
- May not exceed an Applicant's **total out-of-pocket costs**
- Are capped at the **total non-Federal cost share** of an Applicant's Emergency Work projects
- Are captured as a **separate project** after all Emergency Work is obligated

Note:

- *FEMA does not apply the offset or remaining offset toward:*
 - *Other state, territorial, or tribal government obligations*
 - *Projects for another Applicant*
 - *Permanent Work*



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Donated Resources

How are donated resources applied?

For Permanent Work, Donated Resources...

- Offset the non-Federal cost share of Permanent Work on a **project-by-project** basis
- May not exceed an Applicant's **total out-of-pocket costs** for that project
- Are capped at the **total non-Federal cost share** of each project
- Are captured as a **line-item offset** within each project

Note:

- *FEMA does not apply the offset or remaining offset toward:*
 - *Other state, territorial, or tribal government obligations*
 - *Projects for another Applicant*
 - *Emergency Work*



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Donated Resources

How are donated resources applied?

Example 1: **Emergency Work** with eligible donated resources valued **less than** non-Federal cost share

Applicant's Emergency Work Projects Summary	<u>Shares</u>		
	<u>Eligible</u>	<u>Federal</u>	<u>Non-Fed.</u>
Cat. A Project: Debris Removal	\$32,000	\$24,000	\$8,000
Cat. B Project: Emergency Prot. Measures	\$10,000	\$7,500	\$2,500
Applicant non-Federal Share (BEFORE donated resources):			\$10,500
Cat. B Project: Donated Resources OFFSET	\$8,800		(\$8,800)
Applicant non-Federal Share (AFTER donated resources):			\$1,700



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Donated Resources

How are donated resources applied?

Example 2: Emergency Work with eligible donated resources valued **more than** non-Federal cost share

Applicant's Emergency Work Projects Summary	<u>Shares</u>		
	<u>Eligible</u>	<u>Federal</u>	<u>Non-Fed.</u>
Cat. A Project: Debris Removal	\$32,000	\$24,000	\$8,000
Cat. B Project: Emergency Prot. Measures	\$10,000	\$7,500	\$2,500
Applicant non-Federal Share (BEFORE donated resources):			\$10,500
Cat. B Project: Donated Resources OFFSET	\$16,000		(\$10,500)
Applicant non-Federal Share (AFTER donated resources):			\$0



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Donated Resources

How are donated resources applied?

Example 3: Permanent Work project with eligible donated resources valued **less than** non-Federal cost share

Applicant's Permanent Work Project	<u>Shares</u>		
	<u>Eligible</u>	<u>Federal</u>	<u>Non-Fed.</u>
Work Completed	\$24,000	\$18,000	\$6,000
Work To Be Completed	\$10,000	\$7,500	\$2,500
Project non-Federal Share (BEFORE donated resources):			\$8,500
Donated Resources OFFSET	\$5,200		(\$5,200)
Project non-Federal Share (AFTER donated resources):			\$3,300



Summary

Remember:

- FEMA has seven Categories of Work (A-G)
- Emergency Protective Measures (Cat. B)
 - **Eliminate or lessen threats** to lives, public health, safety, improved property
- Donated Resources
 - Are **NOT** *directly* eligible for funding, **BUT**
 - Can be used to **OFFSET** an Applicant's non-Federal cost share



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Thank you for attending

**For policy and eligibility questions
please contact your State, Local, Tribal, or
Territorial Office of Emergency Management**



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Thank you for attending

**For technical assistance
please contact:**

**Grants Portal Hotline: 1-866-337-8448
FEMA-Recovery-PA-Grants@fema.dhs.gov**



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