

# **STATE OF WISCONSIN**

## **ADMINISTRATIVE PLAN**

for the

## **PUBLIC ASSISTANCE PROGRAM**



Section 406

PL 100-707

The Robert T. Stafford Disaster Relief  
and  
Emergency Assistance Act

## **WISCONSIN EMERGENCY MANAGEMENT**

**Department of Military Affairs**

FFY-2018 – FEMA-4383-DR-WI

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## I. Purpose

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

Federal disaster assistance is made available through the Federal Emergency Management Agency (FEMA) to state governmental agencies, local governments, and certain eligible private non-profit organizations. FEMA provides a grant to the State and authorizes the State to pass funding through to eligible Subrecipients. The FEMA-State Agreement establishes the Federal share provided, which comprises at least 75% of the total project costs.

## II. Authorities and References

### A. State Authorities:

1. Wisconsin Statutes, Chapter 323, Emergency Management, Subchapter III, Disaster Assistance Programs
2. Wisconsin Statutes, § 87.30, Floodplain Zoning
3. Wisconsin Statutes, § 86.34, Disaster Damage Aids Program
4. Wisconsin Administrative Code, Chapter NR 116, Wisconsin's Floodplain Management Program
5. Wisconsin Administrative Code, Chapter WEM 7, Disaster Fund Rule
6. Wisconsin Emergency Operations Plan

### B. Federal Authorities:

1. 42 U.S.C. § 5121-5208, Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended
2. 44 CFR, Public Assistance Program Regulations:
  - a. Part 206 Subpart G, Public Assistance Project Administration
  - b. Part 206 Subpart H, Public Assistance Eligibility
  - c. Part 206 Subpart I, Public Assistance Insurance Requirements
  - d. Part 207, Management Costs
3. 2 CFR, Office of Management and Budget Guidance
  - a. Part 200, Grants and Agreements, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
4. Executive Order 11988, Floodplain Management
5. Executive Order 11990, Protection of Wetland
6. Executive Order 12612, Federalism
7. Executive Order 12898, Environmental Justice
8. 16 U.S.C. § 3501 Coastal Barrier Resources Act
9. 54 U.S.C. § 300101 et seq., National Historic Preservation Act
10. 16 U.S.C. § 1531, Endangered Species Act References
11. Public Law 93-234, as amended, Flood Disaster Protection Act of 1973

12. Public Law 103-325, National Flood Insurance Reform Act of 1994
13. Public Assistance Program and Policy Guide (PAPPG), April 2017

### **III. State Agency Responsible for Program Administration**

The Governor designated WEM, a division of the Wisconsin Department of Military Affairs (DMA), as the state agency responsible for management and administration of the PA Program for disasters declared within the State of Wisconsin. Responsible WEM personnel, appointed by the Governor's Authorized Representative (GAR), shall provide guidance and assistance including but not limited to the following:

- A. Submit the Application for Federal Assistance
- B. Comply with Federal and State program and grant administrative requirements
- C. Notify potential applicants of the availability of assistance
- D. Conduct applicant briefings
- E. Request Immediate Needs Funding on behalf of applicants, as applicable
- F. Assist FEMA in determining work and applicant eligibility
- G. Process requests for appeals, review cost overruns, approve time extensions, approve improved project requests, and approve advances and reimbursements
- H. Make recommendations to FEMA on appeals, alternate project requests, and other requests
- I. Monitor awards to ensure compliance through quarterly reviews, site inspections, and audits, as required
- J. Review and certify project completion information
- K. Determine budget and staffing requirements necessary for proper program management

### **IV. Organization and Staffing**

The staffing for administration of the PA Program by WEM must be flexible to match the size and scope of damage caused by any given event. For a Presidential Disaster Declaration, the minimum state positions needed to administer the PA Program include the following:

- Governor's Authorized Representative (GAR)
- State Public Assistance Officer (PAO)
- State Financial Management Officer (FMO)
- State Liaison Officers
- State Hazard Mitigation Officer (SHMO)

#### **A. Governor's Authorized Representative (GAR)**

The GAR determines the positions, number of personnel, and the budget required for proper program management, as advised by the State PAO. The magnitude and severity of each disaster, and the anticipated number of applicants and projects, will dictate the level of additional WEM staff that will be required to carry out proper program management. The GAR will be the WEM Administrator or the Director of the WEM Bureau of Response and Recovery and will:

1. Act as the intermediary between federal, state, and local parties involving conflicts over PA matters.
2. Ensure coordination between the PA and Hazard Mitigation Grant Program to ensure actions are taken to identify and implement hazard mitigation activities among applicants.

3. Determine if the State will implement Immediate Needs Funding for any declared disaster and notify the Federal Coordinating Officer (FCO) of the decision.
4. Ensure that WEM prepares the FEMA-State Agreement, setting forth the assistance to be rendered and the respective federal and state shares of that assistance.

#### **B. State Public Assistance Officer (PAO)**

The State PAO accomplishes the necessary program work assigned to the State to administer the PA Program and Fire Management Assistance Grant Program to eligible Subrecipients (to include Native American Tribal Governments). The State PAO is a full-time employee at WEM, who assumes duties related to disaster operations, as outlined in their position description. The State PAO must:

1. Ensure that all post-disaster meetings, such as Applicant Briefings and Recovery Scoping Meetings, are scheduled and held in a timely fashion
2. Prepare and submit a staffing plan for the Joint Field Office (JFO)
3. Prepare a budget for administration of the PA Program
4. Validate project worksheets and obligate Federal funds upon FEMA review
5. Oversee the day-to-day operations of the PA program from disaster request through disaster closeout

#### **C. State Financial Management Officer (FMO) and Finance Staff**

The WEM Fiscal Officer serves as the State FMO, as assisted by WEM Finance Staff. The State FMO and Finance Staff will ensure that day-to-day financial operations support completion of work by Subrecipients. The Finance Staff must:

1. Work with State PAO to process checks and enter disbursements into the state financial management system
2. Maintain financial records of all disbursements to Subrecipients
3. Maintain records of salaries, administrative costs, and other eligible expenses for reimbursement

#### **D. State Liaison Officers**

The State Liaison Officers include qualified personnel from applicable state agencies who may assist WEM with technical guidance to applicants, assist with project worksheet formulation, assess damages, and prepare or review project worksheets. WEM draws upon technical experts to serve as Liaison Officers from supporting state agencies such as:

1. Department of Transportation (DOT)
2. Department of Natural Resources (DNR)
3. Department of Administration (DOA)
4. Public Service Commission (PSC)
5. Department of Workforce Development (DWD)
6. Department of Agriculture, Trade, and Consumer Protection (DATCP)

#### **E. State Hazard Mitigation Officer (SHMO) and Mitigation Staff**

The SHMO, as supported by WEM Mitigation Staff, accomplishes the necessary work assigned to the State to administer the Hazard Mitigation Grant Program (HMGP) to eligible applicants. The SHMO performs duties related to disaster operations, as listed in their position description, which include:

1. Maintains the State Hazard Mitigation Plan – Under the Disaster Mitigation Act of 2000, the State must have at least a standard plan to implement the Public Assistance Grant Program
2. Develops the State Program for Hazard Mitigation – Has oversight responsibility to ensure State policies are followed in providing funding to Subrecipients for mitigation projects eligible under the PA Program and Section 404 of the Stafford Act. (Ref. Hazard Mitigation Administrative Plan)
3. Discuss mitigation opportunities through HMGP available to eligible Subrecipients and how HMGP differs from mitigation offered through the PA Program
4. Forward applications for PA-related mitigation received from HMGP solicitation.
5. Work with PA staff to incorporate cost-effective mitigation activities into disaster recovery operations

#### **F. Other Positions, as directed**

The GAR, FCO, and PAO will work to fill any additional positions as needs arise and shortfalls are identified.

### **V. Public Assistance Program Post-Declaration Activities**

#### **A. Notification of Potential Applicants**

The State PAO works with State Public Information Officers (PIO) and County and Regional Emergency Management Directors to conduct outreach efforts to notify potential Applicants that assistance is available and the time and date of applicant briefings. Outreach is targeted at identifying eligible applicants (Subrecipients) for the PA Program following the declaration of a Presidential Disaster.

Additionally, the WEM website will be updated following the disaster declaration with instructions outlining:

1. Eligibility criteria for applicants to the PA Program
2. Eligibility criteria for work categories and costs
3. How to apply for the program
4. Who to contact at WEM regarding PA Program application questions
5. Deadlines to apply for the PA Program

#### **B. Joint Field Office (JFO) Response**

Required WEM personnel respond to the JFO, once established by FEMA.

#### **C. State Public Assistance Operations**

The State PAO attends the FEMA-State Briefing, outlining expectations for PA operations within the State.

