

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

INTRODUCTION

The Intrastate Mutual Aid Program (“IMAP” or “Program”) was created by the NYS Legislature on July 1, 2010 and can be found in the Executive Law § 29-h. It provides for mutual assistance among the participating local governments in the prevention of, response to, and recovery from, any disaster that results in a formal declaration of an emergency by a participating local government. The Program also provides for mutual cooperation among participating local governments in conducting disaster-related drills, exercises, or other training activities outside actual declared emergency periods. IMAP complies with requirements of the National Incident Management System (“NIMS”)/Incident Command System (“ICS”) and meets applicable eligibility conditions for reimbursement under a federally-declared disaster.

Although the Program is designed for use during declared emergencies and exercises, local governments are encouraged, to the degree possible and extent practical, to apply the policies, procedures and guidelines associated with IMAP to their day-to-day operations. It is expected that local governments and public safety entities have already incorporated the NIMS/ICS into their daily response activities.

Historically, local governments have been required to enter into formal written agreements to carry out mutual aid activities. In those cases, the timely delivery of assistance is hampered by the necessity of obtaining local legislative or governing body approval prior to the providing or receiving assistance. Executive Law § 29-h authorizes local governments to provide and/or receive timely mutual aid without the need for local legislative or governing body approval. Local governments are deemed to be participants in IMAP.

The purpose of this document is to explain how the Program works and to establish uniform policies, procedures, and guidelines that are to be followed when requesting and providing assistance under the IMAP. The advantage of using the IMAP system is to avoid the need to enter into multiple inter-municipal MOUs or mutual aid agreements which may have differing or conflicting terms. When requesting or providing assistance under the Program all the terms for liability, workers’ compensation, and reimbursement are already spelled out and known by all jurisdictions in advance. Additionally, IMAP provides a uniform, known and well defined request procedure that is the same for all participating local jurisdictions.

There are four key elements of the Program with which all local governments should be familiar. First, IMAP is an “opt-out” program. This means that all local governments are considered to be participating jurisdictions unless the local government takes formal action to withdraw from the Program. Specifically, the governing body of the local government must pass a resolution declaring that it elects not to participate in the Program. This resolution must be provided to the Division of Homeland Security and Emergency Services (“DHSES”) and the withdrawal will not be considered effective until it is received by DHSES. A local government that has exercised this option may at any time choose to participate by filing a resolution with DHSES indicating that it is opting back in to the Program. Participation will not be effective until the opt-in resolution is received by DHSES. Exec. Law § 29-h(4)(a) & (b)

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

Second, IMAP is not meant to preclude local governments from entering into mutual aid agreements with each other with terms that supplement or differ from the terms of the statute or the IMAP Standard Operating Guidelines. Furthermore, IMAP does not affect other mutual aid programs or agreements that are already in place (e.g., existing mutual aid MOUs, the State Fire Mobilization and Mutual Aid Plan). Exec. Law § 29-h(4)(c) & (d)

Third, participation in the Program **does not** require any local government to provide assistance pursuant to an IMAP request. An assisting local government may withhold resources to the extent necessary to provide reasonable protection and services for its own jurisdiction. Thus, there is no disadvantage to remaining a participating jurisdiction.

Fourth, when requesting or providing assistance through the IMAP, local governments must follow the policies, procedures and guidelines developed by the IMAP Committee and spelled out in this SOG in order for the statutory provisions to apply.

Participating local governments will need to determine what local legislative or governing body approval, if any, will be necessary in order to fully participate in IMAP. Who within the local government has the legal authority to request assistance/ authorize providing assistance and effectively obligate funding for reimbursement to the assisting jurisdiction? These and other considerations will be addressed more fully in this SOG, however, local governments will need to be aware that they may need to evaluate their local laws and rules to ensure that actions taken to implement the IMAP are legal and appropriate.

