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Federal-aid Program Overview Emergency Relief (ER) Steps for Receiving Reimbursement of ER Expenses

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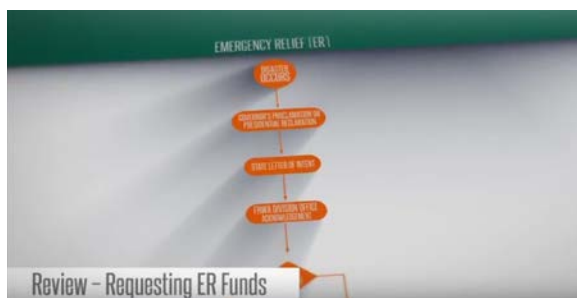
A State DOT must work closely with its FHWA division counterparts to evaluate and document known disaster sites to receive needed ER funding



When disaster strikes, the Federal Highway Administration's (FHWA's) Emergency Relief, or ER program, can help fund repairs to roads, bridges, and other infrastructure eligible for Federal-aid.



This module provides information on the process for receiving reimbursement of ER expenses after FHWA approves the completed work.



Let's quickly review the initial steps for requesting FHWA ER funds covered in another module. After a natural disaster or catastrophic

failure is officially declared, a State department of transportation or DOT sends the FHWA division office a notice of intent to request ER funds and coordinates with the FHWA to assess the damage. The DOT is FHWA official contact for damages, including those for local agencies, and all funds are reimbursed via the DOT. The DOT works with the division office to use either the standard application method or quick release application method to request ER funds.



The quick-release method means an expedited initial damage review and division Office endorsement, followed by the FHWA headquarters allocating a portion of the anticipated funds. After any quick-release set aside of funds, the ER process reverts to the standard method.

This module picks up the standard application method as FHWA takes actions that set the stage for additional funds allocations and reimbursement to the DOT. The DOT will in turn

transfer funds to local agencies as appropriate. The ER program is a reimbursable program, so funds are not given in advance, and agencies must consider cash flow issues. Funds allocated are released when the DOT submit invoices, and FHWA approved the completed work.



To begin, the FHWA division reviews that Damage Survey Summary Report or DSSR, along with any associated site inspections reported on Detailed Damage Inspection Report forms, or DDIRs, and estimates the ER fund needs. FHWA independently verifies the damage and eligibility, usually by evaluating a sample of sites.



If the application with the DSSR meets all requirements, the FHWA division administrator notifies the DOT that FHWA has approved general ER funding eligibility for the disaster event and were warranted repairs. This serves as the official finding that a natural disaster or catastrophic failure has occurred, and caused substantial damage to Federal-aid highways. This approval addresses eligibility only, and no funds have been allocated to this point.



Upon approval, the FHWA division immediately request an allocation of ER funds from headquarters based on the estimated need. The request must include certain information and copies of documents as outlined in the FHWA emergency relief manual. The allocation request is only for the current Federal fiscal year, and may be less than the total ER needs for the entire event. DOTs work with their division office to update the requests each fiscal year. The actual allocation also depends on the availability of ER funds nationwide.



Once the DOT receives eligibility approval, it must promptly submit an initial program of projects, documenting the known damage sites. This initial program of projects is due within three months after the disaster finding by the FHWA division administrator.



The program of projects is part of the evolving ER application, augmenting the DSSR, and serving as a comprehensive list of all eligible project sites and repair costs. The program of projects:

- Establishes the extent of the natural disaster or catastrophic failure and when it occurred.
- Connects the damage to that described in the DDIRs.
- Identifies emergency repairs, and describes proposed permanent repairs on a site by site basis.
- Includes supporting material that indicate the suitability and economy of upgrades, also known as Betterments.
- Allows for tracking of eligible projects to support additional allocations of ER funds and subsequent invoicing.



The FHWA division administrator then reviews and approves the program of projects submitted to that point, including the sites, proposed repairs, and estimated cost. Any previously completed emergency repairs and preliminary engineering are also evaluated and approved for funding eligibility. However, FHWA must authorize permanent restoration work before it begins, unless that work is part of emergency repairs.



Once permanent repairs begin, the DOT follows regular Federal-aid project delivery procedures, in addition to the ER requirements for tracking and reporting the program of projects.



The program of projects continues to evolve into the final ER application, including appropriate documentation to justify funding. Working with the FHWA division, the DOT regularly updates the program of projects with details on any of the damage sites to request additional funding. FHWA gives final approval based on justification and availability of ER funds. All projects must be included in the final program of projects within two years after the disaster occurrence.