#### **D. Applicant Briefings**

Once FEMA approves a designated area for PA, members of the WEM PA Program staff will conduct an applicant briefing. The number of potential applicants and the area involved in the disaster will determine the number of briefings held.

The State PAO works with County and Regional Emergency Management Directors to:

1. Identify eligible applicants for the PA Program
2. Schedule briefings for all potential applicants, paying attention to the number and location of briefings, depending on the declared area and number of potential applicants
3. Ensure all potential applicants complete a Request for Public Assistance (RPA) form within 30 days of the date of the disaster declaration, preferably handing in a completed form at the applicant briefing or submitting through the FEMA Grants Portal system

Applicant briefings will outline the PA Program requirements, eligibility components, rules and regulations, as well as outline Hazard Mitigation opportunities, environmental and historic preservation conditions, insurance requirements, procurement, and other pertinent information to the disaster event in the declared area.

WEM staff members work with attendees at the applicant briefings to submit a RPA form (FEMA Form 90-49) within 30 days of the date of the disaster declaration. This deadline will be communicated at the applicant briefing, on the WEM website, and through the County and Regional Emergency Management Directors.

#### **E. Program Delivery Manager (PDMG)**

FEMA assigns each eligible applicant a PDMG who will be the primary point of contact during the project formulation phase. PDMGs conduct Exploratory Calls and Recovery Scoping Meetings (RSMs) with each applicant as a primary role.

#### **F. Recovery Scoping Meeting (RSM)**

The RSM covers the specifics of the disaster event and potential projects for a specific applicant. The RSM is the most important phase of project formulation, as FEMA begins to create projects based on what documentation and explanations are given by the applicant. An applicant should ensure that all local personnel involved in repair or restoration of the damaged facilities and any personnel involved in tracking expenses, project budgets, contracts, and documentation are present at the meetings, not just local elected officials with signatory authority. It is extremely important to have people who will be doing paperwork and overseeing or performing physical work at these meetings, if possible. This is so that the applicant can make a clear case that they do not have adequate local resources to complete



these projects without Federal and State assistance. Examples of people to include at these meetings, in addition to local elected officials, include:

1. Road repair/maintenance specialists
2. Public works staff
3. Contract specialists
4. Clerks
5. Grants managers
6. Project managers
7. Contractors
8. Engineers

#### G. Project Worksheet (PW)

Depending on the damages experienced and the resources available to the Subrecipient, one of three methods will be used to create a PW (see FEMA Form 90-91 in Appendix D).

1. **Large Projects:** FEMA considers any project with costs greater than or equal to \$125,500 (FFY-2018) or \$128,900.00 (FFY-2019) to be a large project. FEMA assigns a PDMG to each large project to oversee formulation of the PW with a local government representative and State Liaison Officer, if needed. It is essential to include someone involved with completing physical work to be performed at this site to create a complete and accurate PW.
2. **Complex Small Projects:** FEMA designates any project expected to cost less than the large project threshold as a small project; however, lower cost does not necessarily mean these projects cannot be complex. If a Subrecipient, along with the PDMG, determines that they do not have the staff and/or resources to create the PW, the PDMG will assign a technical expert or federal representative to assist with formulating the PW. This is especially true if the PW includes special considerations, such as hazard mitigation, historical structures, insurance claims, or environmental concerns.
3. **Standard Small Projects:** Many small projects should be completed with minimal assistance. If the Subrecipient feels comfortable formulating the PW with minimal assistance, FEMA expects the Subrecipient to write and submit the PW within 60 days of the RSM to their PDMG.
4. **Insurance Commitments:** Insurance proceeds and/or the requirement to purchase insurance will be documented within PWs by the FEMA Insurance Specialist located at the Consolidated Resource Center (CRC). Eligible costs shall be reduced by the amount of any insurance proceeds, received or anticipated. The State will review actual insurance proceeds during closeout of a PW. If a Subrecipient has insurance requirements related to a specific PW (e.g. must purchase insurance or provide a statement of loss), they are notified at PW obligation. For insurance purchase requirements, the Subrecipient must submit the Declaration Page of the policy once insurance is purchased, prior to the release of funding for that PW. Once the Declaration Page is received for the PW, it will be recorded in State Porter, for their records and funding will be released. Should a Subrecipient choose not to purchase the required insurance, a letter will be sent to FEMA requesting de-obligation of the PW.

**In all instances, an applicant has 60 days from the Recovery Scoping Meeting to report all their damages to the PDMG.**

**H. Project Worksheet Validation – Phase 1, 2, and 3**

After PWs are completed and submitted, many of them must be validated for accuracy. Based on the way the applicant and FEMA formulate the PW, validation takes place as follows:

1. **Projects written by federal, state, and local teams** do not require additional validation. This includes all large projects and complex small projects that required additional assistance to formulate. These projects go through reviews during the various drafts/formulation.
2. **Standard Small Projects submitted within 30 days of the RSM**, had no or minimal consultation with federal and state entities. As a result, FEMA and WEM validate a **20% sample** of all small projects submitted by an applicant during this timeframe.
  - a. The PDMG assigns a FEMA Specialist to check the sample of projects for eligibility and reasonable cost.
  - b. The State determines if a State Liaison Officer must be assigned for the validation or if WEM staff may perform the review.
  - c. If the sample is within a 20% variance of the costs determined by the FEMA Specialist, then FEMA approves all small projects for the applicant. If the sample does not meet the 20% variance, FEMA takes a second 20% sample of the projects and repeats steps 1 through 3. If the second sample does not meet 20% variance, then FEMA validates 100% of the small projects submitted by the applicant.
3. **All Small PWs submitted by the applicant between 30 and 60 days** are required to meet 100% validation. FEMA assigns a Project Specialist to validate the projects for eligibility and reasonable cost.

**VI. Public Assistance Program Management**

**A. Request for Public Assistance**

In accordance with 44CFR 206.202(e)(1), WEM will complete and submit SF-424 (Application for Federal Assistance) and SF 424D (Assurances for Construction Programs) as soon as possible after the disaster declaration. Once WEM receives approval of the SF-424, FEMA authorizes WEM to draw up sub-award documents and to issue checks to Subrecipients.

**B. Role of County Emergency Management Directors**

County Emergency Management Directors serve as the intermediaries between WEM and Subrecipients (local governments, agencies, private non-profits) regarding the PA Program. As such, WEM sends all correspondence, including Subrecipient files and paperwork, to the County Emergency Management Director who is responsible for forwarding all documents, including payments, to the Subrecipient.

Each County Emergency Management Director and Subrecipient will keep accurate and

complete records of all disaster-related costs to ensure that the requirements of the Single Audit Act are met.

### **C. Program Compliance, Audits, Reviews, and Closeout**

WEM ensures compliance with the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (2 CFR Part 200). The State assures that it shall comply with all applicable Federal statutes and regulations, outlined in Appendix G of this document, with respect for which it receives grant funding.

Each Subrecipient expending \$750,000 or more in total direct and indirect Federal financial assistance per fiscal year, shall have a financial and compliance audit made in accordance with the Single Audit Act of 1996 (P.L. 104-156) and the Federal Office of Management and Budget (OMB) Circular A-133. Audit requirements are the responsibility of the local unit of government (municipal or county). The FMO reviews audits completed for Subrecipients. If adverse findings are reported, the FMO informs the State PAO who ensures that appropriate actions are taken, and these actions are reported to FEMA. The Legislative Audit Bureau (LAB) submits a copy of the audit performed on State operations to the FEMA Inspector General. FEMA may elect to conduct a separate Federal audit on the disaster assistance grant, or on any of the subawards, and the State will provide any information necessary for completing such audits.

When final payment is made to each Subrecipient, WEM staff reviews each PW file to:

1. Review the payments and ensure that the Subrecipient received all grant funds authorized to them.
2. Ensure all required documentation is in the physical and electronic file (signed Form 1017, completed/signed P.4 reports, etc.).
3. When a Subrecipient is closed, PA staff will identify all closed Subrecipients in a list to the FMO. The FMO will report this list of closeouts in the SF-425 (quarterly financial report) by disaster.
4. PA Staff will notify the Subrecipient of the date that the FMO submits the SF-425 to FEMA Region V, as FEMA and WEM consider this submission date to be the final expenditure report to FEMA. Three years after the date of transmission of the SF-425, FEMA will take no administrative action to recover payments made to a State or local government, unless evidence exists of civil or criminal fraud.

Prior to close out of a disaster declaration, WEM PA and/or Fiscal Staff reviews all files internally to ensure that they are complete, correct, and contain all required documentation.

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

## **D. Management Costs**

This section will be updated/amended in accordance with the Disaster Recovery Reform Act of 2018 as soon as implementation guidance is received from FEMA Headquarters.