Finally, IMAP is another tool available to local governments for the purposes of responding to a declared state of emergency. The IMAP request process is separate and distinct from the resource request process that goes through the county emergency operations center (EOC) and up to the state emergency operations center. IMAP is a local-to-local program which should be contemplated prior to seeking state assistance, especially during a small scale event. Although New York State Office of Emergency Management regional staff may be available to assist you with completing the forms or sending them to potential assisting jurisdictions, an IMAP request should not be made by sending a request directly to the state EOC.

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

I. Requesting Assistance

A request for assistance through IMAP may be made after the local chief executive of the requesting local government has declared a state of emergency pursuant to Executive Law § 24, or is for the purpose of conducting multi-jurisdictional or regional training, drills or exercises. Such request may be initiated only by the Authorized Representative from the Requesting local government. All requests for assistance shall be documented by promptly filing a Request Form with DHSES. The Request Form shall be signed by the Authorized Representatives of both the Requesting and Assisting local governments.

Mutual Aid requests that cross county jurisdictional lines may be facilitated through the DHSES Regional Director ("RD"). The RD may provide assistance to an RLG or ALG by facilitating communications and dissemination their request for mutual aid assistance and provide instruction as to the proper completion of Mutual Aid Resource Request Forms. The role of the RD is addressed in section V. of this document.

Mutual Aid requests for assistance that remain within the county's jurisdiction will be handled by the local Emergency Manager or the Authorized Representative. The local Emergency Manager will submit mutual aid request forms to the County Emergency Manager who will then submit a copy of the request to the RD for filing with the State. It will be the responsibility of the RD to, examine the forms for accuracy and completeness prior to entering them into the DHSES/OEM State Incident Management System ("SIMS").

II. Responsibilities of Participating Local Governments

Each participating jurisdiction should formulate internal procedural plans so that it may be prepared to request or provide mutual aid under IMAP. At a minimum, jurisdictions should consider internal procedures that address the following:

1. Identify and affirm the authority of local government emergency management officer (authorized representative) who can place requests for and commit/deploy assistance under IMAP.
2. Procedures for requesting and receiving assistance under IMAP;
3. Procedures for utilizing mutual aid resources to fill IMAP requests;
4. Familiarize personnel with IMAP request, provision, and reimbursement procedures;
5. Processes for utilizing mutual aid resources from assisting local governments;
6. Pre-identify and inventory current services, equipment, supplies, personnel, and other resources related to the response and recovery activities of the local jurisdiction;
7. Pre-deployment briefing processes for personnel assigned to IMAP missions in another jurisdiction; and
6. Processes for requesting and receiving assistance under IMAP for the purpose of conducting multi-jurisdictional or regional training, drills or exercises.
7. Develop plan for receiving assistance, to include lists of potential staging areas and points of contact.

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

III. Responsibilities of Requesting Local Government(RLG)

1. Confirm that the RLG local chief executive has declared a state of emergency pursuant to Executive Law §24; or that the RLG is conducting training, drills, or exercises;
2. Verify the need for assistance: local resources exhausted, determine specific needs, e.g. personnel, equipment, specific skill sets, etc.;
3. Notify the Local Emergency Management Officer of the ALG and the RLG County Emergency Manager (phone, email, fax or personal communication, whichever is deemed most practical given the constraints of the emergency. RLG County Emergency Manager must notify the NYS OEM Regional Director.
4. Review and catalogue a list of ALG resources offered.
5. Schedule/participate in conference calls with ALG County Emergency Managers and State OEM Regional Director as needed; State OEM, specifically the NYS Watch Center shall maintain and monitor the State Incident Management System which will store the IMAP Resource Request Forms submitted by the Regional Directors on behalf of the RLG.
6. Submit to State OEM Regional Director a list of all requested resources (through the County EM).

