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Why Prepare for an Emergency?

Why prepare ahead of time for a situation that might never arise? Some people dismiss emergency planning as unnecessary or avoid it out of fear. It's easy to procrastinate on these tasks. But an emergency situation that affects your state's residents is exactly when those residents will look to state agencies to help them. Good planning and preparation minimize risk to life and property. Inadequate planning can turn disaster into tragedy or scandalous headlines.

Preparation and planning efforts should be focused towards the lowest level of government first before interacting with the Federal government.

Do not neglect coordinating with state and local entities. In times of emergency localities and neighboring states can provide immediate assistance.

The state central procurement office plays a crucial role in addressing the logistical challenges faced by government agencies after a disaster.

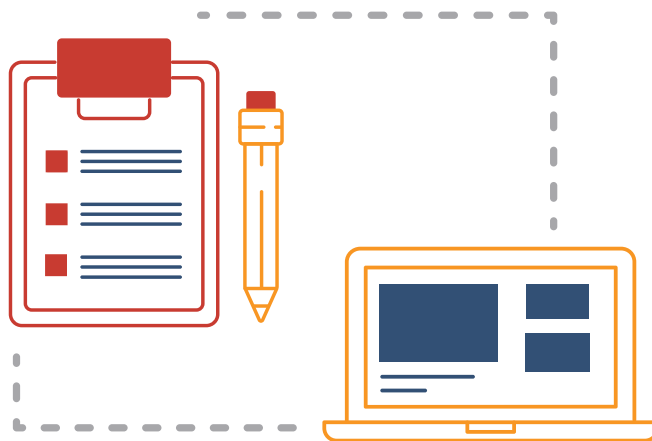
Natural disasters have become more prevalent in recent years.¹ The costliest year on record was 2017, with an estimated total of \$306 billion spent on disaster recovery. Given

the increasing frequency and severity of these disasters, it is important to have an emergency plan in place for your state and your office. Proper preparation ensures governmental efficiency and the safety of the public. Concrete procedures in place is necessary for reimbursement of emergency costs through Federal Emergency Management Agency (FEMA) grants.

Classified as a man-made disaster, cybersecurity attacks are also becoming increasingly common. The preparation and response for these attacks is inherently different from their natural disaster counterparts. In this guide, we will focus on preparation and response for natural disasters. However, NASPO encourages all states to identify vulnerabilities and examine responses to cybersecurity attacks. For more information on cybersecurity preparation, **read [this joint bi-annual report on cybersecurity from NASCIO-Deloitte](#)**.

This guide is designed to familiarize procurement officials with best practices and common challenges associated with emergency response and recovery but is not intended as legal advice. It is important to review recent and relevant materials to ensure that the procurement practices do not violate Federal or state statutes in order to qualify for reimbursement. If you have any questions, we encourage you to approach your state's legal counsel and/or your regional FEMA representative concerning these issues.

¹ Wernick, Adam. "2017 was the costliest US natural disaster year on record." The World. January 27, 2018. <https://theworld.org/stories/2018-01-27/2017-was-costliest-us-natural-disaster-year-record>.



SECTION I:

Defining Key Terms and Agencies

ACRONYM USED IN THIS SECTION

FEMA: Federal Emergency Management Agency

Key Terms

Federal Emergency Management Agency (FEMA)

FEMA is the Federal Awarding Agency that has an affirmative duty to manage and administer Federal awards in accordance with Federal laws. For 40 years their mission has been to teach America how to prepare for, prevent, respond to and recover from disasters. They coordinate the Federal government's preparation and response to domestic disasters. View FEMA's Organizational chart by clicking [here](#).

Incident

FEMA defines an "incident" as "an occurrence or event, natural or human-caused, that requires an emergency response to protect life or property." When local and state resources are inadequate to respond to an incident, Federal assistance can be obtained through FEMA.

Emergency

For the purposes of this guide, we will refer to an "emergency" as an extraordinary event which occurs with very little time to develop a unique response for that event.

The definition of an emergency varies by state so make sure to check your state's specific guidelines before implementing emergency purchasing procedures. For example, the New Mexico procurement code [NM Stat §13-1-127 (2017)] allows for emergency procurements when "there exists a threat to public health, welfare,

safety or property requiring procurement under emergency conditions," while the Missouri law [MO Rev Stat § 34.045(2015)] allows for the waiving of competitive procurement when the commissioner determines there is "immediate expenditure is necessary for repairs to state property in order to protect against further loss of, or damage to, state property, to prevent or minimize serious disruption in state services or to ensure the integrity of state records." It is imperative to be familiar with your specific state's statute to avoid issues.

Response

Response is one of the five [mission areas](#) as defined by FEMA. This phase takes place immediately after the incident occurs and refers to responding "quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of a catastrophic incident. The core capabilities of this stage include logistic and supply chain management, critical transportation, operational coordination, etc.

Recovery

Recovery occurs after the initial response takes place and focuses "on the timely restoration, strengthening and revitalization of infrastructure, housing and a sustainable economy, as well as the health, social, cultural, historic and environmental fabric of communities affected by a catastrophic incident."²

² Mission Areas and Core Capabilities." FEMA. July 20, 2020. <https://www.fema.gov/emergency-managers/national-preparedness/mission-core-capabilities>.



Terminology Change

It is important to note that FEMA has changed some of their terminology. A “grant” is now known as a **“Federal award.”** “Grantee” is now referred to as **“recipient.”**

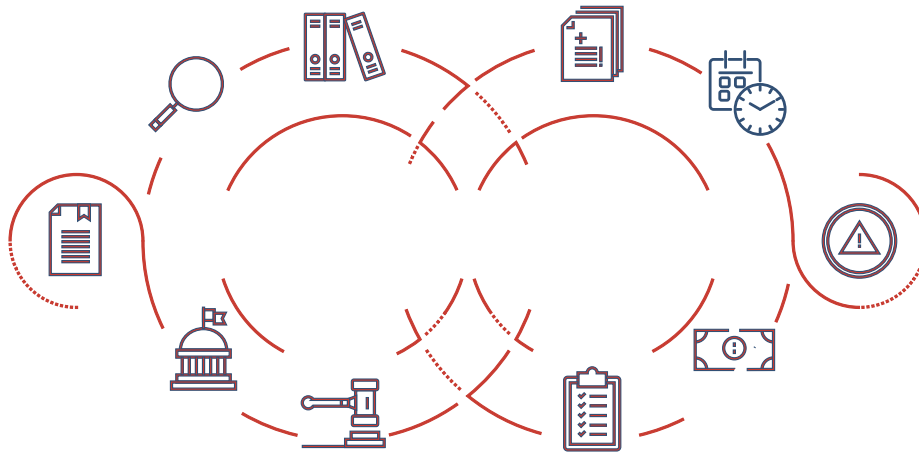
A new term called **“pass-through entity”** has been added. A “pass-through entity” is a non-Federal entity that provides a sub-award to a subrecipient to carry out part of a Federal program. This subrecipient can be hospitals, institutes of higher education, non-profit organizations, and local and tribal governments. All subrecipients must adhere to applicable Federal procurement standards and the “pass-through entity” is responsible for ensuring this compliance.

These are only some of the changes in terminology which occurred when FEMA adopted the Uniform Rules in 2014. Click [here](#) to watch FEMA’s webinar about current reimbursement terminology and definitions.

EMERGENCY PREPAREDNESS ACTION LIST

Section I: Defining Key Terms and Agencies

- ☐ Check your state's definition of what constitutes an emergency.
- ☐ Check changes in terminology (FEMA).