## **E. Administrative Plan**

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

## **VII. Project Administration**

### **A. Grant Award Documents**

Upon authorization from FEMA, WEM creates an obligation packet for each approved Subrecipient, which includes:

1. A letter from the State PAO outlining the PA Process
2. DMA Form 1017: State of Wisconsin Disaster Application for Federal Public Assistance for Subrecipients (see Appendix F). This form highlights important information including:
  - a. Breakdown of Federal, State, and Local shares of each PW. In a typical Disaster Declaration, the project shares are as follows:
    - i. Federal 75%, State 12.5%, and Local 12.5%
    - ii. In the event the Federal share is greater than 75% (i.e. when a Subrecipient participates in an alternate pilot program), the State and Subrecipient (Local) will split the remaining non-Federal share evenly. For example, if the Federal share is 85%, the State share and Local share will be 7.5% each.
  - b. Total completion percentage, as noted during most recent FEMA inspection
  - c. Approved Project Completion Date
3. DMA Form 1017A: Assurances for Construction Projects (see Appendix G)
4. State Form P.4.: Completion of Project Worksheet (see Appendix I)
5. List of approved PWs
6. Project summary
7. Copy of the approved PW (FEMA Form 90-91)

### **B. Additional Damages**

The Subrecipient has 60 days from the RSM with FEMA to notify WEM and FEMA of any

newly discovered damage. WEM reviews the information and, if justified, requests that Federal and State inspectors survey the newly discovered damage.

### C. Payment

Payment will be made in accordance with this Administrative Plan and the guidelines published in 44 CFR Part 206, Subparts G and H.

Payment on projects will not occur until project worksheets have been approved by both FEMA and the State, the State has mailed out obligation paperwork, and the proper forms have been signed and returned by the Subrecipient.

Project worksheets will be obligated in one out of four categories depending on the size of the project (small or large) and the percentage complete at the time of FEMA inspection. Each project will be mailed as a separate obligation packet. An obligation packet will be mailed once FEMA and the State have approved the project and has been able to complete the internal obligation process. An obligation packet includes a cover letter describing the type of project (one of the four categories) and a checklist for how to proceed for that particular type of obligation. Depending on the type of category a project falls into, will also determine the closeout process and documentation required for closeout. Please see below for detailed obligation and closeout information on all four categories:

#### **1. Small Projects 100% Complete at time of FEMA Inspection**

##### a. Obligations:

- i. Verify the Point of Contact that is managing the project.
- ii. Read the 90-91 Form, Mitigation Form, and Special Conditions list. These three forms comprise your official grant documents. You signed off on a variation of these forms before the project went through the FEMA and WEM review queue. FEMA may have made minor or major changes without any notifications based on laws, regulations, program guidance, or Executive Orders.
  - Please read through the text and verify that all work has been included.
  - Please verify the approved budget and dollar amounts to ensure FEMA captured all eligible expenses.
  - Examine the Special Considerations List and make sure you retain copies of permits or adhere to other conditions listed.
- iii. Sign the DMA Form 1017 and mail the signed form back to Wisconsin Emergency Management. This form is very important, as it is the first signed document between you and the State for a particular project. Your signature communicates that you acknowledge the dollar amounts listed in state and federal shares and understand your local share requirements. It lists percentage of work completed, which is 100%; in other words, you already completed all physical work required for this project. If this is not the case, you should notify our office immediately.
- iv. If the Project is 100% complete, sign the Project Completion Certification Form (P.4 Form) and mail the signed form back to Wisconsin Emergency Management. FEMA has notified our office that your project is 100% complete,

as long as that is accurate, this form can be signed and returned to us right away. Again, if this is not the case, you should notify our office immediately. Once we receive this form, it triggers that we need to closeout your project and begin the reimbursement process. Please also ensure that you fill in the two lines on the P.4 form that ask for the following information:

- Final amount expended to complete the project. Subrecipients will provide an *actual dollar amount*. Since you have a small project, you are guaranteed reimbursement for the amount listed on the 1017 and P.4 forms, regardless of if you experienced an overrun or underrun. We simply assume any excess funds you might receive will be used toward mitigating future damages and like to track that information.
  - Date that all physical work was completed. We want to know when work was completed on the project. If you do not know the exact date, please use your best guess. We want to make sure that you properly incurred costs within the period of performance.
  - If the Special Conditions box says “Yes”, please be aware our office will contact you for further documentation depending on what the special condition is. An example of a special condition is proof of insurance. If you would like to send in the documentation pre-emptively with the P.4 form please feel free to do so. If the special conditions box says “No”, this process will not apply to you.
- v. After all these steps are done and the proper forms have been signed and received by WEM, the closeout process begins.
- b. Closeout:
- i. Once the proper forms are signed and returned (1017 and P.4 forms), WEM can request a check from the Finance Department for that project. The check request will consist of the Federal and State shares of the eligible amount.
  - ii. When the closeout specialist for your project has received a check from the Finance Department, the check will be mailed to the County EM who will forward the check to the Subrecipient.
  - iii. Once the check is mailed and received by the Subrecipient (Project Worksheet manager), the project is considered closed by WEM.

## **2. Small Projects Not Completed at FEMA Inspection**

- a. Obligations:
- i. Verify the Point of Contact that is managing the project.
  - ii. Read the 90-91 Form, Mitigation Form and Special Conditions list. These three forms comprise your official grant documents. FEMA may have made minor or major changes without any notifications based on laws, regulations, program guidance, or Executive Orders.
    - Please read through the text and verify that all work has been included.
    - Please verify the approved budget and dollar amounts to ensure FEMA captured all eligible expenses.
    - Examine the Special Considerations List and make sure you retain copies of permits or adhere to other conditions listed.

- iii. Sign the DMA Form 1017 and mail the signed form back to Wisconsin Emergency Management. This form is very important, as it is the first signed document between you and the State for a particular project. Your signature communicates that you acknowledge the dollar amounts listed in state and federal shares and understand your local match requirements. FEMA approves the amounts listed on the form based upon estimates provided to your FEMA project specialist. WEM will reimburse the Federal share of the project worksheet eligible amount once the 1017 form has been signed and returned.

The 1017 form lists percentage of work completed at the time of FEMA inspection, which is less than 100% for this category. Once all work is completed, you can let us know via an e-mail, a quarterly report, or by signing and returning a completed Project Completion (P.4) form.

- iv. Quarterly Report Forms for small projects in this category will be required. FEMA requires that project managers update our office on progress made, problems encountered, and other information every quarter of the Federal Fiscal Year (FFY) for large projects. The State is now also requiring a quarterly report form for small projects that were not completed at the time of FEMA inspection so that our office can track the progress made. Requiring a quarterly report from small projects will help us keep up to date on progress and if time extensions are needed. Also, the form will help trigger the closeout process in our office once a project is 100% complete. If a Project Completion form (P.4) was signed pre-emptively, this form will be extremely important.

These quarterly report forms will come electronically to the Primary Contact e-mail address that is in our records (another reason to ensure the contact information for each Subrecipient is up-to-date). The Primary Contact person can expect the Quarterly Report e-mail on or around the following dates:

- January 1-15, report on FFY Quarter 1 (October 1 through December 31)
- April 1-15, report on FFY Quarter 2 (January 1 through March 31)
- July 1-15, report on FFY Quarter 3 (April 1 through June 30)
- October 1-15, report on FFY Quarter 4 (July 1 through September 30)

- v. Maintain documentation and records of work completed, payments made, and permits obtained. We need to verify documentation at closeout to ensure that all expenditures are eligible. Please maintain copies of invoices, bills, receipts, proof of payment (e.g. cancelled checks or a bank statement showing payment to payee listed on invoice), time cards, rental agreements for equipment, etc. Please save copies of all permits obtained or any consultation you do with a permitting agency (e.g. Wisconsin DNR, Army Corps of Engineers, local zoning authorities, etc.). Our office will ask for documentation to prove that the scope of work identified in your signed 90-91 form was the work that was done, as well as a picture of the completed work. For example, if the scope of work requires you to replace a 48" x 30' corrugated metal culvert, we will want to see documentation that shows that culvert was replaced, and we want to see a photograph of the completed work.

