



Sourcewell



DELIVERING
RESULTS &
SOLUTIONS

The Case of the Missing Compliance:

A FEMA Disaster Recovery Mystery

April 2025

Lessons Learned

City Hall Sam – Compliance Lessons Learned

- ✓ **Evaluation factors AND relative importance** must be included in the solicitation document
 - Evaluation must be conducted based on the publicized factors with no changes
- ✓ Follow federal AND local (if any) **conflict of interest requirements**
- ✓ Clearly identify the **pricing method**; Note that **cost reasonableness** is a key focus for federal funds

Procurement Patty – Compliance Lessons Learned

1. **Include target firms** on solicitation lists.
2. **Ensure target firms are solicited** whenever they are potential sources.
3. **Divide total requirements**, when economically feasible, into smaller tasks or quantities.
4. **Establish delivery schedules** that encourage target firm participation.
5. **Use assistance** of Small Business Administration and the Minority Business Development Agency.
6. **Require the prime contractor** take these steps with subcontractors.

Emergency Eddie – Compliance Lessons Learned

- ✓ Additional steps for **non-competitive emergency or exigent contracts**:
 1. Written justification
 2. All federal and FEMA terms and conditions
 3. Suspension and debarment check
 4. Cost/price analysis (over SAT)
 5. Bonding requirements (if applicable)
- ✓ Pivot to **normal competitive procurement procedures as soon as possible**
- ✓ Time and materials contracts require a **not-to-exceed amount AND documented contractor oversight**
- ✓ **NO Cost-plus-percentage-of-cost (CPPC)** pricing elements

Compliance Carla – Lessons Learned

- ✓ **2CFR 200.318(e)** allows the use of cooperative contracts
- ✓ Your entity **must conduct due diligence** for 2CFR compatibility
- ✓ Additional steps:
 - **Cost/price analysis**
 - **Suspension and debarment check**
- ✓ Ask your cooperative representative for **additional documentation** such as a pricing tabulation, socioeconomic steps, etc.
- ✓ Amend the cooperative contract with **all required federal and FEMA contract provisions**

Questions?



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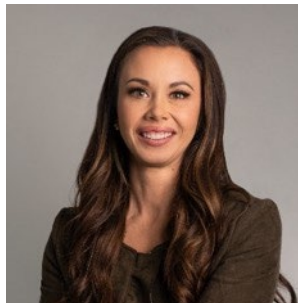
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Session Resources

[FEMA PDAT Socioeconomic Affirmative Steps](#)

[FEMA Fact Sheet – Emergency and Exigent Purchases](#)

[FEMA Fact Sheet – Cooperative Purchasing Programs](#)

[FEMA Contract Provisions Guide – FY24](#)



Thank you!