SECTION II:

Fundamental Federal Programs

ACRONYMS USED IN THIS SECTION

COOP: Continuity of Operations Plan

EMA: Emergency Management Agency

EOC: Emergency Operation Center

EOP: Emergency Operation Plan

IAP: Incident Action Plan

ICS: Incident Command System

NIMS: National Incident Management System

NRF: National Response Framework

PA Program: FEMA's Public Assistant Program

This section introduces the Federal programs that govern a state's preparation for an emergency.

The Stafford Disaster Relief and Emergency Assistance Act

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) is a United States Federal law designed to bring an orderly and systemic means of Federal natural disaster assistance for state and local governments in carrying out their responsibilities to aid citizens during an emergency. This act is the statutory authority for most Federal disaster response activities and FEMA coordinates with the states when assistance is provided under this Act.

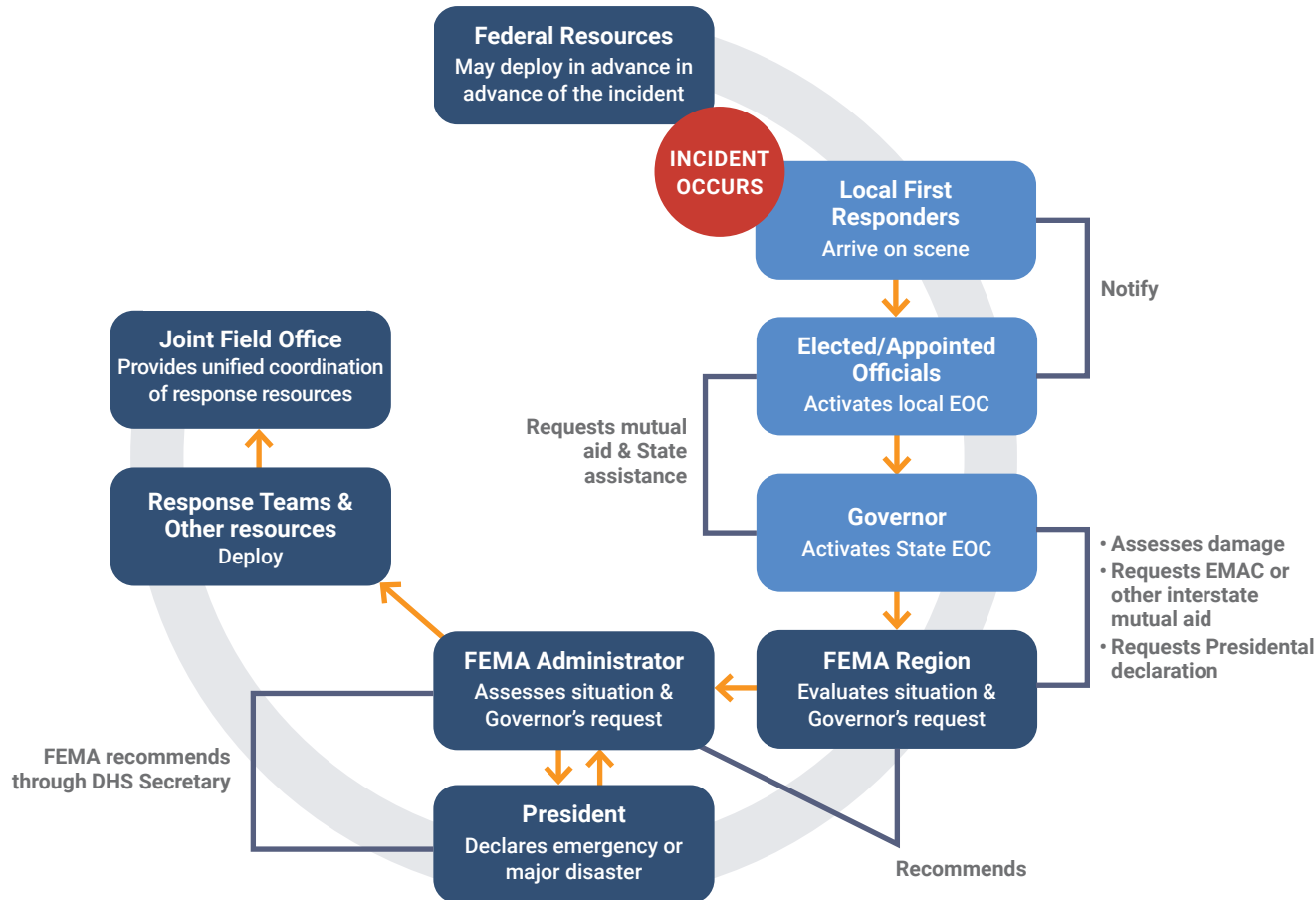
The Stafford Act defines an “emergency” as “any occasion or instance for which, in

the determination of the President, Federal assistance is needed to supplement state and local efforts and capabilities to save lives and protect property.” Examples of Stafford Act Programs include the FEMA Public Assistance Program, and the [Hazard Mitigation Grant Program](#).

See an overview of the actions, as governed by the Stafford Act, the Federal government is likely to perform to assist states that are affected by a disaster by clicking [here](#).

Read the Stafford Act in its entirety by clicking [here](#).

The following chart summarizes Stafford Act support to States.



FEMA Public Assistance Program (PA Program)

FEMA's Public Assistance Program (PA Program) is statutorily authorized by the Stafford Act and provides financial assistance for:

- Debris removal
- Implementation of emergency protective measures
- Permanent restoration of infrastructure
- Hazard mitigation

These are the funds your state will utilize during an emergency situation and 90% of PA program funds are spent through recipient and subrecipient programs. Federal share of emergency expenses cannot be less than 75% of eligible costs. FEMA PA funds have a limited period for expenditure. This timeline varies based on whether the incident was declared a major disaster or an emergency.

For more information about FEMA's Public Assistance program click [here](#).

For information concerning the disaster declaration process and the types of funds available click [here](#).

The National Response Framework (NRF)

The **National Response Framework** (NRF) presents the principles that govern how we prepare for and respond to all types of disasters as a nation. It defines the key players, the process of gaining Federal assistance, the emergency support function annexes, and support annexes. The structures and procedures outlined in the NRF address incidents where Federal support is necessary under the Stafford Act and incidents where the Federal

government has other authorities and responsibilities.

The NRF is always in effect and can be implemented at any time. Selective implementation allows for a scaled response to an incident, threat or hazard. This tiered response emphasizes that emergencies should be handled at the lowest jurisdictional level capable of successfully addressing the issue.

National Incident Management System (NIMS)

All response protocols described in the NRF align with the **National Incident Management System** (NIMS). NIMS is a uniform and domestic approach to incident management by providing a standard management structure emphasizing preparedness, mutual aid, and resource management.

NIMS Emergency Operation Steps

When an emergency occurs, local response agencies (e.g. police, fire, EMS) will respond initially. They will then set up an Emergency Operation Center (EOC).

If the situation escalates, local entities report to their county Emergency Management Agency (EMA).

If the county EMA requires more assistance, they will contact the state Emergency Management Agency.