IV. Responsibilities of Assisting Local Government(ALG)

1. Upon receipt of request, review and confirm the availability of the resources being requested and intended purpose (actual event or training/drill/exercise);
2. Notify the RLG via phone, email, fax or personal communication, whichever is deemed most practical given the constraints of the emergency, that ALG has the requested resources and is able to provide the requested assistance;
3. Submit to DHSES (OEM Regional Director), through the ALG County EM, all inventories of resources being deployed, within three calendar days of the deployment of such resources. Submit within 60 calendar days a detailed invoice reflecting the quantities and types of all assets supplied during the entire mission by the ALG to the RLG. (Regardless of whether the ALG seeks reimbursement). The invoice shall be sent to the RLG identified financial point of contact with a copy to the NYS OEM Regional Director (through the ALG County EM).

****LIMITATIONS**:**

A local government is not obligated to respond to a request for assistance. However, when providing assistance in response to, or recovery from, a disaster, such assistance is subject to the following conditions:

1. Requesting entity must have declared a state of emergency at the local level, unless the request is for the purpose of conducting multijurisdictional or regional training, drills, or exercises.

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

2. When deployed pursuant to an IMAP request, emergency response personnel of an assisting local government shall continue under the administrative control of their home jurisdiction.
3. Where permissible and not prohibited by existing statute or other authority, emergency response personnel of an assisting local government shall be under the operational direction and control of the appropriate officials within the incident management system of the requesting local government.
4. Assets and equipment of an assisting local government shall continue under the ownership of the assisting jurisdiction, but shall be under the operational direction and control of the appropriate officials within the incident management system of the requesting jurisdiction.
5. During multijurisdictional or regional trainings, drills or exercises, the assisting jurisdiction will maintain coverages and be responsible for liability, workers' compensation and any immunities their assisting personnel are afforded within their home jurisdiction.

V. Roles & Responsibilities of New York State Office of Emergency Management

State OEM's role is to provide a system to document the Mutual Aid Request process. This mission will be accomplished using the SIMS to electronically catalog and store resource request forms.

NYS OEM Regional Directors ("RD")- **The RD's role is to support and provide administrative assistance to County Emergency Management Officers.** Their roles include but are not limited to:

1. Assisting in the assessment of needs.
2. Assisting in the completion and submission of forms.
3. Help coordinate the dissemination of requests for assistance.
4. Assist with and participate in the review of offers of assistance.
5. RD's are not authorized to sign request forms or request assistance on the part of any Requesting Local Government.

VI. Procedures for Executing the Request for Assistance

Participating jurisdictions may *request and provide* assistance verbally and in writing, but verbal agreements made between Authorized Representatives must be confirmed by completing the Request Form within 5 days of the verbal request. All parties should communicate directly, clearly, and concisely when negotiating the terms of the Request Form (IMAP RF01) to ensure a clear understanding of what is being requested and provided and that the terms of assistance are clearly understood by all parties.

VII. Completing the Request Form (IMAP RF01)

All request forms must include the following information:

- A. To be completed by the Requesting local government:
 1. A description of the disaster or the training, drill or exercise;

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

2. A description of the assistance and capability needed;
3. A description of the Mission for which assistance is needed;
4. An estimate of the length of time the assistance will be needed;
5. The specific place and time for staging of the assistance and a point of contact at that location;
6. The date and time requested;
7. The name of the Requesting local government; and
8. Any other information that will enable an Assisting local government to respond appropriately to the request, such as deployment conditions.

All requests should clearly identify any special deployment considerations that may apply on the deployment. Such special conditions include, but are not limited to:

1. Specialized equipment needed to support the mission;
2. Hazmat clothing or other personal protective equipment due to hazardous environment;
3. Lodging & transportation provisions (come self-contained or will be provided by the requesting local government); and
4. Security provisions for potentially hostile areas.
5. Special fuel requirements, transportation height/width/weight considerations, etc.

The RLG shall complete the Request form (IMAP RF01) and fax or scan/e-mail to select, or to all participating ALG's from which assistance is requested. The form must be completely and accurately detailed so that potential ALG's governments can provide cost estimates. The RLG's Authorized Representative shall sign and date the request form prior to dissemination.

