

MISSOURI DEPARTMENT OF TRANSPORTATION

Disaster Assistance for Local Public Agencies

June 2019

Federal Highway Administration – Emergency Relief Program

The Federal Highway Administration's (FHWA) Emergency Relief (ER) program can help state and local public agencies with reimbursement funds for repairs of damages on Federal-aid eligible roads after a disaster has been declared.

The repair work within the right of way of Federal-aid roads is usually eligible to receive ER funds, if the roadway is in an affected county that is included in the Governor's Proclamation or the Presidential Declaration for each disaster.

The decision to seek financial assistance for a disaster event under the FHWA's ER program rests with MoDOT. A minimum damage amount statewide has to be met for any disaster to become eligible for ER funds. Local public agencies with damage to Federal-aid roads should make their application for ER reimbursement through MoDOT. It is MoDOT's responsibility to seek ER funding for the repair of Federal-aid highways and roads, regardless of which jurisdiction those roads are located.

FHWA offers an emergency relief program for the repair or reconstruction of federal-aid highways and roads which have suffered serious damage as a result of natural disasters or catastrophic failures from an external cause. MoDOT administers the program for Missouri. [Learn more.](#)

- [Program Overview and Eligibility](#)
- [Emergency Relief Manual](#)
- [Emergency Relief Questions and Answers](#)
- [Missouri Division - FHWA Emergency Relief](#)

Identify your Federal-aid roads using MoDOT's interactive [Federal-aid map](#). Zoom in to your jurisdiction's geographic area. The Federal-aid roads will be highlighted in color. The state system federal-aid roads are in blue. The off-system federal-aid roads, or LPA federal-aid roads, are in green. Federal-aid roads are based on the functional classification of each roadway, and include interstates, freeways, arterials, major collector and urban collector roads.

Review the following videos for a basic overview of the emergency relief process.

- [Emergency Relief Program Overview and Eligibility](#)
- [Initial Steps for Requesting](#)
- [Steps for Receiving Reimbursement of Emergency Relief Expenses](#)
- [Emergency Versus Permanent Repairs](#)

FHWA ER Project Procedures

The FHWA Emergency Relief Program has two parts, emergency repairs and permanent repairs. Each has its own requirements for when to seek project approval from FHWA, federal share and methods of construction. Emergency repairs are made during or right after a disaster to restore essential traffic, to

minimize the extent of damage, or to protect the remaining facilities. Repairs that go beyond these three objectives are permanent repairs. For permanent repairs performed concurrently with emergency repairs, follow the emergency repairs procedures (the federal share is different for emergency and permanent repairs, even those performed at the same location.)

Emergency Repairs

Emergency repairs are repairs made during and immediately following a disaster to restore essential traffic, to minimize the extent of damage, or to protect the remaining facilities.

1. The Local Public Agency (LPA) shall photograph damages at all federally eligible sites and determine appropriate repairs for each site.
2. The LPA reports location, types of damage, type of repair (emergency and/or permanent), and estimated repair cost to the MoDOT Area Engineer or District LPA contact, who will, in turn, forward this information to the Emergency Management Liaison in the Maintenance Division.
3. The LPA selects the repair method: work by local forces (WBLF, which is the same as force account in the FHWA ER Manual), or by contract, to perform the emergency repairs as best suited to protect the safety of the traveling public.
4. The LPA completes the emergency repairs.
5. The LPA provides documentation of repair costs incurred by WBLF including such items as:
 - a. Timesheets
 - b. Equipment usage reports
 - c. Invoices
 - d. Material records
 - e. Anything that documents the expenses of the work submitted for reimbursement
6. A Detailed Damage Inspection Report (DDIR) shall be written by the MoDOT Maintenance Division for each eligible damage site. A site visit may be necessary if the damages exceed a certain dollar amount established by FHWA and MoDOT for each disaster.
7. A Program Agreement will be entered into between MoDOT and the LPA for each site regardless of whether the repairs were emergency or permanent or whether the repairs were made by contract or by force account (WBLF).
8. Contracts for emergency repairs must incorporate all applicable federal requirements. As such, FHWA Form 1273 must be included in all contracts pursuant to 23 CFR 633.102.
9. Reimbursement of preliminary engineering (PE) and construction engineering (CE) costs are eligible. These costs must be documented separately from each other and from construction costs. Emergency repairs typically require little preliminary engineering such as geotechnical studies, structural analysis or environmental reviews.
10. The Emergency Management Section in the MoDOT Maintenance Division office will include all eligible LPA damage sites and estimates in the Damage Survey Summary Report (DSSR) submitted to FHWA for approval of emergency relief funds.
11. After the DSSR has been approved by FHWA, funds have been allocated and obligated for the disaster, and all the necessary documentation has been provided by the LPA, MoDOT will bill FHWA for the LPA's force account (WBLF) eligible damage repair costs.
12. The federal share of the emergency repair costs incurred within the first 180 days after the occurrence of the disaster is 100 percent. For emergency repair costs incurred after 180 days, the federal share is based on the pro-rata share for the functional classification for each road. For Interstate highways, the federal share is 90 percent. For all other federal-aid roads, the federal share is 80 percent.