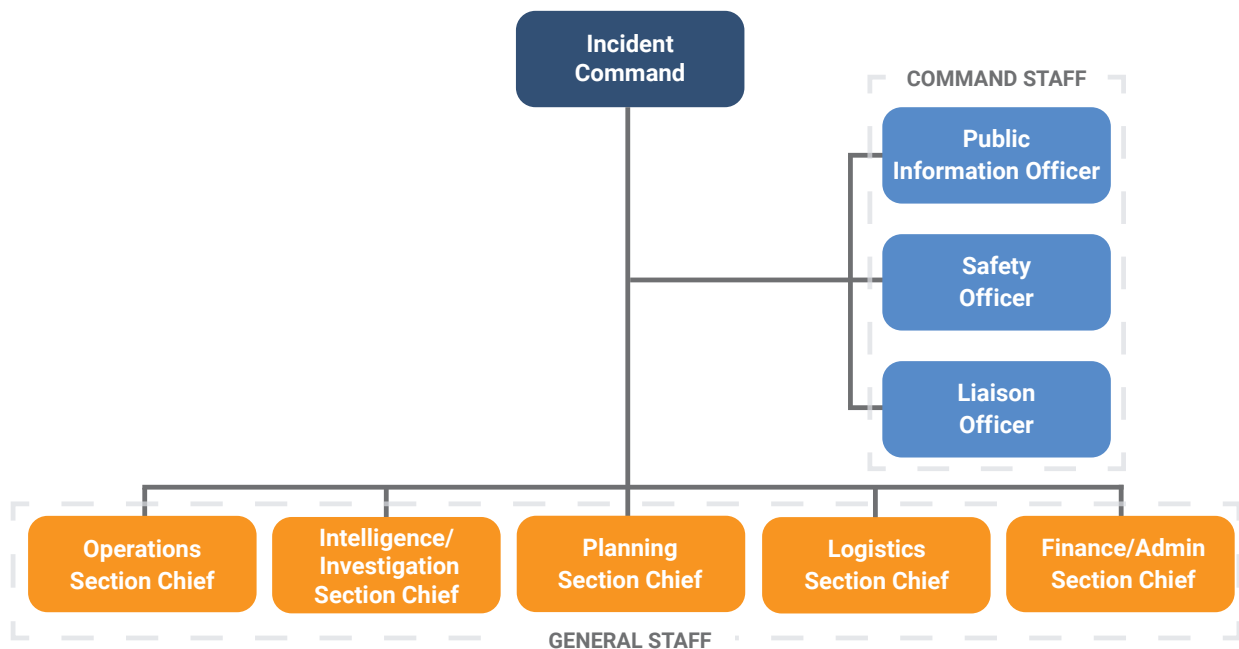
If the situation further escalates, the state EMA will activate the network of emergency response agencies.

This nationwide approach allows responders from different jurisdictions and disciplines to better work together in response to natural disasters and emergencies.

The NIMS approach is modular, meaning the NIMS organizational structure is intended to apply to incidents of every size and complexity. Some incidents (such as a small or contained chemical spill) may require only on-site response. At the other extreme, large incidents like hurricanes can involve total activation of state resources with contemporaneous activation of the national system. Procurement officials likewise can expect various ranges of activation of their portion of the emergency preparedness plans. Because of this, a procurement office plan should also be modular and have the flexibility to accommodate various levels of deployment.

Adoption of NIMS, a component of NRF, by state and local organizations is a condition of Federal preparedness assistance. Therefore, it is necessary to familiarize yourself with NRF terminology and concepts. Planning and preparing for emergencies is a critical component of the NRF therefore, **Emergency Operations Plans** (EOPs) or Incident Action Plans (IAPs) are necessary.

Procurement officials need to work closely with emergency management officials to determine how the Procurement Office will fit into the state's emergency response structure and if they will have representatives stationed at the Emergency Operation Center (EOC). The EOC is a location for interagency coordination of resources and information within the response area.



NIMS Incident Command System

*The NIMS Incident Command System (ICS) comprises four major functional areas: Command, Operations, Logistics, and Finance Administration. **Under the NIMS ICS, the Procurement Unit is part of Finance Administration.***

According to the NIMS:

The Procurement Unit staff administer all financial matters pertaining to leases and vendor contracts. Unit staff coordinate with local jurisdictions to identify sources for equipment, prepare and sign equipment rental agreements, and process documentation associated with equipment rental and supply contracts.

Continuity of Operations Planning (COOP)

Under the NRF, government entities need to develop plans that ensure essential government functions are performed under all conditions, and this is called [Continuity of Operations Planning](#) (COOP) planning. COOP planning for a procurement office typically requires identification of:

- Mission critical functions that must be performed continuously
- A planned timetable for restoring other procurement services
- Vital files, records, and databases necessary to perform essential functions
- An alternate location that has sufficient space
- Communications to perform essential functions

Each state has its own governance structure for disasters. The state procurement office must work with their state's EMA to establish a clear line of authority and chain of command during emergency situations. The procurement office is commonly part of the EOC and may be responsible for providing sources of supply, transportation capabilities, personnel, technical expertise, and a wide variety of other services during emergencies.

How does this fit together?

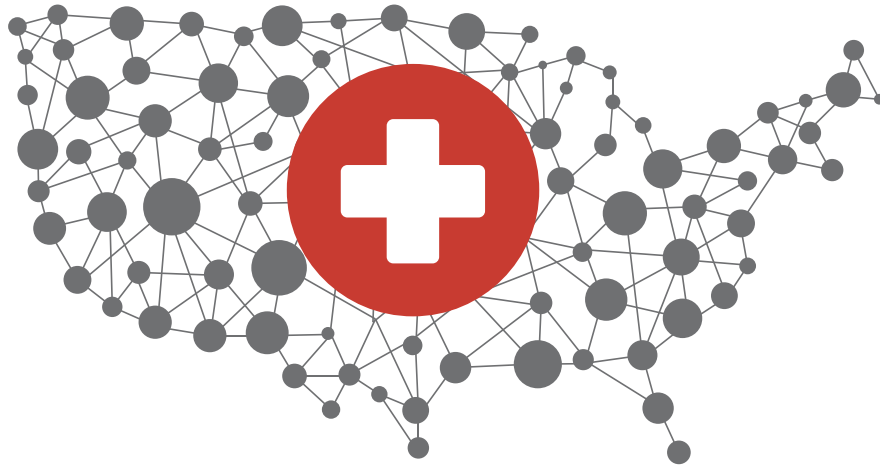
The NRF mandates the adoption of both NIMS processes and the adoption of a COOP plan. These must be in place in order to receive Federal preparedness assistance. Therefore, it should be considered best practice for the central procurement office to adopt a COOP framework prior to an emergency. The design and adoption of your COOP framework may include Memorandums of Understanding (MOU) with border states. This documentation preparation can save you needed time during an emergency.

See Appendix A for a graphic explaining the relationship between the NRF, NIMS, and COOP.

EMERGENCY PREPAREDNESS ACTION LIST

Section II: Fundamental Federal Programs

- ☐ Familiarize yourself with the Stafford Act.
- ☐ Familiarize yourself with the FEMA PA Program: types of grants available, thresholds for reimbursement, etc.
- ☐ Adopt NRF to be eligible for Federal assistance.
- ☐ Establish a COOP (Continuity of Operations Plan) for your central procurement office.



SECTION III:

Interstate Programs

ACRONYMS USED IN THIS SECTION

EMAC: Emergency Management Assistance Compact

FEMA: Federal Emergency Management Agency

IMAC: Interstate Mutual Aid Compact

During an emergency, it may be possible to receive timely assistance from not only the Federal government, but also other states. It is important to understand the process of obtaining aid from other states through the Emergency Management Assistance Compact (EMAC).