- vi. Once the project is 100% complete, sign the Project Completion Certification Form (P.4 Form) and mail the signed form back to Wisconsin Emergency Management. Do not submit this form until you have completed all physical work, including site restoration, on the project. This form signals that you are getting ready to close your project and that our office must follow up with you to obtain documentation. Please fill in the two lines that ask for the following information:
  - Final amount expended to complete the project. Please provide an *actual dollar amount*. Since you have a small project, you are guaranteed reimbursement for the amount listed on the 1017 and P.4 forms, regardless of if you experienced an overrun or underrun. We simply assume any excess funds you might receive will be used toward mitigating future damages and like to track that information.
  - Date that all physical work was completed. We want to know when you completed work on the project. If you do not know the exact date, please use your best guess. We want to make sure that you properly incurred costs within the period of performance.
  - If the Special Conditions box says “Yes”, please be aware our office will contact you for further documentation depending on what the special conditions are. An example of a special condition is proof of insurance. If you would like to send in the documentation pre-emptively with the P.4 form please feel free to do so. If the special conditions box says “No”, this process will not apply to you.
- b. Closeout:
  - i. Once the proper documents are signed and returned to WEM, the closeout process will begin.
  - ii. The closeout specialist will ask you to provide documentation proving that the work was completed. Again, we are not checking for cost overruns or underruns, rather we are looking that the work was properly completed according to the scope of work. If the work was not done in accordance with the scope of work, you will jeopardize the funding of the project. FEMA can de-obligate all funds. This is why it is so important to review your 90-91 and ensure you are following it. If not, let our office know BEFORE you begin doing work outside of the scope of work (what is written in the 90-91).
    - WEM will reimburse the state share of the project worksheet eligible amount once the P.4 form has been signed and returned, and the conditions outlined previously are met.
  - iii. If a Subrecipient has a significant net overrun after completion of all small projects, the Subrecipient may submit a written appeal within sixty (60) days following the completion date of the last PW. All requests for FEMA’s approval must contain documentation needed to support the eligibility of all claimed work and costs. Small project cost overruns are reviewed by the State PA staff and then submitted to FEMA with recommendation from the State. A PW is prepared, and additional funds are obligated by FEMA if the overrun is approved. The State forwards FEMA’s determination to the Subrecipient with a recommendation for



further action, if appropriate. Changes in the approved scope of work or cost increases.

### 3. Large Projects 100% Complete at time of FEMA Inspection

#### a. Obligations:

- i. Verify the Point of Contact that is managing the project.
- ii. Read the 90-91 Form, Mitigation Form and Special Conditions list. These three forms comprise your official grant documents. You signed off on a variation of these forms before the project went through the FEMA and WEM review queue. FEMA may have made minor or major changes without any notifications based on laws, regulations, program guidance, or Executive Orders.
  - Please read through the text and verify that all work has been included.
  - Please verify the approved budget and dollar amounts to ensure FEMA captured all eligible expenses.
  - Examine the Special Considerations List and make sure you retain copies of permits or adhere to other conditions listed.
- iii. Sign the DMA Form 1017 and mail the signed form back to Wisconsin Emergency Management. This form is very important, as it is the first signed document between you and the State for a particular project. Your signature communicates that you acknowledge the dollar amounts listed in state and federal shares and understand your local match requirements. It lists percentage of work completed, which is 100%; in other words, you already completed all physical work required for this project. If this is not the case, you should notify our office immediately.
- iv. If the Project is 100% complete, sign the Project Completion Certification Form (P.4 Form) and mail the signed form back to Wisconsin Emergency Management. FEMA has notified our office that your project is 100% complete, if that is accurate the P.4 form can be signed and returned to us right away. Again, if this is not the case, you should notify our office immediately. Once we receive this form, it tells our office that we need to closeout your project and begin the reimbursement process. Please also ensure that you fill in the two lines on the P.4 form that ask for the following information:
  - Final amount expended to complete the project. Please provide an *actual dollar amount*. Since you have a large project, you are guaranteed reimbursement for the amount you *actually* spent, which should be the same as the amount listed on the 1017 and P.4 forms, since all work is completed.
  - Date that all physical work was completed. We want to know when you completed work for each project. If you do not know the exact date, please use your best guess. We want to make sure that you properly incurred costs within the period of performance.
  - If the Special Conditions box says “Yes”, please be aware our office will contact you for further documentation depending on what the special condition is. An example of a special condition is proof of insurance. If you would like to send in the documentation pre-emptively with the P.4 form please feel free to do so. If the special conditions box says “No”, this process will not apply to you.

- b. Closeout:
- iv. Once the proper forms are signed and returned (1017 and P.4 forms), WEM can request a check from the Finance Department for that project. The check request will consist of the Federal and State shares of the eligible amount.
  - v. When the closeout specialist for your project has received a check from the Finance Department, the check will be mailed to the County EM who will forward the check to the Subrecipient.
  - vi. Once the check is mailed and received by the Subrecipient (Project Worksheet manager), the project is considered closed by WEM.

#### **4. Large Projects Not 100% Complete at time of FEMA Inspection**

- a. Obligations:
- i. Verify the Point of Contact that is managing the project.
  - ii. Read the 90-91 Form, Mitigation Form and Special Conditions list. These three forms comprise your official grant documents. You signed off on a variation of these forms before the project went through the FEMA and WEM review queue. FEMA may have made minor or major changes without any notifications based on laws, regulations, program guidance, or Executive Orders.
    - Please read through the text and verify that all work has been included.
    - Please verify the approved budget and dollar amounts to ensure FEMA captured all eligible expenses.
    - Examine the Special Considerations List and make sure you retain copies of permits or adhere to other conditions listed.
  - iii. Sign the DMA Form 1017 and mail the signed form back to Wisconsin Emergency Management. This form is very important, as it is the first signed document between you and the State for a particular project. Your signature communicates that you acknowledge the dollar amounts listed in state and federal shares and understand your local match requirements. FEMA approves the amounts listed on the form based upon estimates provided to your FEMA project specialist.

The 1017 form lists percentage of work completed, which is less than 100%; in other words, you did not complete all physical work required for this project by the time FEMA and WEM wrote and approved the project. We are only able to pay actual costs for large projects after FEMA approves project closeout because this is a reimbursement program only.

- iv. Quarterly Report Form Submission are required by both FEMA and the State for large projects that were not completed at the time of FEMA inspection. FEMA requires that you update our office on progress made, problems encountered, and other information every quarter of the Federal Fiscal Year (FFY). We included a copy of the form here for you for your records and so you can anticipate what we will ask you to report on. These quarterly report forms will come electronically to the Primary Contact email address listed on the first page on or around the following dates:
  - January 1-15, report on FFY Quarter 1 (October 1 through December 31)

- April 1-15, report on FFY Quarter 2 (January 1 through March 31)
- July 1-15, report on FFY Quarter 3 (April 1 through June 30)
- October 1-15, report on FFY Quarter 4 (July 1 through September 30)

Alert our office if you experience budget overruns or unexpected problems/delays! FEMA scrutinizes large projects to a high degree. Please let us know if you run into any problems, so we can work to request additional funds, time extensions, or anything else to keep your project open and all costs eligible. You are not guaranteed increased funding or time extensions to perform work; please keep us up to date or risk jeopardizing funding to your project.

- v. Maintain documentation and records of work completed, payments made, contracting/bidding documents, and permits obtained: We need to verify documentation at closeout of all work to ensure that all expenditures are eligible. Please maintain copies of:
- Invoices, bills, receipts, proof of payment (e.g. cancelled checks or a bank statement showing payment to payee listed on invoice), time cards, rental agreements for equipment, etc.
  - Any permits obtained or any consultation you do with a permitting agency (e.g. Wisconsin DNR, Army Corps of Engineers, State Historic Preservation Office, local zoning authorities, etc.).
  - Bidding documentation (advertisements, bid specs/tabs, etc.)
  - Copies of contracts signed with contractors

- Our office will ask for copies of all above documentation on work that was not reflected in the “completed work” section when we work to closeout your grant.
- vi. Once the project is 100% complete, sign the Project Completion Certification Form (P.4 Form) and mail the signed form back to Wisconsin Emergency Management. Do not submit this form until you complete all physical work, including site restoration, on the project. This form signals that you are getting ready to close your project and that our office must follow up with you to obtain documentation. Please fill in the two lines that ask for the following information:
- Final amount expended to complete the project. Please provide an *actual dollar amount*. We need to request reimbursement from FEMA on actual costs, and your final form should reflect these costs.
  - Date that all physical work was completed. We want to know when you completed work on the project. If you do not know the exact date, please use your best guess. We want to make sure that we can demonstrate to FEMA that you properly incurred costs within the period of performance.
  - If the Special Conditions box says “Yes”, please be aware our office will contact you for further documentation depending on what the special condition is. An example of a special condition is proof of insurance. If you would like to send in the documentation pre-emptively with the P.4 form please feel free to do so. If the special conditions box says “No”, this process will not apply to you.

