

FLORIDA DIVISION OF EMERGENCY MANAGEMENT
Reimbursement Guidelines/Statewide Mutual Aid Agreement (SMAA)
2008 Emergency Response

The Statewide Mutual Aid Agreement (SMAA) supersedes other local mutual aid agreements between governmental units during “major or catastrophic disasters” (evidenced by the Governor’s proclamation of a state of emergency, activation of the State EOC and implementation the State Emergency Plan). The SMAA may also be applicable between participating governmental units in absence of an existing local mutual aid agreement during minor events. Requests for assistance under the SMAA should be through the State EOC with a tasking number if the State is to be the requesting party through ESF#4&9, ESF#8, or ESF#16. Under the SMAA, the assister may claim reimbursement of expenses from the requester consistent with the reimbursement guidelines of the Federal Emergency Management Agency (FEMA). In the event of a Federal Declaration (Disaster, Emergency, or Fire) for an affected area, the SMAA Requesting Parties for assistance within the Declared Area may seek FEMA reimbursement for eligible emergency response costs provided by mutual aid assisters consistent with FEMA Disaster Assistance Policy 9523.6 (Mutual Aid). Further guidance for SMAA claim submittal by Assisters to Requesters is as follows:

1. The Assister (Mutual Aid Claimant) should submit claim to the Requestor with a transmittal letter, if not using the SMAA Claim Narrative/Invoice Form, which clearly identifies the Requester, and includes a brief narrative describing:
 - a. The SMAA request including applicable State EOC Mission Number(s);
 - b. The types of employees that responded (police, fire, public works, etc);
 - c. The time frame of SMAA services provided;
 - d. The SMAA services rendered as emergency protective measures for the public safety/health or for protection of improved property;
 - e. The Declared Disaster areas (County or City) in which the SMAA services were provided;
2. A Total Actual Costs Summary (Work Completed To-date) which provides claimed expenses itemized in the following categories as applicable:
 - a. Labor including separate fringe benefits rates for RT and OT pay.
 - b. Equipment at the FEMA Equipment Rates or established Claimant Rates if less that the FEMA Equipment Rate Schedule.
 - c. Materials expended (stock supplies or purchased for the response).
 - d. Contract/Rental Services in support of the emergency response.
 - e. Travel Costs (employee reimbursements, direct paid lodging, meals, misc. expenses).

3. Itemized expense summaries for each of the above cost categories as applicable with the following guidance:
 - a. **Labor Summary**: Listing the personnel for regular and overtime hours worked each day, for a total number of hours, for cost to be extended at the appropriate regular time or overtime pay rate. The appropriate fringe benefit rate may be applied to the total regular time and the total overtime costs as per the Fringe Benefit Rate Determination Sheet.
 - b. **Equipment Summary**: Listing the various units of claimant-owned equipment for the hours used each day for a total number of hours of use to be extended at the appropriate equipment rate.
 - c. **Materials Expense Summary**: Listing the consumed materials and supplies that were consumed by the Claimant in the emergency response operations whether inventory items or items purchased for the emergency at the quantities and unit prices extended for the materials consumed.
 - d. **Contract/Rental Expense Summary**: Listing each contractor or rental vendor with description of the services/rentals provided.
 - e. **Travel Expense Summary**: Listing travel costs reimbursed to each Claimant employee, or paid directly by the Claimant for transportation, meals, and/or lodging for Claimant personnel or volunteers.
4. Clarifications of eligible costs for FEMA reimbursement in each category of expense are listed as follows:

Labor: Although labor costs at reasonable rates of assisters are to be treated as contract labor as per FEMA Policy 9523.6 (Mutual Aid), claimed labor costs for deployed mutual aid missions, and extra-ordinary backfill costs to maintain required minimum levels of protection for essential services in claimant's own jurisdiction while staff is deployed on mutual aid missions, are eligible as per FEMA Recovery Policy 9525.7 (Labor Costs-Emergency Work) as the reasonable standard. Reimbursement of labor costs for employees performing emergency work is limited to actual time worked, even when the employer is contractually obligated to pay for 24 hour shifts. It is not reasonable for a person to work more than 48 hours continuously without an extended rest period. FEMA will reimburse up to 24 hours for each of the first two days, and up to 16 hours for each of the following days for emergency work. All requested hours must be for actual time worked. Standby time is not eligible except prepositioning for a Declared Fire if the resources were actually used. Claimed backfill costs must be extra-ordinary costs that would not have occurred to the claimant but for the deployment of personnel to disaster duty (i.e. use of contract hires or off-duty personnel not on leave for backfill). VFDs can only claim stipend costs for volunteers. However, the value of volunteers accomplishing eligible emergency work can be credited toward the non-federal cost share of the requester as per FEMA Donated Services Policy #9525.2.

Fringe Benefit Determination Form: Typically, fringe benefits for both regular time and overtime gross pay are the percentages of gross pay for FICA/MICA, retirement, and workers compensation components. For regular time pay, fringe benefits also include percentages of gross pay for leave time earned; health, life, and disability insurance costs; and other costs that are associated with regular time pay but not overtime pay. If the Claimant uses the same fringe benefit percentage for both regular time pay and overtime pay, it should be indicated that they are only claiming the eligible fringe benefits common to both regular time and overtime gross pay (i.e. FICA/MICA, retirement, and workers compensation costs).