Emergency Management Assistance Compact (EMAC)

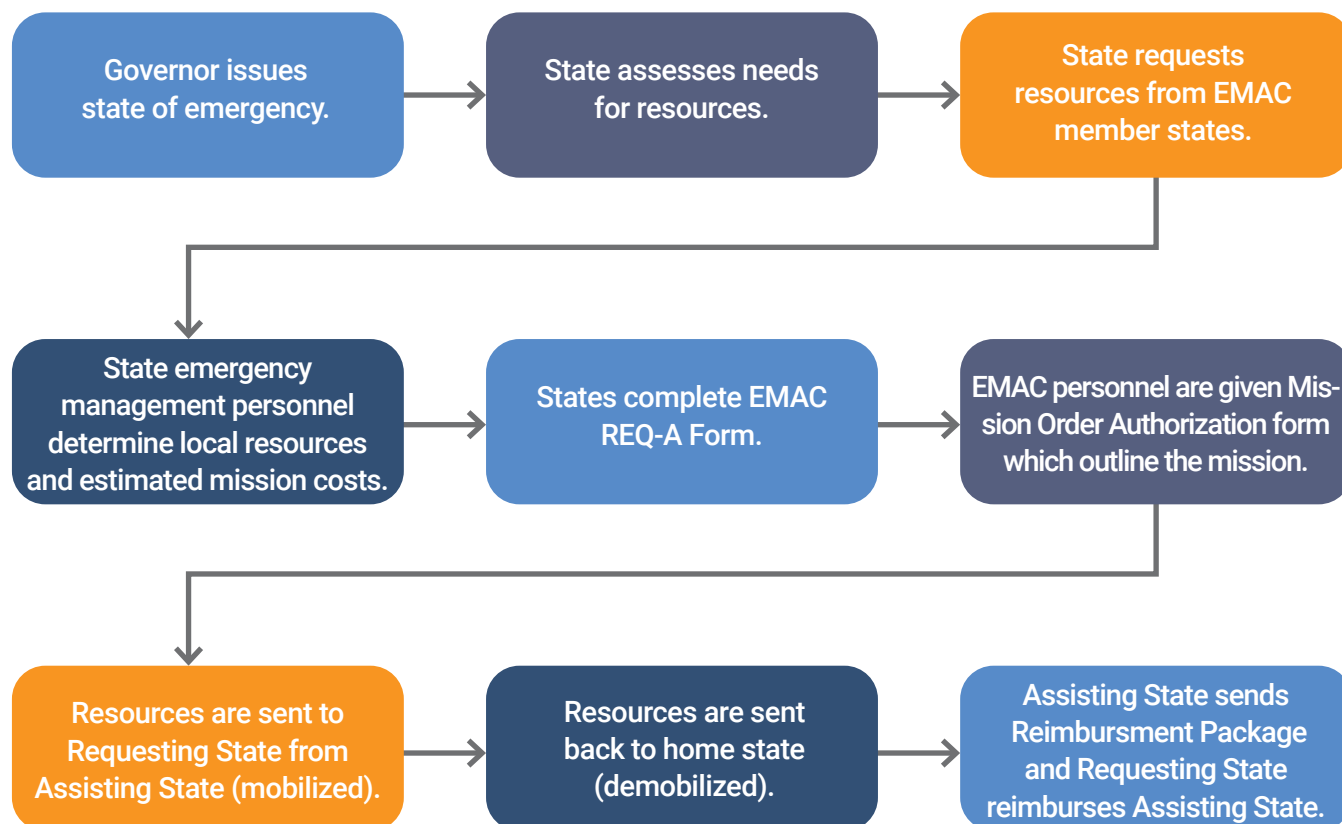
When an incident is such that local agencies will exhaust or have exhausted their resources, they may request assistance from other states and local governments via an Emergency Management Assistance Compact (EMAC) or a similar type of arrangement. In some states, this legislation is known as an Interstate Mutual Aid Compact (IMAC).

Costs incurred during a deployment of assistance from other states might include things such as personnel costs, overtime, per diem and vehicle rentals. The FEMA Disaster Assistance Policy provides guidance on Federal disaster cost reimbursement. [Click here](#) for a general overview of EMAC.

Conclusion

An EMAC can be an incredibly useful resource for states during emergency situations. Consider exploring this option and reaching out to neighboring states before a disaster strikes.

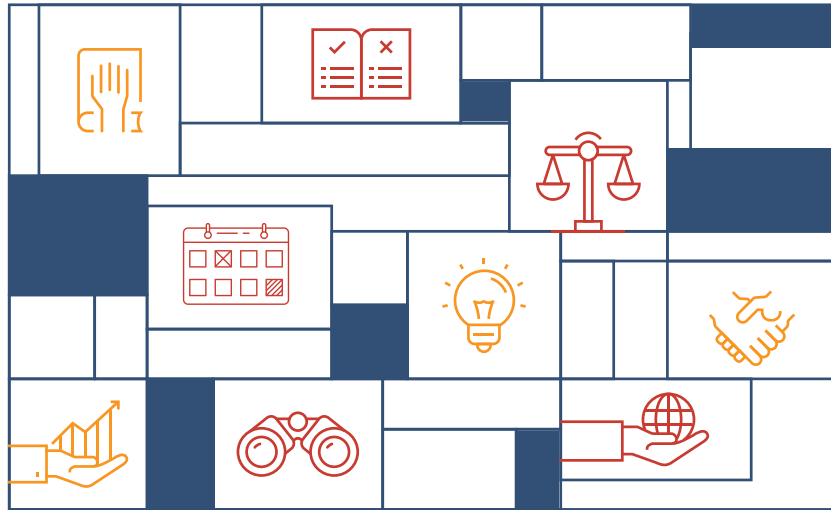
Essential Elements of EMAC Deployment



EMERGENCY PREPAREDNESS ACTION LIST

Section III: Interstate Programs

- ☐ Check EMAC (Emergency Management Assistance Compact) for current contract agreements.
- ☐ Review other state EMAC agreements for examples of how to implement your own.



SECTION IV: The Uniform Rules

ACRONYMS USED IN THIS SECTION

FEMA: Federal Emergency Management Agency

GSA: General Services Administration

PDAT: Procurement Disaster Assistance Team

RFP: Request for Proposal

In order to receive Federal assistance, states must comply with the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, hereafter referred to as the Uniform Rules, at [2 C.F.R. 200.317, 2 C.F.R. 200.322, and 200.326](#). The following section provides an overview of the notable requirements put forth by these rules and provides links to helpful supplemental materials.

Procurement Standards

When procuring property and services under a grant, a state must follow the same policies and procedures it uses for procurements from its non-Federal funds. The state must ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implementing regulations. To provide guidance to states concerning the procurement standards necessary for utilizing FEMA funds, the Procurement Disaster Assistance Team (PDAT) provides a [checklist](#) which can be implemented to guide procurement procedures and a [template](#) to help compare Federal and State procurement regulations.

We encourage you to visit PDAT's [website](#) to gain access to other resources, including [supplemental material and a field manual](#) to help you in your quest to follow these Federal guidelines.

When using FEMA funds, procurement officers must acknowledge this within the contract and include any relevant contract provision clauses as outlined [here](#). Make sure to include a Termination for Cause and Convenience clause for any contract above \$10,000.

Notable Requirements for Non-Federal Entities Other Than States

The remainder of this section highlights some of the notable requirements outlined in the Uniform Rules for Non-Federal Entities other than states. It is important to review these requirements as if the state is the original recipient of the grant. The state is responsible for ensuring the sub-recipients follow the Federal Rules that apply to them.

Pre-Solicitation Requirements

The Uniform Rules encourage the implementation of cooperative contracts, General Services Administration (GSA) Schedule Contracts, and surplus Federal property in order to increase efficiency and cost savings when procuring necessary property (C.F.R. 200.318(e); C.F.R. 200.318(f)). In addition to this, Non-Federal Entities are instructed to avoid unnecessary/duplicative purchases and analyze the benefits of purchase versus lease when it is appropriate (2 C.F.R. 200.318(d)).

General Procurement Procedures for Non-Federal Entities Other than States

The following are some notable restrictions procurement officers should be aware of which directly apply to non-Federal entities other than states:

- Procurement officers must ensure open competition and avoid any unreasonable requirements that would unnecessarily restrict participation. You must not specify a brand name within your RFP without including an "or equal" provision in the solicitation.