- b. Closeouts:
- i. Once the State has received the proper forms, the closeout specialist will ask you for all documentation related to the project. Please see the attached “Large Project Closeout Documentation” document for a detailed list of what documentation will be required.
  - ii. The closeout specialist will then audit the work that was done to ensure it is within the scope of work that is detailed in the 90-91. Invoices and proof of payments will be audited and tracked in a Large Documentation Summary that will be submitted to FEMA with all the backup documentation for each cost.
  - iii. Once the closeout specialist is satisfied with the audit, the documentation will be sent to FEMA with a letter asking for closeout. FEMA will then audit the files as well to ensure the work done was within the scope of work in the 90-91.
    - If the work was within scope, they will approve the project based on actual costs.
    - If there is documentation missing or clarification needed, FEMA will contact our office and ask us to follow up with the project manager on the missing details.
    - If the work went outside of the scope of work you will run the risk of jeopardizing funding for the project. FEMA does have the ability to de-obligate all funds which it is why is extremely important to follow the 90-91 and to contact our office if there are questions, concerns, or a need to change something in the 90-91.
  - iv. If the project is approved, our office will mail out new obligation paperwork with the 1017 and P.4 forms that have the new amounts based on actual costs. Once the office receives the updated signed forms, the Federal and State shares will be reimbursed and the project closed.

## **5. Large Project Documentation Requirements for Payment and Closeout**

- a. Summary of Expenditures – include a spreadsheet or coversheet that summarizes the expenses you are claiming for your project.
  - i. Force Account Labor
    - Labor Costs and Records
    - Fringe Benefits
    - Personnel Pay Policies
  - ii. Force Account Equipment/Supplies
    - Salvage Value
    - Equipment Rates
  - iii. Force Account Materials
  - iv. Contracts
    - Procurement Procedures
    - Invoices/Canceled Checks
    - Price Analysis to determine reasonableness of cost
    - Scope of Work
    - Type of Contract:
      - Related Correspondence

- Bid Documents – Engineering/Architectural and Construction Work must be bid out
  - Contracts – Copy of any Signed Contract
  - Change Orders
- b. Applicable Codes and Standards
- c. Documentation of Any Required Environmental Compliance
- d. Other Backup Documentation as needed
  - i. Invoices, Time Sheets, Work Orders – proof of payment for each
  - ii. Photos
  - iii. Issues Identified in the Comment Field of the DSR/PW
    - Documentation Requirements
    - Insurance Requirements
    - Special Considerations
    - Environmental Concerns
    - Insurance Issues
    - Compliance with Historic Preservation Requirements
  - iv. Time Extensions – include any time extensions you requested from the State or FEMA, if you do not have one submit a request at this time. Your request should state why the project was completed after the default completion date indicated on your project worksheet.
  - v. Work Completion Date – document the day the work was completed.

#### D. Improved Project Requests

A Subrecipient requests an improved project if they desire to make improvements to a facility that go above and beyond the pre-disaster function of a damaged facility. The Subrecipient must write a letter outlining this request to obtain GAR and FEMA approval. Prior to the start of construction of any improved project, the State PAO shall submit the following for approval by the FEMA PA Branch Chief:

1. Written description of the proposed scope of work
2. Updated schedule of work
3. Outline of estimated costs
4. Documentation supporting scope of work, schedule, and estimated costs
5. Documentation of compliance with any special requirements, including but not limited to:
  - a. Floodplain management
  - b. Environmental assessment
  - c. Hazard mitigation
  - d. Protection of wetlands
  - e. Clean Water Act
  - f. Environmental justice
  - g. Insurance
6. If approved, Federal funding for improved projects will be limited to the original Federal share of the approved estimate of eligible costs.

#### E. Alternate Project Requests

A Subrecipient requests an alternate project when they determine that the public welfare would not be best served by restoring a damaged public facility or the function of that facility. The Subrecipient must write a letter outlining this request to obtain GAR and FEMA approval. The alternate project option may be exercised only on permanent restorative work. Federal funding for such alternate projects will equal 90% of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstruction, or replacing the facility and of management expenses. Funds contributed for alternate projects may be used to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures. These funds may not be used to pay the non-Federal share of any project, nor for any operating expense. Prior to the start of construction of any alternate project, the State PAO shall submit the following for approval by the FEMA PA Branch Chief:

1. Written description of the proposed scope of work
2. Updated schedule of work
3. Outline of estimated costs
4. Documentation supporting scope of work, schedule, and estimated costs
5. Documentation of compliance with any special requirements, including but not limited to:
  - a. Floodplain management
  - b. Environmental assessment
  - c. Hazard mitigation
  - d. Protection of wetlands
  - e. Clean Water Act
  - f. Environmental justice
  - g. Insurance

#### F. Time Extensions

When work cannot be completed within the specified period of performance, the Subrecipient must request a time extension for each separate project by filling out and submitting a Project Worksheet Time Extension Request form. The State PAO will review the time extension request, carefully considering the reasons given for the extension and the proposed completion date of the project. If the request is approved, the State PAO may grant time extensions within WEM's authority for maximum limits:

1. Emergency Work (Categories A and B): time extensions for up to twelve (12) months of the original approval date may be granted by the State PAO without FEMA approval.
2. Permanent Work (Categories C-G): time extensions for up to forty-eight (48) months of the original approval date may be granted by the State PAO without FEMA approval.
3. WEM provides each Subrecipient notification in writing regarding the status of time extension approval or denial. The State PAO notifies FEMA of all approved time extensions.

Requests for time extensions beyond WEM's authority (exceeding the maximum time limits listed above) shall be submitted to FEMA Region V for action. The request includes dates and provisions of all previous time extensions, a detailed justification for the delay, and a

projected completion date. FEMA Region V notifies the State PAO in writing of the Region's determination, advising of the new completion date and any other requirements determined necessary to meet the new completion date. The State PAO notifies the Subrecipient of the determination through the County Emergency Management Director.

Subrecipients who participate in the Debris Pilot Program cannot request a time extension for their Category A work and must complete work by 180 days after the Incident start date.

#### G. Scope of Work Changes

The Subrecipient may request a change in the scope of work in writing to the State PAO for evaluation. Subrecipients should submit supporting documentation that outlines:

1. Affected PW number and title
2. Request of a formal scope of work change
3. Justification for a scope of work change
4. Why this scope of work change is eligible in the PA program
5. Changes in budget associated with the request
6. Changes to the completion timeline with the request
7. Any citations of PA Program Guidance or Regulations

The State PAO evaluates the request and when justified, submits a request and a recommendation to FEMA Region V. The FEMA RA provides written notice to the State PAO after a determination has been made. The State PAO forwards the FEMA RA's determination to the Subrecipient via the County Emergency Management Director.

#### H. Recoupment of Funds

1. If repayment of any portion of Federal and/or State share is necessary for any reason, the repayment to the State must be made within 30 days of notification. A Subrecipient will be notified via letter of the reasoning for the recoupment of funds.

#### I. Appeals

1. A Subrecipient may appeal any determination previously made by FEMA or the State related to Federal assistance for a Subrecipient, including:
  - a. Time extension determination made by the Recipient or FEMA
  - b. Denial of a change to the scope of work
  - c. Determination of ineligibility of Applicant, Category, Work, or Cost
  - d. Denial of discovery of additional damages
  - e. Deobligation of funds
  - f. Closeout of project
2. The process for submitting an appeal regarding a FEMA action or determination is as follows:
  - a. The Subrecipient should alert WEM as soon as possible if an appeal will be filed. An appeal must be submitted in writing to WEM (the Recipient) within 60 days after receipt of the notice of the action which is being appealed. The appeal should contain documented justification supporting the Subrecipient's position, including citation of Federal regulations, State codes/statutes, and PA Program guidance documents.