13. The contract reimbursement process will follow the already established method for LPA contracts.

Permanent Repairs

Permanent repairs are repairs undertaken to restore the highway or road to its preexisting condition. They usually occur after the emergency repairs have been completed. Permanent repairs must be made through the competitively bid contract process unless the LPA adequately demonstrates that some other method, such as by force account (WBLF), is more cost effective.

1. The Local Public Agency (LPA) shall photograph damages at all federally eligible sites and determine appropriate repairs for each site.
2. The LPA reports location, types of damage, type of repair (emergency and/or permanent), and estimated repair cost to the MoDOT Area Engineer or District LPA contact, who will, in turn, forward this information to the Emergency Management Liaison in the Maintenance Division.
3. Permanent repairs must be made through the competitively bid contract process unless the LPA adequately demonstrates that some other method, such as by force account (WBLF), is more cost effective.
4. The DDIR must be completed and approved by FHWA before the permanent repairs are started.
5. Permanent repairs must receive FHWA authorization prior to the start of the work unless FHWA determines it is more economical or practical to perform such work with the emergency repairs.
6. Contracts for permanent repair work must incorporate all applicable federal requirements. As such, FHWA Form 1273 must be included in all contracts pursuant to 23 CFR 633.102.
7. A Program Agreement will be entered into between MoDOT and the LPA for each site regardless of whether the repairs were emergency or permanent or whether the repairs were made by contract or by force account (WBLF).
8. Reimbursement of preliminary engineering (PE) and construction engineering (CE) costs are eligible. These costs must be preapproved by MoDOT through the normal LPA contracting process. These costs must be documented separately from each other and from construction costs.
9. The federal share for the permanent repairs of federal-aid roads is based on the pro-rata share for the functional classification of each road. For Interstate highways, the federal share is 90 percent. For all other federal-aid roads, the federal share is 80 percent.
10. The reimbursement process will follow the already established method for LPA contracts.

Federal Emergency Management Agency – Public Assistance Grant Program

The Federal Emergency Management Agency's (FEMA) Public Assistance (PA) grant program provides reimbursement assistance to state, tribal, territorial, and local public agencies for debris removal, life-saving emergency protective measures, and the repair, replacement or restoration of disaster-damaged publicly owned facilities.

Minor collectors and local roads are not included in the federal-aid category. These are the non-federal aid roads which are eligible for public assistance grants from FEMA following disasters. For each event, FEMA application procedures for state and local governments are explained at a series of federal/state applicant briefings in the affected areas by recovery officials, usually from the State Emergency Management Agency (SEMA). FEMA directly administrates its public assistance grant program and they

work directly with the LPA's in determining damage estimates and reimbursement amounts on the non-federal aid system. [Learn more.](#)

- [Public Assistance: Local, State, Tribal and Private Non-Profit](#)
- [Public Assistance: Policy and Guidance](#)
- [2018 Public Assistance Program and Policy Guide](#)

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