- For small purchases (under the \$150,000 threshold or your state's more restrictive requirement), you must obtain price quotes from an adequate number of qualified sources. In this case, "adequate" is defined as at least three quotes. In addition to this, the standard of award is that it goes to the lowest cost responsible bidder.
- In the case of sealed bids, which is the preferred method for contractors when the project is above the small purchase threshold, there must be at least 2 responsible bidders. The standard of award goes to the lowest responsive, responsible bidder (2 C.F.R 200.320(c)).
- States must perform a [cost analysis](#) for every procurement action about the simplified acquisition threshold (\$150,000). However, if the state requirement is more restrictive, the procurement officer should defer to that regulation.
- The use of sole sourcing should be minimized, however there are notable exceptions such as when the item is available from one source or effective response to the emergency will not permit a delay (2 C.F.R 200.320(f)). Gain more insight by accessing this [FEMA FAQ Sole Sourcing document](#).

Conclusion

The overarching principles are that a state must follow the same policies and procedures it uses for procurements from its non-Federal funds and must ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders.

EMERGENCY PREPAREDNESS ACTION LIST

Section IV: The Uniform Rules

- ☐ Read the [Uniform Rules](#).
- ☐ Access PDAT's [website](#) to review resources available.
 - ☐ PDAT: [Supplemental Material and Field Manual](#)
- ☐ Familiarize yourself with [relevant contract provision clauses](#) for using FEMA funds.
- ☐ Familiarize yourself with the procurement rules outlined for Non-Federal Entities other than states to ensure compliance with the correct procedures when the state acts as the pass-through entity of the grant.



SECTION V: Cost Principles

ACRONYMS USED IN THIS SECTION

FEMA: Federal Emergency Management Agency

PA Program: FEMA's Public Assistance Program

The Uniform Rules require that financial costs must conform to the Cost Principles outlined in [2 C.F.R. Part 200](#), subpart E. In general, the costs must be reasonable and necessary, allocable to the FEMA award, and conform to any limitations or exclusions outlined in the Cost Principles. Any cost that is not allowable must be refunded with interest to the Federal government.

The application of the costs principles outlined in 2 C.F.R. Part 200 should not require a significant change to accounting policies and practices, but it is good to make sure that these accounting practices are consistent with the cost principles and provide adequate documentation.

Reasonable Costs

A reasonable cost is defined as a cost that “does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.”

Consider these questions when attempting to determine if a cost is reasonable:

- Is the cost generally recognized as necessary and ordinary to the functioning of your state or necessary for the efficient use of the Federal award?
- Are the costs in bounds of the market prices for comparable goods and services in the geographic area?
- Did the individuals act with prudence in the circumstances they were in at the time the costs were incurred?
- When incurring the costs did the individuals in question abide by the restraints and requirements outlined by Federal and state laws?

- Did you deviate substantially from the established practices and policies you normally follow when incurring this cost?

These are only a few examples of the types of questions you should ask yourself when attempting to determine the reasonableness of the costs you have incurred.



Allocable Costs

Allocable costs are chargeable to the Federal award and must be treated consistently. Any costs allocable to a particular Federal award may not be charged to other Federal awards to overcome fund deficiencies or avoid restrictions or regulations to the funds.

If a cost benefits multiple projects, the cost should be assigned to the project that it most positively impacts. When equipment or other capital assets are authorized under a Federal award, these are allocable costs, regardless of the use the equipment is put to when it is no longer needed for its initial purchase.

Here are a few questions to consider when attempting to determine if a cost is allocable to the Federal award:

- Is this cost incurred specifically for the Federal award?
- Does it benefit both the Federal award and work being done by your state?
- Is it necessary to the overall operation of your state and is it assignable to the Federal award?

Costs that are incurred prior to the effective date of the Federal award in anticipation of it for efficient and timely performance of the work are “allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency.”

Applicable Credits

Anything that offsets or reduces the expense of a cost allocable to a Federal award is an applicable credit. Applicable credits can include:

- Purchase discounts
- Rebates
- Indemnities on losses
- Adjustments of overpayments
- Insurance refunds

These accruing credits related to allowable costs must be credited to the Federal award as a cost reduction or cash refund.

Prior Written Approval

In some cases, it is difficult to determine whether a cost is reasonable or allocable. To avoid a future issue with reimbursement your state can seek prior written approval of the specific agency or Federal awarding agency in advance for indirect costs. The request for approval should include the timeframe and scope of the project.

The following are some examples of circumstances when prior written approval might be necessary:

- Revision of budget and program plans
- Compensation—personnel services and fringe benefits

- Entertainment costs
- Fines, penalties, damages, and other settlements
- Fundraising and investment management costs
- Goods or services for personal use
- Memberships, subscriptions, and professional activity costs
- Selling and marketing costs

Classification of Costs

It is difficult to classify costs as direct or indirect and there is no universal rule available. However, it is essential that the costs are treated consistently to avoid double charging, i.e. a cost incurred for the same purpose that is classified consistently as direct or indirect.

Direct Costs

Direct costs are defined as “costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.” See C.F.R. 200.413 for more details.

Examples of direct costs as outlined in C.F.R. 200.413 (b) include:

- Compensation of employees who work directly on the specific award
- Costs of materials and other expenses related to the award
- Extraordinary utility consumption related directly to the specific award

Indirect Costs

Indirect costs must be classified within two broad categories. These categories are Facilities and Administration. See C.F.R. 200.414 (c) for more detailed information concerning indirect costs.

Facilities is defined as “depreciation on buildings, equipment and capital improvement, interest on debt associated with certain buildings, equipment and capital improvements, and operation and maintenance expenses.”

Administration is defined as “general administration and general expenses such as the director’s office, accounting, personnel and all other types of expenditures not listed specifically under one of the subcategories of “Facilities.”

Examples of indirect cost include:

- The salaries of administrative and clerical staff in most cases
- Minor charges may be treated as indirect costs for practicality

Required Certifications

To ensure that all expenditures of Federal funds are in accordance with the outlined terms and conditions of the award and approved project budgets the annual and final fiscal reports or the vouchers requesting payment must “include a certification, signed by an official who is authorized to legally bind the non-Federal entity.”

This certification must read:

“By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, dis-

bursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements or otherwise. (U.S. Code Title 11, Section 1001 and Title 31, Sections 3729-3730 and 3801-2812).”

Unallowable Costs

C.F.R. 200.420–C.F.R. 200.475 provides the principles that should be applied when determining the allowability or certain items. In case of a discrepancy between the specific provisions of a Federal award and the provisions outlined in this section, the Federal award governs.

Some notable unallowable costs as outlined in C.F.R. 200.420–C.F.R. 200.475 include:

- Cost plus percentage of cost—or cost-plus percentage of construction cost contracts
- Costs associated with bad debts (debts which have been determined to be uncollectable)
- Costs of entertainment, unless authorized in approved budget or with prior written approval
- Costs associated with fines, penalties, damages, and other settlements due to violations of laws and regulations
- General costs of government
- Costs incurred for interest on borrowed capital, the State’s funds or use of endowment funds
- Lobbying costs

Conclusion

It is important to know these principles to ensure the Federal funds are being spent appropriately and according to Federal regulations so the state will receive reimbursement from the FEMA grants associated with the PA program.



EMERGENCY PREPAREDNESS ACTION LIST

Section V: Cost Principles

- ☐ Familiarize yourself with the cost principles outlined in 2 C.F.R. Part 200, subpart E.
- ☐ Familiarize yourself with FEMA regulations as your office will be held accountable on how funds are spent.
- ☐ Make sure to account for all required certifications when accessing Federal funds.



SECTION VI:

The Central Procurement Office's Role in Emergency Resource Management

ACRONYMS USED IN THIS SECTION

COOP: Continuity of Operations Plan

ESC: Emergency Services Coordinator

FEMA: Federal Emergency Management Agency

MHE: Material Handling Equipment

NIMS Program: National Incident Management System

You must be adaptable during an emergency as the situation may require you to take responsibility for things normally outside of your purview. This is an overview of some of the things you may be responsible for managing when preparing, responding, and recovering from an emergency.