B. To be completed by the ALG:

1. Name and contact information of the ALG point of contact (name, phone, e-mail and fax);
2. Type of assistance available – a description of what is being offered (may include a description of the skill sets possessed by personnel assigned to the mission, a description of any equipment being requested, and any special provisions associated with the offer of assistance such as maintenance rates, replacement values, etc.);
3. ALG point of contact for the asset;
4. Date and time resources are available for deployment;
5. Any restrictions/special considerations for resources available for deployment;
6. Total estimated cost of deployment;
7. Completed cost estimate breakout to include the following:
 - a. # of fuel consuming equipment;
 - b. # of non-fuel consuming equipment;
 - c. Travel costs for all deployed personnel
 - i. Ground transportation expense for rental vehicles, personal vehicles, and/or government vehicles;
 - ii. Meals and trips or per diem; and
 - iii. Lodging.

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

- d. Equipment costs
 - i. Gas, Diesel, motor oil supplies;
 - ii. Operator's required/not required;
 - iii. Maintenance provisions; and
 - iv. Replacement parts.
- e. Personnel and costs
 - i. Total # of personnel on the mission;
 - ii. Total daily personnel costs; and
 - iii. Detail for personnel costs including name of personnel, salary (at rate with hours), overtime pay, fringe, total daily costs, # of mission days personnel are assigned on mission.

Once the ALG completes the IMAP RF01 with the appropriate information, the ALG Authorized Representative must sign and date the offer of assistance. The RLG should review all offers of assistance to determine which offer best meet its needs. The RLG may reject any and all offers. RLG's are encouraged to notify ALG's that their offer of assistance has not been accepted via phone, email, fax or personal communication, whichever is deemed most practical given the constraints of the emergency. The RLG Authorized Representative accepts the offer of assistance by signing the IMAP RF01, thus authorizing resource deployment and obligating compliance with the terms of the request and the IMAP guidelines. The RLG notifies the ALG emergency management officer via phone, email, fax or personal communication, whichever is deemed most practical given the constraints of the emergency,

- C. After the IMAP RF01 has been executed by both jurisdictions, the Assisting local government should engage in the following pre-deployment activities.
 - 1. Pre-arranging travel, transportation and lodging accommodations for deploying personnel (unless otherwise agreed to in the request form); and
 - 2. The Designated Contact should arrange a briefing for deploying personnel prior to their departure. The briefing should include:
 - a. Specific mission related information;
 - b. Duty location;
 - c. Designation of a team leader;
 - d. Location of reporting site, staging area.
 - e. Name and contact information of the RLG point of contact to whom personnel should report;
 - f. Type of working conditions to expect;
 - g. Review supporting equipment and supplies;
 - h. Records and document required to perform the mission and to record deployed personnel mission expenses for reimbursement purposes; and
 - i. Authorize use of municipal purchasing cards or provision of cash advances to be used for expenses to sustain personnel in the field during deployment.

INTRASTATE MUTUAL AID PROGRAM STANDARD OPERATING GUIDELINES

VIII. Reimbursement

IMAP responses should not be dependent upon assistance that may result from a State of Federal Disaster declaration. Assisting entities may donate mutual aid or assume partial or total costs associated with use of personnel, or loss or damage of equipment and/or resources while providing mutual aid through an IMAP request.

1. Guidelines to ensure appropriate reimbursement:
 - a. Ensure a State of Emergency was issued by the local jurisdiction.
 - b. Coordinate Assisting jurisdictions' requests for reimbursement. The local government IMAP implementation plan should identify the responsible for the collection and coordination of reimbursement requests (e.g., town clerk, village treasurer).
 - c. Maintain good financial records : IMAP Assistance Requests forms; Mission information logs; Reimbursement forms.