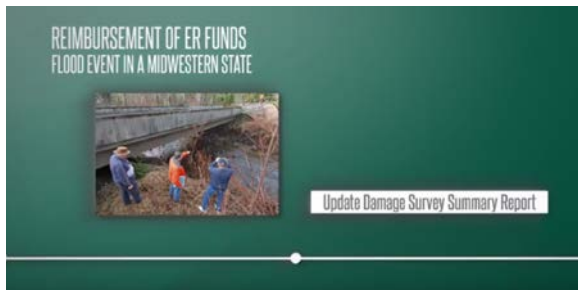


Let's look at a flood event involving seven counties in a Midwestern state as an example of

how the emergency relief process works for receiving the reimbursement of funds.



These counties experienced serious flooding over several days. FHWA approved the DOT's use of the quick-release application method to make an initial request for ER funding, which set up an allocation of limited funds to begin emergency repairs. The DOT then reverted to the standard application method to request additional funding allocations.



Federal, State, and local officials conducted a thorough damage assessment to update the Damage Survey Summary Report and begin to document a more detailed estimate of the disaster scope and sites eligible for ER funding.



The FHWA division office reviewed the application and updated DSSR submitted by the

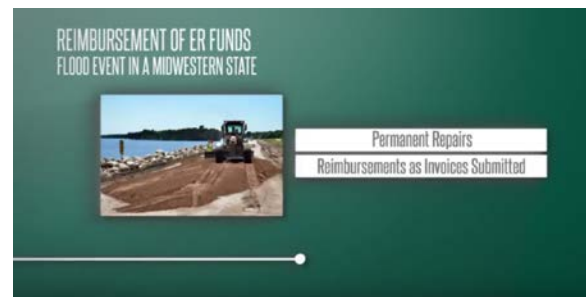
DOT, doing some field checks to independently confirm the damage and eligibility of the sites. The division office notified the DOT of initial ER eligibility approval, and requested from FHWA headquarters an allocation of ER funds for the current Federal fiscal year, based on the estimated need beyond the quick-release allocation.



The DOT followed next by submitting the initial program of projects within three months of the disaster declaration.



The division administrator's approval of the program of projects confirmed funding for eligible emergency repairs already completed, and for justified permanent repairs to move ahead.



Some permanent repairs were completed as part of the emergency repairs, because this was

more cost-effective. The DOT processed additional permanent repairs using the standard project delivery requirements, and was reimbursed as the work was completed to Federal requirements and invoices submitted to a FHWA. The final program of projects was approved within two years after the disaster occurrence.



The governor also requested and received a presidential disaster declaration through the Federal Emergency Management Agency or FEMA. The FEMA request was separate from the FHWA ER program and covered items like debris removal and repairs to non-Federal-aid highways.

To learn more about the Emergency Relief Program, watch the other ER modules in this series. In addition, ER policies and procedures, such as the quick-release application, can change to meet the demands of emergency relief support, so please contact your State department of transportation and FHWA division office for the latest information.

Additional Resources

- FHWA's Emergency Relief Program Web site
<http://www.fhwa.dot.gov/programadmin/erelief.cfm>
- FHWA Order 5182.1 - Emergency Relief Program Responsibilities
<http://www.fhwa.dot.gov/legsregs/directives/orders/51821.cfm>
- FHWA's Emergency Relief Manual
<http://www.fhwa.dot.gov/reports/erm/er.pdf>
- Emergency Relief questions and answers related to MAP-21
<http://www.fhwa.dot.gov/map21/qandas/qaer.cfm>
- FHWA's Web site covering Emergency Relief for Federally Owned Roads (ERFO)
<http://www.efl.fhwa.dot.gov/programs/erfo.aspx>
- FHWA's Contract Administration Core Curriculum providing an overview of Federal contracting requirements
<http://www.fhwa.dot.gov/programadmin/contracts/coretoc.cfm>
- FEMA's policy and guidance covering public assistance
<http://www.fema.gov/public-assistance-policy-and-guidance>
- FEMA facts sheet on debris removal on Federal-aid Highways
<http://www.fema.gov/media-library/assets/documents/29617?id=6640>

The content of this document is not a substitute for information obtained from State departments of transportation, appropriate FHWA Division Offices, and applicable laws. Scenarios have been simplified for emphasis and do not necessarily reflect the actual range of requirements applicable to the scenario or this topic. This document was created under contract number DTFH63-11-F-00066 by the Federal Highway Administration, U.S. Department of Transportation, and is offered to the public to heighten and focus awareness of Federal-aid requirements within the local public agencies community and reinforces the importance of these necessary policies, procedures, and practices.

This Companion Resource is the script content for the video production of the same name.