Logistics and Resource Management

You might be suddenly performing logistics functions like finding creative ways to enlist major discount department stores in the “supply chain” and facing practical challenges due to unavailability of critical items such as tents and portable toilets. Sourcing rules largely change as available procurement authority is exercised to permit procurements based on urgency.

The procurement function is bundled into logistics/resource management or finance functions in emergency preparedness planning documents. This environment may be unfamiliar to procurement staff. Incident response differs from day-to-day procurement activities. Incident management necessitates centralized command, control, and operations that function much more like military or law enforcement.

NIMS describes a process for acquiring resources where a functional area requests “items” using “standardized resource-ordering procedures.” The “standardized resource-ordering procedures” described in NIMS require precise and thorough definitions, and procurement professionals are best suited to help develop these definitions. Procurement officials must help determine how procurement

resources are integrated into the resource ordering and management system. In short, up-front planning, close coordination with the state’s emergency management authority, and exercising control are key to adapting to the change in the role.

“The procurement function is bundled into logistics/resource management or finance functions in emergency preparedness planning documents.”

Media Relations

Media relations and rumor control are typically handled by the Emergency Services Coordinator (ESC). Procurement officials should not answer questions from the media unless specifically directed to do so by the person/agency responsible for media relations in the state. Procedures should be established for routing media personnel and inquiries to the proper state agency media relations staff.

Material Pre-positioning

The value of pre-positioned supplies cannot be overstated during an emergency and warehousing is part of the operational responsibilities of some procurement directors. Having the supplies pre-positioned removes the dual risks of vendor non-performance and transportation issues. The downside of pre-positioning is that most products will have to be managed to ensure they are still useable when needed.

The first step for pre-positioning is to find locations at various points around your state that are available and capable of storing emergency supplies. Many items are already available from other organizations such as FEMA and the Strategic National Stockpile. Some emergency preparation organizations provide grants to be used for material pre-positioning.

Consider these questions about pre-positioned products:

- Will the product be readily available on a 24/7 basis during an emergency?
- Are there associated temperature restrictions? Hot? Cold? A limited range?
- Are there expiration dates associated with the products?
- How much space will the product(s) need?
- Does the facility where materials are stored have appropriate loading docks?
- Will there be personnel available to operate material handling equipment (MHE) such as forklifts?

Warehouses

As part of disaster planning, the procurement office should identify a list of potential state and privately-owned warehouses and distribution centers for use in warehousing and distributing donated goods and resources destined for recovery locations (i.e. resource staging areas).

It is important to remember that when ordering items, procurement officers must know the types of receiving facilities that are available. For example, ordering pallets of ice on an 18-wheeler will only be effective if there is either a loading dock, forklift, or military resources available to unload.

As you build the pre-positioning and warehousing of items into your COOP plan, remember to ensure regular maintenance and rotation of items prior to expiration dates.

Conclusion

You, as a procurement official, have an important role in emergency preparedness. Some of the items mentioned fall outside of the normal day-to-day tasks assigned to your agency, but during an emergency these are critical functions that must be performed. Planning is key to help your staff navigate the unfamiliar territory that they will be placed in during a stressful emergency situation.

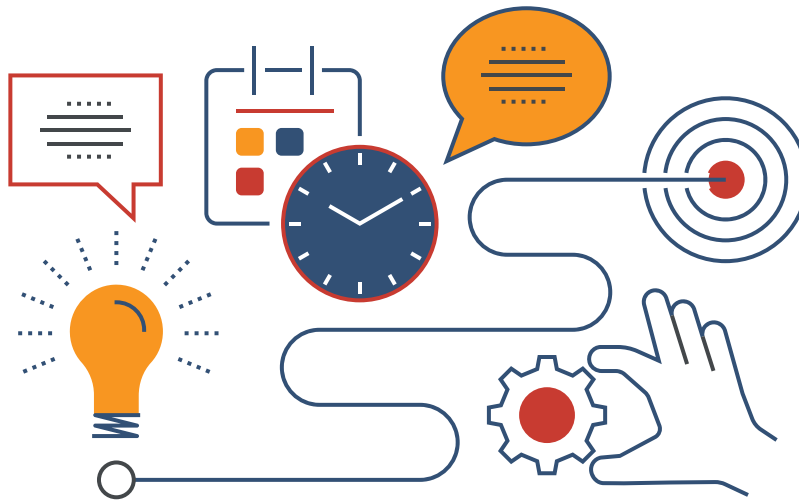
Some Useful Items to Pre-position:

- MREs
- Sandbags
- Water
- Ice
- Body Bags
- Generators
- Batteries
- Tarps
- Medical Supplies
- Cleaning Supplies
- Tents

EMERGENCY PREPAREDNESS ACTION LIST

Section VI: The Central Procurement Office's Role in Emergency Management

- ☐ Create a plan to manage logistics and resources.
- ☐ Take inventory of pre-positioned supplies and locations.



SECTION VII:

Preparedness Planning

ACRONYMS USED IN THIS SECTION

COOP: Continuity of Operations Plan

EMA: Emergency Management Agency

EOC: Emergency Operations Center

EOP: Emergency Operation Plan

ERT: Emergency Response Team

FEMA: Federal Emergency
Management Agency

NIMS: National Incident Management
System

PA: Prior Approval

SMESC: State Military Emergency
Services Coordinator

In coordination with the EOC, the state procurement office should develop emergency procedures and policies governing the acquisition of resources in support of emergency operations. Procedures should, at a minimum, identify:

- Chain of command
- Authorized purchase authority
- All internal approval requirements
- Financial approval of procurements

Emergency purchase requests are typically directed to the state EOC, where the procurement office staff supports the EOC in its fulfillment. Should the state EOC be unable to fulfill the request, it may refer the request to FEMA or route the request to the State Military Emergency Services Coordinator (SMESC) for processing.

Contingency Plans for Procurement Office Response

An alternate emergency facility needs to be identified for the procurement office staff and have the provisions necessary to support disaster recovery in the event the primary facilities are not sufficient or accessible.

- Designate a **line of succession** in the event a state director is not available.
- Develop a communication plan that has provisions for significant time without electricity, cell tower access, or phone lines. This should include:
 - Hard copies of updated staff contact lists
 - Phone/radio communications (land lines, cell phones including chargers, satellite phones or radios)

- Computer access
- Backup electrical power

Planning and Identifying the Response Team for Procurements

Planning includes designating an individual and an alternate to act as the Procurement/Logistics Team Lead in the state EOC. It is important that the procurement office develop a list of at least three personnel in priority order that are subject to recall by the emergency management agency. Those individuals should not respond until requested because, depending on the type of emergency, the EOP may be only partially activated.

The procurement office must identify the first emergency responder teams who will respond to the initial state EOC activation. Secondly, alternate emergency responder teams should be identified as they may be needed during a second shift. Remember, procedures should include a plan for contacting all staff during off-hours to transmit critical information about reporting to work. Maintain a current listing of the procurement office employees who will respond and their emergency contact telephone information. With respect to staff recall procedures, consider the following:

- Anticipate the possibility that standard phone numbers and even state websites may not be operable. Before an incident occurs, develop a separately hosted back-up capability for posting emergency instructions to staff when the procurement office and/or communication infrastructure are damaged.
- “Tree” lists are often used for emergency recalls. However, each person “up the tree” needs to have the phone numbers of all

contacts below them, in the event they cannot reach their designated contact. Involving the procurement office's human resources department when emergency planning involves retention and sharing of personal information is best practice.

- Plan for the possibility that some procurement activities may be performed from the employee's home.
- Equip procurement officers with laptops, portable printers, and cellular voice and data devices. This provides staff the flexibility to relocate to other locations not impacted by the emergency or to the EOC.
- Procurement office personnel need to be prepared in advance to use manual processes in case all communications and power are lost.