2. Reimbursement shall not:
 - a. Be available for costs incurred for mutual aid assistance provided to an entity that does not have a formal declaration of emergency (excluding assistance for multijurisdictional exercises, drills, trainings).
 - b. Be made if there are duplicate other payments and insurance proceeds.
 - c. Be made for costs and expenses incurred that cannot be supported by documentation.
 - d. Be provided to assisting jurisdictions that self-deploy.

Intrastate Mutual Aid Program Standard Operating Guidelines

DEFINITIONS, TERMS & ACRONYMS

This section contains definitions of the commonly used terms and acronyms used throughout the Intrastate Mutual Aid Program Standard Operating Guidelines (“SOG”). Unless otherwise defined in a specific section, all of the terms in the SOG will have the meanings specified herein.

Assisting local government (“ALG”) – means one or more local governments that provide assistance pursuant to a request for assistance from a requesting local government during a declared emergency, or for the purposes of conducting training, or undertaking a drill or exercise.

Authorized representative – means the local government employee empowered to obligate local resources and expend local funds for IMAP purposes. In the assisting local government this is the person who has the legal authority to approve the response to a request for assistance.

Committee – means the Intrastate Mutual Aid Program Committee established in Executive Law § 29-h (3), which is responsible for promulgating rules and regulations to implement the intrastate mutual aid program; developing policies procedures and guidelines associated with the Program, including the process for the reimbursement of assisting local governments; evaluating the use of the Program; examining issues facing participating local governments regarding the implementation of the Program; and reporting to the Disaster Preparedness Commission on the effectiveness of the Program and making suggestions for improvements.

County Emergency Manager – means the individual employed by a county that is responsible for emergency preparedness, response and recovery.

Demobilization – means the process of releasing assets (personnel and/or equipment) whose mission is completed or no longer needed to support a specific mission within an event. This process includes debriefing personnel, returning issued equipment, completing and submitting required paperwork, arranging return travel, and tracking released assets back to their home duty station in the assisting local government in a safe and timely manner.

DHSES – means the New York State Division of Homeland Security and Emergency Services.

Employee – means any person holding a position by election, appointment, or employment by a local government.

Intrastate Mutual Aid Program (“IMAP”) – means the program that authorizes mutual aid between participating local governments. A participating local government is now authorized to request or provide mutual aid as a result of a locally declared disaster or for the purpose of conducting multi-jurisdictional or regional training, drills or exercises.

Local emergency management officer – means the local government official responsible for emergency preparedness, response and recovery.

Intrastate Mutual Aid Program Standard Operating Guidelines

Local government – means any county, city, town or village, school district or board of cooperative educational services of the state of New York.

Mission – means the operation or assignment to be carried out by the assisting local government as specifically defined by the requesting local government in the Request Form.

NYS OEM – means the State Office of Emergency Management.

NYS OEM Regional Director (“RD”) – means the lead NYS OEM official responsible for carrying out NYS OEM activities in his or her designated zone, or his/her designee. New York State is divided in to 10 NYS OEM zones with each zone having one regional director.

Point of Contact (“POC”) – means the person familiar with the IMAP process and serving as the designated person for IMAP in their jurisdiction. The Point of Contact will be able to discuss the details of a request for assistance. The POC is typically not the individual with the legal authority to initiate a request or authorize assistance.

Reimbursement – means the process of submitting documented eligible costs by an assisting local government to a requesting local government in order to receive financial compensation for providing assistance specified in the Request Form.

Reimbursement Form (“IMAP RF02”) – means the form used to summarize the costs of all assistance requested and provided by an assisting local government.

Request Form (“IMAP RF01”) – means the form used to officially request assistance, offer assistance, and accept assistance through the Intrastate Mutual Aid Program.

Requesting local government (“RLG”) – means the local government that asks another local government for assistance during a declared emergency, or for the purposes of conducting training, or undertaking a drill or exercise.

State Incident Management System (“SIMS”) – means the system, electronic or manual, used by the State to track and manage resources and information during a disaster.