- Subrecipients must provide sufficient information to allow the State PAO to understand the facts and determine the validity of the request.
- b. Upon receipt of the request to appeal, the State PAO has 60 days to examine the request and draft a letter supporting the approval or denial of the appeal. The State PAO will conduct additional investigation, if required, to substantiate the PAO's recommendation. The State PAO will forward the appeal with a written recommendation to the FEMA Region V Administrator within 60 days of receipt of the Subrecipient's appeal request.
  - c. The Regional Administrator reviews the materials submitted with the appeal, making additional investigations as deemed appropriate. Within 90 days following the receipt of additional requested information, the Regional Administrator shall notify the Recipient in writing of the disposition of the appeal.
  - d. If the initial appeal is denied by the Regional Administrator, the Subrecipient may make a second appeal to the FEMA Headquarters Assistant Administrator (AA). This second appeal will be made in writing through the State PAO/GAR and FEMA Region V Administrator, and shall be submitted no later than 60 days following receipt of AA denial. The AA shall render a determination on the second appeal within 90 days from receipt of the appeal or shall request additional information. If additional information is requested, the determination must be made within 90 days of receipt of additional information. If the appeal involves highly technical issues, the AA may ask an independent scientific or technical group/person with related expertise to review the appeal to obtain the best possible evaluation. In such cases, the 90-day time limit will run from the submission of the technical report. The decision of the second appeal from the associate Director or the Executive Associate Director will be the final administrative decision from FEMA.
3. The process for submitting an appeal regarding a State action or determination is as follows:
- a. The Subrecipient should alert WEM as soon as possible if an appeal will be filed. An appeal must be submitted in writing to WEM (the Recipient) within 30 days after receipt of the notice of the action which is being appealed. The appeal should contain documented justification supporting the Subrecipient's position, including citation of Federal regulations, State codes/statutes, and PA Program guidance documents. Subrecipients must provide sufficient information to allow the State PAO to understand the facts and determine the validity of the request.
  - b. The Subrecipient may ask for a time extension of an additional 30 days if necessary. State appeal time extensions must be made to the State PAO in writing.
  - c. Upon receipt of the request to appeal, the State PAO has 60 days to examine the request and consult with Department of Military Affairs Legal Counsel, WEM Management, and other subject matter experts. The State PAO has the right to issue requests for information (RFIs) to the Subrecipient.
  - d. The Subrecipient must respond in writing to the RFI within the designated timeframe.
  - e. The State PAO may conduct additional investigation, if required, to substantiate a decision following a RFI.
  - f. The State PAO will issue a written decision to the Subrecipient within 60 days of receipt of the Subrecipient's appeal request, adjusted for any RFI or time extensions.



## J. Financial Management

1. To start the Public Assistance Program Account, immediately following a major disaster declaration, the GAR provides the FMO with copies of the Governor's Request for Presidential Declaration, the President's Declaration of Major Disaster, the FEMA-State Agreement, and the Grant Summaries. The FMO establishes separate accounts for Federal and State disaster funds. WEM accounts for these funds through pay-in and pay-out vouchers prepared and maintained by the FMO and DMA. Damage assessment information determines an estimate of the amount of Public Assistance Program funds needed. FEMA initially obligates funds based on the amounts in the Preliminary Damage Assessment. Subsequent to the Project Worksheet formulation and validation, funds are obligated based on approved grants.
2. WEM operates payment requests on a reimbursement basis only. This is especially important for large projects (which are formulated based on estimates at the time of FEMA inspection). Exceptions for advance payments will only be made on a case-by-case basis. In these cases, a Subrecipient needs to justify the amount being paid in advance. The Subrecipient must notify WEM within one week of receiving a check that funds were deposited, and work paid for by providing proof of payment.
3. This disaster will incorporate the Single Obligation drawdown process:
  - a. SMARTLINK receives single obligation in its system, making grant dollars available for drawdown.
  - b. The State PAO submits written authorization to the FMO to pay the Federal and/or State share(s).
  - c. The FMO requests a drawdown only if there is an actual documented need for funds.
  - d. The FMO draws funds electronically in one of three ways:
    - i. Option 1: State FMO inputs drawdown amounts into the Payment Management System (PMS) by subaccount per project.
    - ii. Option 2: State FMO downloads a spreadsheet populated with all subaccounts and inputs specific drawdown information for each subaccount/project.
    - iii. Option 3: FMO creates their own spreadsheet for specific subaccount/project.
  - e. The FMO uploads a properly-formatted spreadsheet to the PMS outlined in a FEMA-provided job aid.
  - f. WEM receives the funds and disburses to the Subrecipient by project.
4. In most cases, checks will be mailed to the County Emergency Management Directors, who forwards them to the Subrecipients; however, when a County Director or Subrecipient reports a check as lost, WEM will seek action to recover them after ten (10) working days have elapsed from the mailing date. If the check is not recovered at that time, the FMO requests in writing that the State Treasury stop payment on the check. If the check is not cashed, the Treasury sends the FMO a State Treasury Stop-Payment Affidavit. The FMO forwards the affidavit with the formal letter to the Subrecipient. The affidavit must be signed and returned by the Subrecipient. On receipt of the completed affidavit, the State Treasury will reissue the check.
5. Every effort will be made to avoid instances where a Subrecipient receives more funds than can be supported by inspection, review, or audit. The requirement that all disbursements be thoroughly documented prior to disbursement of funds is a fiscal control and should limit, if not eliminate, excess advanced funds. If an overpayment is discovered prior to final payment and closeout, the State PAO deducts the overpayment

from funds still due to the Subrecipient, and the remaining balance will be paid. If the overpayment exceeds the amount of the final payment, the State PAO will withhold all funds and request the balance from the Subrecipient. The State PAO returns the withheld funds to FEMA by making an offsetting entry on PMS with the FMO. If the Subrecipient refuses to repay the overpayment, or any part of it, the State PAO will refer the case to the DMA Legal Counsel for initiation of collection efforts. The State PAO will keep FEMA informed of the status of such cases.

## VIII. Definitions

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

**Applicant** - A Non-Federal entity submitting an application for assistance under the Recipient's Federal award.

**Direct Administrative Cost (DAC)** - An administrative cost incurred that can be identified separately and assigned to a specific project.

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

**Duplication of Benefits** - Funding received from multiple sources for the same item of work.

**Emergency Protective Measures** - Any action taken by a community before, during, or after a disaster to save lives, protect public health and safety, and prevent damage to improved public and private property.

**Emergency Work** - Work that must be done immediately to save lives, protect public health and safety, protect improved property, or eliminate or lessen an immediate threat of additional disaster during a major disaster. This work is usually completed within six months from the declaration date unless the Subrecipient receives an extension.

**Federal Agency** - Any department, independent establishment, government cooperation, or other agency of the executive branch of the Federal government, including FEMA.

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

**Federal Share** - The portion of the total project costs paid by Federal funds.

**FEMA-State Agreement** - A formal legal document between FEMA and the affected State outlining the understandings, commitments, terms, and conditions for assistance resulting from a Federal disaster or emergency declared by the President. The FEMA Regional Director and the Governor sign the document.

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

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

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

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

**Improved Project** - The use of funding to repair/rebuild a damaged facility beyond the scope of the Project Worksheet (PW) but still restore its pre-disaster function.

**Joint Field Office (JFO)** - A temporary facility established in a Presidentially declared disaster area to serve as the field headquarters for FEMA, other Federal and State recovery personnel, and as the focal point for disaster operation, direction, coordination, and information.

**Large Project** - Approved projects estimated to cost the same or more than the large project threshold amount. The large project threshold is an amount of approved project estimated costs adjusted annually to reflect changes in the Consumer Price Index for all Urban Consumers. The large project threshold amount applicable to any project is that amount in effect on the declaration date of the disaster, regardless of when project approval is made or when the work is performed.

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

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

**Private Non-Profit (PNP)** - Any private non-profit educational, utility, emergency, medical, or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations.

**Preliminary Damage Assessment (PDA)** - A joint Federal, State, and local assessment effort conducted after an event to refine, or correct, previous damage estimates for both the public and private sectors, which are used in the Governor's decision on whether or not a federal disaster assistance request is in order, and whose figures are then utilized to substantiate any such request.

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

**Program Delivery Manager (PDMG)** - A FEMA appointed single point of contact for a Subrecipient for public assistance guidance during a declared disaster while the Joint Field Office is in operation.

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

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

**Regional Administrator (RA)** - An administrator of a FEMA regional office or his/her designated representative.

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

**Subrecipient** - The government or other legal entity to which assistance is awarded and which is accountable to the State for the use of the funds provided.

**Volunteer Labor** - Volunteer labor is reimbursed at the rate of \$17 per hour which is established by using Wisconsin Department of Workforce Development (DWD) data. In 2016, "Ground Maintenance Workers, All Other," Standard Occupational Classification Code 37-3019, earned a mean wage of \$16.75 per hour, which is rounded up to \$17.00 per hour for reimbursement. This figure is updated by WEM when DWD publishes new data.