Equipment: The National FEMA Equipment Rate Schedule is available at the FEMA's website (<http://www.fema.gov>) when searching the website for "equipment rates." Also available, is the State's abbreviated listing of equipment rates for equipment most likely utilized during emergencies on the <http://www.floridapa.org> website. The appropriate FEMA cost code that most closely matches the described unit of equipment should be listed on the itemized equipment summaries to coincide with the claimed hourly or mileage rate. Mileage rates should be claimed, when listed, for all vehicles that are used primarily for transporting personnel. Hourly rates for pickups are acceptable when they are used for heavy-duty emergency response activities other than personnel transport. Emergency vehicles primarily used in stationary operations with engines running with lights and radios on may use the hourly rates instead of mileage rates. Hours of use of equipment should not exceed the actual time that labor is available to operate it. Even if 24-hour pay is eligible as claimed, manned equipment should not be claimed for 24 hours per day unless it is being used by different shifts and this is indicated on the summary forms. Any equipment used for less than four hours a day should be claimed for actual hours of use. Equipment used intermittently all day for at least four hours can be claimed for hours of the personnel actually manning the equipment. Downtime equipment rates should not be claimed. FEMA hourly or mileage rates should not be claimed for equipment on loan from the State or Federal government. However, in lieu of hourly rates, actual operating costs such as fuel and necessary maintenance/repairs can be claimed for such equipment.

Materials: Fuel and routine maintenance costs should not be claimed for equipment use that is being reimbursed at the FEMA Equipment Rates. Any claimed fuel cost should include a notation that the fuel was not used in claimant-owned equipment for which equipment rate reimbursements are claimed. Fuel provided to others, used in leased equipment, or used for purposes other than in equipment for which equipment rates are claimed, may be eligible. Materials for claimant-owned equipment repair, for necessary repairs due to extra-ordinary damages during emergency operations may be separately eligible as per FEMA Policy Number 9525.8. Justifications should be provided, including the circumstances of the damages, with the Claimant's Material Summary that the repairs were necessary due to unavoidable damages, other than routine maintenance, for use of the equipment beyond its intended purpose or design capabilities. Physical or mechanical damages due to necessary off-

road use of equipment designed for on-road use; and extra-ordinary damages resulting from emergency operations in the disaster environment (fire, flood, debris, etc) that are unavoidable and not covered by insurance; could be examples of eligible repair costs. Damage repair as a result of traffic accidents or mechanical failure while commuting to and from the disaster area are not separately eligible and are covered by the equipment rate allowances or by applicable insurance. Eligibility of equipment/supplies that are purchased in order to perform the mission is governed by FEMA Policy Directive 9525.12 (see www.fema.gov or www.floridapa.org websites. In general, those items of equipment and supplies that cost under \$5,000 are eligible to claim. Items of equipment worth more than \$5,000, and residual unused supplies in excess of \$5,000 after the disaster work is completed will require adjustment from eligible acquisition cost.

Contract/Rental Services: Contract/rental services that are necessary in the performance of emergency work may also be eligible upon justification. The same justifications for contracted equipment repairs would be necessary as described above in the Materials guidance for repair parts. Contracted services for upgrading of equipment for immediate emergency response service in the disaster may also be eligible to be evaluated on a case-by-case basis.

Travel: Lodging, meals, and other necessary travel costs that are reimbursed in employee expense claims or paid directly by the claimant are eligible for SMAA reimbursement. If others provide lodging and meals directly to assisters, per diem should not be claimed for reimbursements.

Advisory: All emergency response units of SMAA participating parties should obtain copies of the Statewide Mutual Aid Agreement from their governing bodies or their emergency management office and become familiar with its specific terms; in particular, its provisions concerning:

- 1) the applicability and invocation of SMAA;
- 2) the responsibilities of Requesting and Assisting Parties;
- 3) the rendition of assistance;
- 4) the procedures and costs eligible for reimbursement;
- 5) the requirements for documentation;
- 6) protests of SMAA billing/arbitration of disputes under the agreement; and,
- 7) Insurance/other general requirements regarding liability, responsibilities, obligations, and availability of State funding under SMAA.

Claim Forms: The SMAA Claimant may use the available forms from the www.floridapa.org website or may utilize the FEMA Expense Summary forms on www.fema.gov/rr/pa website, or may utilize their own expense summary spreadsheets containing the requested information on the FEMA or State forms. Supporting documentation such as time sheets, equipment logs, purchase orders, invoices, etc., should be attached to the relevant expense summaries and kept on file by the SMAA Claimant for at least five years.

Submission of Mutual Aid Claims to Requestors: All other Mutual Aid claims should be submitted to the requesting party. Local requestors will be responsible for paying SMAA claims from law enforcement and fire agencies for missions that were directly requested without State EOC mission assignment. Local requestors are also responsible for also paying SMAA claims for assistance other than law enforcement and fire services. If a State Agency was the requestor for assistance, then the mutual aid claim should be submitted to that State Agency. The State may be the requesting party for fire, EMS, or law enforcement, requested through State EOC ESFs #4/9, #8, and #16. Addresses to submit claims to the State will be posted on DEM's www.floridapa.org website for the event.

Submission of EMAC Claims: The State is the requester for emergency response assistance through the State EOC that is provided to other States under the interstate Emergency Management Assistance Compact (EMAC). Mutual aid claims for providing this assistance should be forwarded to:

Division of Emergency Management
Attn: DEM Finance
2555 Shumard Oak Blvd
Tallahassee, FL 32399

Or to: charles.bartel@em.myflorida.com

Fax: (850) 487-2007

Claim Submission Deadlines: Mutual Aid claims should be submitted to the requestor within 30 days after the performance of the mission as per the Statewide Mutual Aid Agreement guidelines. This deadline is usually extended by the Grantee for major events. Extension requests should be submitted to the requestor prior to established deadline and should include justification and expected submittal date.

Hotline Assistance: The State Agency Public Assistance Coordinator (PAC), Charles Bartel, is available to answer Statewide Mutual Aid inquiries at (850) 414-7566; by fax (850) 487-2007; or by e-mail: charles.bartel@em.myflorida.com