Obtain Prior Approvals

During an emergency, it may not be logistically feasible for a procurement representative to sign all required documents. It is important for the state procurement office to coordinate in advance with your state Controller regarding the formal requirements for commitment vouchers under emergency conditions. There must be a procedure in place to ensure correct approval of all necessary purchasing documents.

Pre-establish State Term Contingency Contracts

The procurement office needs to work with the EMA to pre-establish potential sourcing contracts (statewide term contracts) for items typically used in a declared emergency. These term contracts should be for statewide coverage and established with selected ven-

dors who supply necessary items that are time-sensitive or scarce during the early stages of emergency response activities. The costs of these contracts can be covered under the PA Grant Program as long as specific criteria are met.

When securing pricing for equipment rental, request pricing with daily, weekly, and monthly options. Pricing may need to include a buy-out clause depending on the type and length of the disaster. The temporary nature of emergency response requires analysis about the relative advantages of lease versus purchase.

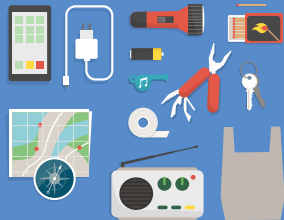
For contingency contracts expected to support some unknown potential of a future need, you are likely to pay a higher-than-expected price. However, it is still good practice to establish these contracts because in an emergency with multi-jurisdictional impact, everyone will be clamoring for the same supplies and services. Remember the importance of the supplier relationship. If a supplier feels valued, they are more likely to see you as a partner and teammate and embrace the very flexibility and mindset necessary during the emergency response and recovery phases.

Training and Exercising

The NIMS emphasizes the importance of multidisciplinary and multi-jurisdictional training and exercising. Procurement personnel may not be part of the on-site Emergency Response Team (ERT), but they will likely be part of the logistics, resource, or financial units in the EOC.

Depending on the size of the procurement operation and the nature of decentralization, some COOP plans may establish an

Examples of Commodities Necessary During an Emergency



- Cots, blankets, sheets, pillows, and linens
- Generators with fuel
- Portable lighting (indoor and outdoor)
- Tent rentals with climate control options
- Portable toilets and sanitation facilities
- Cleaning supplies—bleach, alcohol, hand sanitizer, disinfectants



- MREs—high calorie for volunteers and low calorie for evacuees
- Water—bottled and in bulk for general use
- Fuel tankers—capability of on-site refueling
- Fuel contracts: including refueling plan and pre-established location



- Transportation vehicles—trucks and buses (with and without refrigeration units)
- Emergency rescue equipment
- Safety equipment—safety glasses, work gloves, hearing protection
- Communication equipment—satellite phones, radios, portable communication tower
- Sand bags
- Body bags

alternate purchasing function at or near the EOC. Sometimes actual buying activities are not performed at the EOC. In these cases, the Procurement Official (and a senior deputy) may be required to remain at the EOC and direct purchasing operations performed at other locations.

Consequently, it is important to understand the relationship—if any—between the COOP and the EOC functions of purchasing. This will affect the identification of teams, their training, and the resources necessary for their deployment.

Experience has shown procurement focused training and exercises should supplement the training and exercises conducted by the State's Emergency Preparedness office.

Develop a Procurement Response Kit

Ideally, procurement policies, point-of-contact information, forms, and other information would be pre-positioned at the EOC. However, plans may change in response to an emergency, and it is essential to anticipate

the need for alternative locations. Therefore, it is best practice to develop a Procurement Response Kit. This kit is for COOP purposes and should be stored somewhere off-site. When planning, determine the number of kits that will be necessary to support deployments to multiple locations. Kits should always have some form of hard-copy backup, as power may not be readily available in the early stages of response.

Procurement Response Kits should include at a minimum:

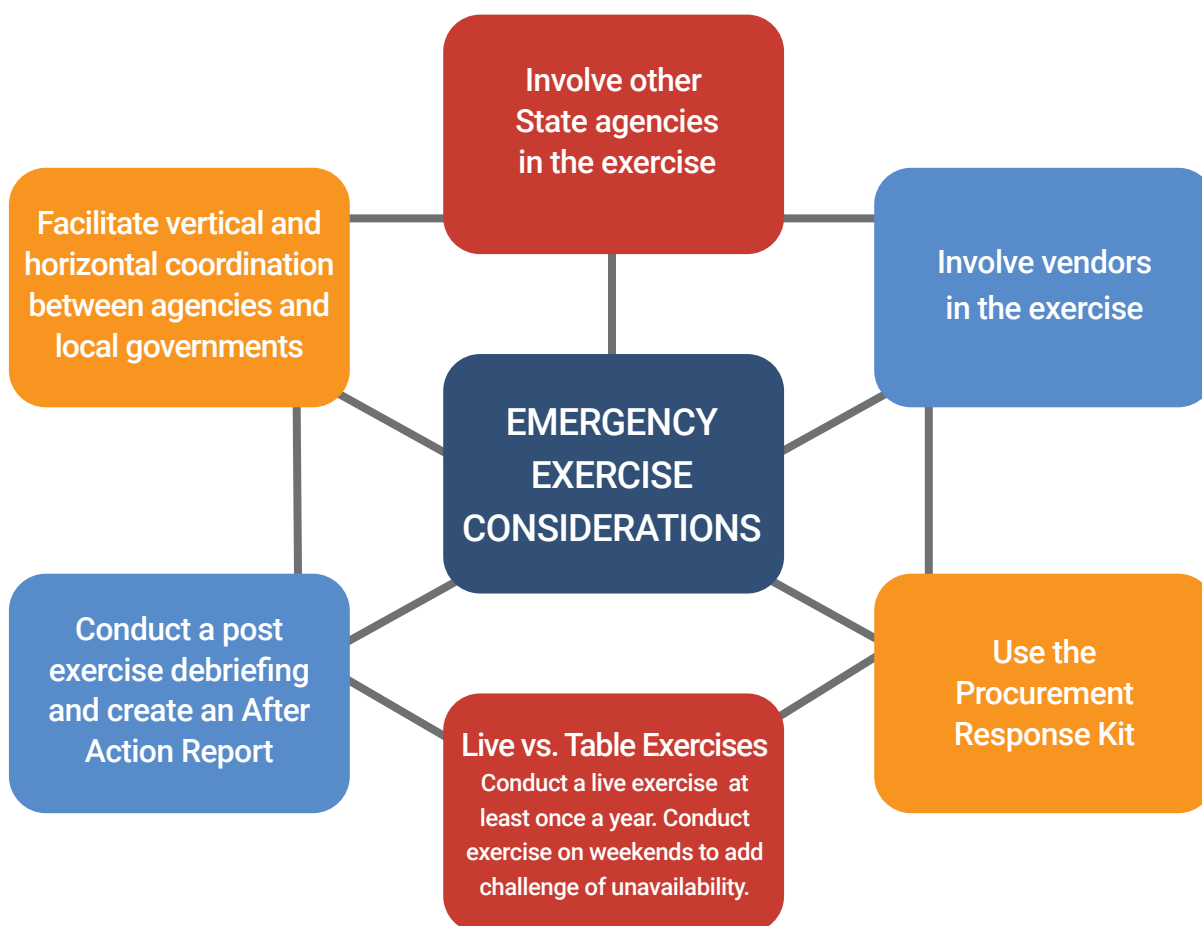
- Emergency-related contracts
- Procurement office emergency contact information
- Other state and local government emergency contact information

- Other agency procurement staff contact information that can be used to supplement emergency procurement staff
- Commodity group/vendor emergency contact information
- Materials that can be used to establish and maintain a written log of activities

All of these materials should be printed on paper. During an emergency phone lines, internet, and infrastructure may not be accessible.