## **IX. Appendices**

## APPENDIX A – Applicant Eligibility

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

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

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

APPENDIX B – Request for Public Assistance

DEPARTMENT OF HOMELAND SECURITY Federal Emergency Management Agency <b>REQUEST FOR PUBLIC ASSISTANCE</b>		OMB Control Number 1660-0017 Expires December 31, 2019
<b>Paperwork Burden Disclosure Notice</b> Public reporting burden for this data collection is estimated to average 15 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. This collection of information is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed in the upper right corner of this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, Paperwork Reduction Project (1660-0017) NOTE: Do not send your completed form to this address.		
<b>Privacy Act Statement</b> Authority: FEMA is authorized to collect the information requested pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, §§ 402-403, 406-407, 417, 423, and 427, 42 U.S.C. 5170a-b, 5172-73, 5184, 5189a, 5189e; The American Recovery and Reinvestment Act of 2009, Public Law No. 111-5, § 601; and "Public Assistance Project Administration," 44 C.F.R. §§ 206.202, and 206.209.		
APPLICANT (Political subdivision or eligible applicant)		DATE SUBMITTED
COUNTY (Location of Damages. If located in multiple counties, please indicate)		
<b>APPLICANT PHYSICAL LOCATION</b>		
STREET ADDRESS		
CITY	COUNTY	STATE
		ZIP CODE
<b>MAILING ADDRESS (if different from Physical Location)</b>		
STREET ADDRESS		
POST OFFICE BOX	CITY	STATE
		ZIP CODE
<b>Primary Contact/Applicant's Authorized Agent</b>		<b>Alternate Contact</b>
NAME		NAME
TITLE		TITLE
BUSINESS PHONE		BUSINESS PHONE
FAX NUMBER		FAX NUMBER
HOME PHONE (Optional)		HOME PHONE (Optional)
CELL PHONE		CELL PHONE
E-MAIL ADDRESS		E-MAIL ADDRESS
PAGER & PIN NUMBER		PAGER & PIN NUMBER
Did you participate in the Federal/State Preliminary Damage Assessment (PDA)? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Private Non-Profit Organization? <input type="checkbox"/> YES <input type="checkbox"/> NO		
If yes, which of the facilities identified below best describe your organization?		
Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." "Other essential governmental service facility means museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety safety services of a governmental nature. All such facilities must be open to the general public."		
Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.		
OFFICIAL USE ONLY: FEMA - _____ -DR- _____ - _____ FIPS# _____ DATE RECEIVED _____		

APPENDIX C – PNP Facility Questionnaire

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY <b>PNP FACILITY QUESTIONNAIRE</b>	O.M.B. NO. 1660-0017 Expires December 31, 2011
<b>PAPERWORK BURDEN DISCLOSURE NOTICE</b>	
Public reporting burden for this form is estimated to average 30 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing, reviewing, and submitting the form. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC, 20472, Paperwork Reduction Project (1660-0017). <b>Please do not send your completed survey to the above address.</b>	
FEMA and State personnel will use this questionnaire to determine the eligibility of specific facilities of an approved Private Non-Profit (PNP) organization (See 44 CFR 206.221). Owners of critical facilities (i.e., power, water (including providing by an irrigation organization or facility, if it is not provided solely for irrigation purposes), sewer, wastewater treatment, communications and emergency medical care) can apply directly to FEMA for assistance for emergency work (debris removal and emergency protective measures) and permanent work (repair, restore or replace a damaged facility). Owners of non-critical facilities can apply directly to FEMA for assistance for emergency work, but must first apply to the U. S. Small Business Administration (SBA) for assistance for permanent work. If the owner of a non-critical facility does not qualify for an SBA loan or the cost to repair the damaged facility exceeds the SBA loan amount, the owner may apply to FEMA for assistance.	
1. Name of PNP Organization	
2. Name of the damaged facility and location	
3. What was the primary purpose of the damaged facility	
4. Is the facility a critical facility as described above?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Who may use the facility	
6. What fee, if any, is charged for the use of the facility	
7. Was the facility in use at the time of the disaster?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Did the facility sustain damage as a direct result of the disaster?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. What type of assistance is being requested?	
10. Does the PNP organization own the facility?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. If "Yes" obtain proof of ownership; check here if attached.	<input type="checkbox"/>
12. Does the PNP organization have the legal responsibility to repair the facility?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. If "Yes", provide proof of legal responsibility; check here if attached.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Is the facility insured?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. If "Yes", obtain a copy of the insurance policy; check here if attached.	<input type="checkbox"/>
Additional information or comments:	
CONTACT PERSON	DATE

FEMA Form 90-121, FEB 09



APPENDIX D - Project Worksheet

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

## PROJECT WORKSHEET INSTRUCTIONS

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

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

### Identifying Information

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Project Cost

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

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

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

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

**Unit Price:** Indicate the price per unit.

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

**Total Cost:** Record total cost of the project.

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

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

### Records Requirements

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

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

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

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

APPENDIX E – Special Considerations

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

**APPENDIX F – State Application for Public Assistance**

**DMA FORM 1017  
STATE OF WISCONSIN APPLICATION FOR PUBLIC ASSISTANCE  
FOR FEDERAL ASSISTANCE SUBGRANTEES  
CFDA# 97.036**

DEPARTMENT OF MILITARY AFFAIRS  
Division of Emergency Management  
PO Box 7865  
Madison, WI 53708-3232  
(608) 242-3232

Disaster Declaration: Declaration Date:

<b>Subgrantee:</b>		<u><b>Project Worksheet #:</b></u>	
<b>Address:</b> , WI		<b>Project Description:</b>	
<b>FEMA Applicant ID:</b>		<b>Bundle Number:</b>	
<b>DUNS#:</b>	<b>Tax ID:</b>	<b>Approved Project Completion Date:</b>	
		<b>% Complete at FEMA Inspection: %</b>	
<b>County:</b>		<b>Category:</b>	

*\* To the best of my knowledge and belief, data in this application is true and correct, the documentation has been duly authorized by the governing body of the applicant, and the applicant will comply with the attached assurances if the assistance is provided.*

SIGN HERE

SIGN HERE

\_\_\_\_\_  
(Printed name and title)                      X \_\_\_\_\_  
(Subgrantee's Signature)                      \_\_\_\_\_  
(Date)

**Project Worksheet Total**

**Total Project Amount**

**Total Federal Share**

Total Large Project	Large	Large
Total Small Project	Small	Small

**DISASTER APPLICATION BREAKDOWN**

Federal Share		
State Share		
Local Share		
	Total Federal and State Share:	

Your Disaster Applicant for Disaster Assistance has been:  Awarded       Rejected       Withdrawn

\_\_\_\_\_  
**Governor's Authorized Representative  
State Coordinating Officer  
Deputy State Coordinating Officer**

\_\_\_\_\_  
**Date**

**APPENDIX G – Assurances for Federal Construction Programs, Federal Audit Requirements,  
State Assurances of Disaster Application Subrecipients**

**SECTION 1: ASSURANCES FOR FEDERAL CONSTRUCTION PROGRAMS**

Selected Definitions:

- “Federal award” refers to the Federal financial assistance that a non-Federal entity receives directly from a Federal awarding agency or indirectly through a pass-through entity (2 C.F.R. § 200.38);
- “Pass-through entity” means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program (2 C.F.R. § 200.74);
- “Non-Federal entity” refers to a state, local government, Indian Tribe, institution of higher education (IHE), or nonprofit organization that carries out a Federal award as a subrecipient (2 C.F.R. § 200.69);
- “Recipient” means a non-Federal entity that receives a Federal award directly from a Federal awarding agency to carry out an activity under a Federal program (2 C.F.R. § 200.86); “Subaward” means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program (2 C.F.R. § 200.92);
- “Subrecipient” means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program (2 C.F.R. § 200.93);

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

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the Federal awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.

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4. Will comply with the requirements of the Federal awarding agency (Federal Emergency Management Agency) and Recipient (Wisconsin Emergency Management) with regard to the drafting, review, and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms to the approved plans and specifications and will furnish progress reports and such other information, as may be required, by the Federal awarding agency (Federal Emergency Management Agency) and Recipient (Wisconsin Emergency Management).
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the Federal awarding agency (Federal Emergency Management Agency) and Recipient (Wisconsin Emergency Management).
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A or OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F) which require, as a condition of participation in assistance programs, that State and local agencies that receive grants establish merit personnel systems for their personnel engaged in administration of the federal grant-aided program.
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4821 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all federal statutes relating to non-discrimination. These include but are not limited to:
  - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin;
  - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex;
  - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps;
  - d. The Age Discrimination Act of 1975 as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
  - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to non-discrimination on the basis of drug abuse;
  - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism;
  - g. §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended relating to confidentiality of alcohol and drug abuse patient records;

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- h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended relating to non-discrimination in the sale, rental or financing of housing;
  - i. Any other non-discrimination provisions in the specific statute(s) under which application for Federal assistance is being made, and
  - j. The requirements on any other non-discrimination statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 3101-3701) regarding labor standards for federally-assisted construction subawards.
14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and purchase flood insurance.
15. Will comply with environmental standards which may be prescribed pursuant to the following:
  - a. Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
  - b. Notification of violating facilities pursuant to EO 11738;
  - c. Protection of wetlands pursuant to EO 11990;
  - d. Evaluation of flood hazards in floodplains in accordance with EO 11988;
  - e. Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
  - f. Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
  - g. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and
  - h. Protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) relating to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection

of historic properties), and the Archaeological and Historic Preservation Act of 1974 as amended by P.L. 113-287 (54 U.S.C. §§ 3011-3071).

