Disaster Procurement Policy & Procedures
Handout - Highlights

Resources related to disaster procurement and preparedness available at www.dropbox.com
Username: debbie.wellnitz@cityofconcord.org / Password: dpbag2016

A) Establish policies related to disaster procurement with both FEMA guidelines & your own agency’s procurement policies.

Sample Policy: City of Concord (See Screenshots on next page for location of files described below from the dropbox.com.)

Breakdown of how Concord’s ‘Disaster Procurement Policy & Procedures’ were derived:

- FEMA Public Assistance Procurement Field Manual (248 pages)
- FEMA Procurement Guidance for Recipients and Sub-recipients Under 2CFR Part200-Supplement to Field Manual (104 pages)

Location in Dropbox: FEMA Folder

[File labeled as Checklist for Procurement Associated with Disasters After Dec262014- NewUniformRules(9-26-16)] (13 pages)

Location in Dropbox: FEMA Folder

- PUR-1 Title 2 CFR Part 200 Self Assessment Document (13 pages)
- 2 CFR Part 200 (12 pages)

Location in Dropbox: Mike Martinet Folder

- City of Concord’s Purchasing Municipal Code/ Policies/ Administrative Directives/Bid Documents Etc.

Location in Dropbox: Sample Policy/City of Concord Folder

- City of Concord’s Disaster Procurement Policy & Procedures

Location in Dropbox: Sample Policy/City of Concord Folder

B) Create other documents as follows:
- Develop checklists & guidelines for your specific agency.
- Create forms for tracking transactions in every emergency related activity.
- Revision of Municipal Code, establishment of Resolution and/or adopting policy including staff reports for Council/Board as applicable to your agency.

[The above items may be found in the Mike Martinet and/or Sample Policy folders in Dropbox.]
The FEMA folder contains key documents pertaining to disaster procurement in adhering to Federal procurement standards as well as FEMA policies. More documents/information can be found on the FEMA website at www.fema.gov. (Use Search to narrow search: For example: enter Procurement Disaster Assistance Team (PDAT) or FEMA Field Manual)

The Mike Martinet folder contains sample checklists, forms, policies, etc. from Mike’s trainings. Mike is an Emergency Expert specializing in FEMA requirements. Why reinvent the wheel when Mike has already narrowed down the requirements for disaster procurement! Utilize his established guidelines, checklists, and forms!

The Sample Documents folder contains sample policies as they relate to disaster procurement or emergency preparedness by certain public agencies.

The City of Concord folder contains the City’s adopted Disaster Procurement policy and related documents such as the Council Staff Report, powerpoint presentation to Council, etc. The policy (PP-176) was adopted on 11/28/17 and implemented by Debbie Wellnitz, Purchasing Manager for City of Concord.

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DISCUSSION POINTS – CITY OF CONCORD’S DISASTER PROCUREMENT POLICY

1. PURPOSE

This Policy modifies the City’s normal purchasing practices (pursuant to Municipal Code—Title 3 Revenue

2. DEFINITIONS

3. DELEGATIONS OF PURCHASING AUTHORITY IN EXIGENT CIRCUMSTANCES

4. PROCUREMENT PROCEDURES IN EXIGENT CIRCUMSTANCES

5. NOTIFICATION AND RATIFICATION

6. REQUIREMENTS – CONTRACT CLAUSES

In the event of a Proclaimed Emergency or Disaster, the following purchasing authority is granted and required clauses apply. The following clauses shall supersede any existing, similar clauses stated within the bid document, contract, and/or Terms and Conditions. These are requirements under the Uniform Rules and set forth in 2 C.F.R. § 200.326 and 2 C.F.R. Part 200, Appendix II. The regulations in Title 2 of the Code of Federal Regulations, Part 200, as it may be amended from time to time, are incorporated herein by reference:

6.1 Remedies.

6.2 Termination for Cause and Convenience.

6.5 The regulation at 41 C.F.R. Part 60-1.4(b) requires the insertion of the following contract clause:

6.6 Davis Bacon Act and Copeland Anti-Kickback Act.

... 

6.17 Program Fraud and False or Fraudulent Statements or Related Acts.

6.18 For all contracts with Federal funding, we need to add language to comply with 2 CFR, Part 200 including sections:

§ 200.321 Contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms.

Discussion Points:

(1) **Section 1**: These 5 headings (Purpose, Definitions, etc) were provided in one of Mike’s sample policies which were applied here!

(2) **Section 2**: Number 6. Requirements—Contract Clauses was literally taken from the document labeled ‘FEMA-RequiredContractClauses-2CFR 200.326 and 2CFR Part 200 Appendix II (14 pages) in the FEMA folder of dropbox.com and adjusted to meet contract clauses specific to City of Concord. With consultation and recommendations from Mike Martinet, these clauses were added/included or not applied in accordance with existing policy/language in City of Concord’s contracts, bids, etc.

(3) **Section 3**: A section from 2CFR Part 200, Appendix II was attached/added to policy as referenced in the Disaster Procurement Policy.
Disaster Procurement Policy – Development Process Summary – Workshop/Training Handout

Screen shots of City of Concord’s Disaster Procurement Policy (Document accessible in dropbox.com)
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