18. In accordance with E.O. 12549, entities that are debarred, suspended, or otherwise declared ineligible for federal funding cannot be involved with the Public Assistance process. Applicants must check the federal System for Award Management (SAM) at <https://www.sam.gov> to ensure that any contractor used in performing Public Assistance activities is eligible for federal funding.
19. Will comply with the required financial and compliance audits in accordance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR §200 et seq.).
20. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

## **SECTION 2: FEDERAL AUDIT REQUIREMENTS**

All non-Federal entities, to include State Governments, Native American Tribal Governments, Local Governments, Institutions of Higher Education, Hospitals or other Non-Profit Organizations, that expend \$750,000.00 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR §200 Subpart F).

If required to undergo a single or program-specific audit, the subrecipient should submit an electronic copy of the Audit Reporting Package (including Form SF-SAC) to the Federal Audit Clearinghouse (FAC) at: <https://harvester.census.gov/facides/>.

Once the Audit Reporting Package is filed with the FAC, email Wisconsin Emergency Management (WEM) at: [DMASingleAudits@wisconsin.gov](mailto:DMASingleAudits@wisconsin.gov) to notify us that the Audit Reporting Package has been submitted.

## **SECTION 3: STATE ASSURANCES OF DISASTER APPLICATION SUBRECIPIENTS**

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

1. Subrecipient Duties
  - a. The subrecipient shall perform the tasks specified in the State Administrative Plan and shall complete the tasks therein during the period specified in the Federal-State Agreement dated 2016.
2. Terms for Reimbursement
  - a. The Department of Military Affairs, Wisconsin Emergency Management Division, shall reimburse the subrecipient their eligible costs incurred by the Subrecipient in accordance with their "Disaster Application for Federal Assistance for Subgrantees." This reimbursement will be made from funds made available through the Federal Emergency Management Agency (P.L. 93-288 as amended by P.L. 100-707) and the State Legislature. The subrecipient shall be reimbursed only for those costs



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specified in the approved “Disaster Application for Federal Public Assistance for Subgrantees” and amendments thereto.

- b. The Department of Military Affairs, Wisconsin Emergency Management Division, shall reimburse the Federal and State shares to the subrecipient in accordance with the requirements specified in the Federal-State Agreement.
- c. All claims for reimbursement shall be supported by written documentation including, but not limited to, receipts, invoices, bidding documents, procurement plans, equipment logs, materials logs, and personnel/payroll data.
- d. Reimbursement for costs will not be paid on any encumbrance made by the subrecipient prior to the dates as specified in an approved grant or for purposes that fall outside of the scope of the approved project without approval by both the Federal awarding agency, Federal Emergency Management Agency, and pass-through entity, Department of Military Affairs, Wisconsin Emergency Management Division.

3. Records and Documentation

- a. The subrecipient shall be responsible for keeping records that fully disclose the amount and disposition of funds at all times and the total costs of each project for which the funds are provided. The accounting procedures utilized by the subrecipient shall provide for the accurate and timely recording of the receipt of funds and expenditures.
- b. The books, records, documents and accounting procedures and practices of the subrecipient relevant to this agreement are subject to examination by the pass-through entity, Department of Military Affairs, Wisconsin Emergency Management Division, by either the legislative auditor or State auditor, as appropriate, and by the Federal awarding agency.
- c. All Subrecipients shall provide written quarterly progress reports on a form prescribed by the Department of Military Affairs, Wisconsin Emergency Management Division through the State’s formal closeout request to FEMA Region V.

4. Miscellaneous

- a. When the Department of Military Affairs, Wisconsin Emergency Management Division, finds that there has been a failure to comply with the provisions of this agreement or with the provision of the “Disaster Application for Federal Assistance for Subgrantees,” or that the purposes for the funds have not been, or will not be fulfilled, notwithstanding any other provisions of this agreement to the contrary, the Department of Military Affairs, Wisconsin Emergency Management Division, as the pass-through entity, may take such action as it deems necessary and appropriate to protect the interest of the Federal awarding agency and the State of Wisconsin, including:
  - Temporarily withhold cash payments pending correction of the deficiency by the Subrecipient or more severe enforcement action by the Federal awarding agency (Federal Emergency management Agency) or pass-through entity (Department of Military Affairs, Wisconsin Emergency Management Division).
  - Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
  - Wholly or partly suspend or terminate the Federal award.
  - Initiate suspension or debarment proceedings as authorized under 2 CFR part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a Federal awarding agency)

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- Withhold further Federal awards for the project or program.
  - Take other remedies that may be legally available, such as referring cases of documented fraud, waste and abuse to the Office of Inspector General for further prosecution.
- b. The Subrecipient agrees to indemnify and save and hold the Department of Military Affairs, Wisconsin Emergency Management Division, its agents and employees harmless from all claims or causes of action arising from the performance of this grant by the subrecipient or subrecipient's agent or employees.
- c. The Department of Military Affairs' authorized agent for the purposes of this contract is Jeff Whittow, Fiscal Services Specialist at Wisconsin Emergency Management.

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

---

Name of Authorized Certifying Official (Print)

---

Signature of Authorized Certifying Official Title

---

Applicant Organization Date

**APPENDIX H – Wisconsin Public Assistance Quarterly Reporting Form**



**Wisconsin Emergency Management  
Public Assistance – Project Worksheet  
Quarterly Progress Report**

Name of Organization/Applicant:		
Disaster #: DR-	Project Worksheet #: PW-	Category of Work: Choos
Person Completing Report:		
Contact Address:		
Contact City:	Zip Code:	
Contact E-mail Address:		
Today's Date:		

Project Phase: Choose Project Phase	
Project Status: Choose Project Status	
% Project Completed:	Completion or Estimated Completion Date:
Do you need a Time Extension?	Choose an Option

Amount Expended to Date:	
Are you Expecting: Choose an Option	
If there is an expected "Cost Overrun" explain why:	

Project Scope Status – Is there a proposed change to the approved PW Scope of Work (SOW)?
Project Scope Status: Choose a Scope Status
If anything other than "No Change" is selected explain why?

APPENDIX I –Project Worksheet Time Extension Request Form



**Wisconsin Emergency Management  
Public Assistance – Project Worksheet  
Time Extension Request**

Name of Organization/Applicant:		
Disaster #: DR-	Project Worksheet #: PW-	Category of Work: Choos
Date of Time Extension Request:		
Projected Project Completion Date:		
Justification for Delay/Extension – requires information describing extenuating or unusual circumstances, beyond the sub-recipient’s control, that have resulted in the need of a time extension:		
For WEM use only:		
Extension Request:	<input type="checkbox"/> Approved through	<input type="checkbox"/> Denied
State Public Assistance Officer		
(print name & signature)		(date)
Comments/Requirements for approval; Explanation for Denial:		
Any work not completed by the projected completion date above will be ineligible for FEMA funding unless an additional time extension is approved by WEM. All requests for time extensions must be submitted no later than 30 calendar days before the period of performance expires.		

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



**WISCONSIN EMERGENCY MANAGEMENT**  
Department of Military Affairs

DMA Form P.4

**PROJECT COMPLETION CERTIFICATION FORM P.4**

<b>Subrecipient Name:</b>	<b>Subrecipient Address:</b>	<b>Disaster:</b>
<b>Project Number:</b>	<b>Project Title:</b>	<b>Project Total Cost:</b> <b>Federal Share:</b> <b>State Share:</b> <b>Federal/State Share:</b>
<b>% Complete:</b>	<b>Approved Project Completion Date:</b>	
<b>Hazard Mitigation Proposal:</b>	<b>Project Worksheet Conditions:</b>	

My signature on this document certifies:

- All work completed and costs claimed are eligible and in accordance with the grant conditions, the State-Local Agreement, and FEMA-State Agreement.
- All work claimed has been completed.
- All costs claimed have been documented and paid in full.
- Project Worksheet Conditions were met and documentation submitted.
- Actual amount expended to complete this project: \$ \_\_\_\_\_
- Construction and physical work for this project was *actually* completed on \_\_\_\_\_

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
SUBRECIPIENT'S AUTHORIZED REPRESENTATIVE

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My signature on this document certifies:

- To the best of my ability, I reviewed all expenses and documentation.
- All required documentation and permits were submitted for review.
- I recommend closeout of this project.

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
GOVERNOR'S AUTHORIZED REPRESENTATIVE

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APPENDIX K – Application for Federal Assistance

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

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

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**Application for Federal Assistance SF-424**

9. Type of Applicant 1: Select Applicant Type:

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

\* 10. Name of Federal Agency:

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

\* 12. Funding Opportunity Number:

\* Title:

13. Competition Identification Number:

Title:

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

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

Attach supporting documents as specified in agency instructions.



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