Conclusion

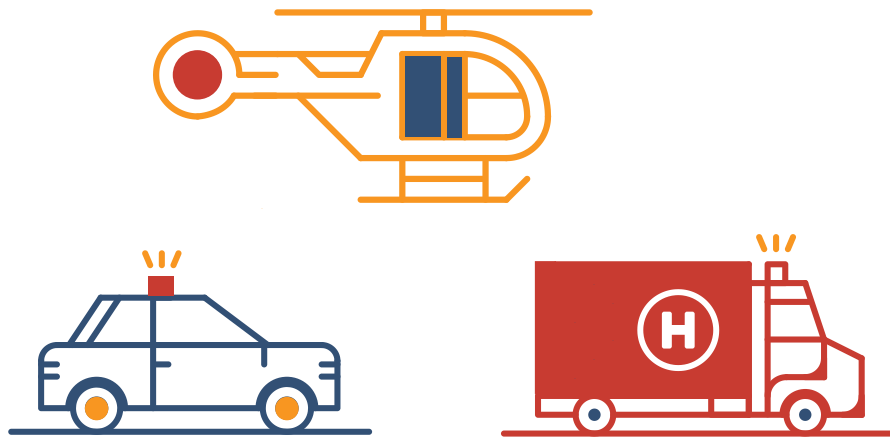
This preparation process is incredibly important and will allow your procurement office to respond effectively to an emergency.



EMERGENCY PREPAREDNESS ACTION LIST

Section VII: Preparedness Planning

- ☐ Develop policies and procedures governing the acquisition of resources in support:
 - ☐ Chain of command
 - ☐ Authorized purchase authority
 - ☐ All internal approval requirements
 - ☐ Financial approval of procurements
- ☐ Create a Procurement Response Kit.
- ☐ Develop a Communications Plan for staff.



SECTION VIII:

The Four T's

ACRONYMS USED IN THIS SECTION

DCT: Donations Coordination Team

EMA: Emergency Management Agency

EOC: Emergency Operations Center

FEMA: Federal Emergency Management Agency

GETS: Government Emergency Telecommunication Services

GSA: General Services Administration

MOAs: Memoranda of Agreement

NVOAD: National Voluntary Organizations Active in Disaster

SEOC: State Emergency Operation Center

TSP: Telecommunications Service Priority

WPS: Wireless Priority Services

This section introduces necessary capabilities that should be kept in mind when creating your emergency preparedness kit. These sections can be organized into The Four T's:

- Transactions
- Tangible Goods
- Transportation
- Telecommunication

In addition to the information outlined in this guide, states that have experience responding to disasters may be a very valuable resource. Consider requesting and reviewing other states' emergency plans and compare with your own EMA planning templates.

Transactions

Issuance of Purchase Orders / Contracts

A standardized emergency purchase request form should be developed for use by agencies in the state EOC during emergency operations. The requests may be submitted by paper or email.

Establish procedures for:

- Requesting resources
- Approval of requests
- Tracking requests
- Receiving resources
- Logging incoming and outgoing assignments as part of the Procurement Office's emergency/disaster plan.

Make sure to review FEMA procurement procedures. The [Procurement Disaster Assistance Team of FEMA](#) provides manuals and pamphlets that will provide a basic understanding of the rules and procedures which must be followed to ensure reimbursement.

Procurement Cards

The procurement card should be assigned to the procurement office and used when issuing every emergency order. When it is not possible to issue an order with the card, use a purchase order document. Procedures need to be in place for the use of the card.

It is important to have an adequate number of cards for other members of the logistics and response team. Vendors often want point-of-sale card authentication, and response may require contemporaneous purchasing activities. Some agencies pre-position multiple cards in secure locations and authorize them for use upon activation of the emergency preparedness plan.

The effective use of procurement cards in emergencies requires close coordination with the card issuer. Consider the following issues:

- How cards are assigned
- Identifying current card holders
- Activation of nontraditional merchant categories
- Card limits sufficient to accommodate occasional large purchases
- Revisions of card security limits, e.g. number of transactions per day

Procurement offices need to be aware that vendors sometimes cancel cards for non-use prior to the expiration date. When this occurs, vendors do not always provide notification of their action, and this creates the risk that the cards may not work when they are most urgently needed. Managing this risk involves clear communication with the vendor, and card activation status reviews on at least a quarterly basis.

Tangible Goods

Identifying Vendor Resources

Developing procedures for acquiring resources from outside vendors is an essential step. It is important to establish a contract with each vendor who has necessary emergency goods in advance of disasters. This will help to ensure that the quality and level of support required is clear and establish pricing agreements to prevent price gouging during disasters.

Retain vendor information in a searchable electronic format on the computer/network system or the cloud for statewide agency use. All emergency responder teams should maintain a backup method such as a flash drive, portable hard drive, or files in the cloud as well as paper copies of vendor information. These should be organized by commodity and include the vendor's name, address, and emergency telephone contact information, which is updated annually. Duplicate information also needs to be kept off-site in case the procurement office is damaged.

GSA Schedules and Advantage System

The U.S. General Services Administration (GSA) plays a critical role in providing disaster recovery products and services to state and local governments and can be a useful tool for procurement professionals. The Administrator of General Services is authorized to provide for the use of [Federal Supply Schedules](#) by state and local governments for the purchase of products and services used to facilitate recovery.

It is good practice to develop policies and procedures that authorize the use of GSA schedules in advance. States without requisite statutory authority should consider a change

to procurement statutes in order to provide authority for use of GSA schedules for emergencies.

- Locate your local GSA customer service representative by clicking [here](#).
- For information concerning GSA's State and Local Disaster Purchasing Program, click [here](#).
- For training on the GSA State and Local Programs as well as program updates, visit their [website](#).

Donations

Proper management of donations is critical for effective response and recovery efforts. Procurement office procedures should include checking to see if the requested resources are available as donated goods prior to purchasing from an external vendor.

A Donations Coordination Team (DCT) should be established, consisting of representatives from the state EMA, lead agency (central procurement office), non-profit organizations (i.e. American Red Cross) and [National Voluntary Organizations Active in Disaster](#) (NVOAD). NVOAD organizations are a valuable asset for donation management and should be utilized whenever possible.

The DCT is also responsible for coordinating, staging, storage, and distribution of donated goods to the impacted areas. It may be necessary to establish a warehouse network to receive the items and prepare them for distribution. These warehouses could be initially staffed by state employees, but considerations should be given to using NVOAD staff for this function. Some states may use state military warehouse and distribution functions, but consideration should be given

to other responsibilities being placed upon the military. Any warehouse should be in a minimal risk flood zone and should have enough security in place to protect donations and staff. Depending upon the magnitude of the event a typical warehouse, at a minimum, should contain:

- Approximately 35,000 square feet of usable space
- Indoor loading docks
- Off-loading equipment
- Packaging supplies
- Tele-and data-communication lines
- Restroom facilities
- A functional HVAC system

The State is required to certify that the surplus property is usable and necessary for current disaster purposes in order to receive a donation or loan. The donation or loan is made in accordance with procedures prescribed and the GSA offers an online guide for this purpose.

Transportation

Ground and Air Transportation

Procurement offices must develop procedures for the transportation of resources into affected areas. The procurement office should also develop Memoranda of Agreement (MOAs) with other State agencies that own transportation resources (i.e. Department of Transportation, General Services, and Military Departments).

Maintain a current list of all state transportation resources. The list should include vehicles for specialized needs (i.e. refrigerated trucks for transporting bodies, livestock-hauling vehicles, helicopters/planes etc.). Coordinat-

ing transportation with the state EOC (SEOC) is necessary to determine movement priorities for surface transportation of resources within the state during emergencies.

The procurement office is responsible for ensuring that resource suppliers deliver requested items to the appropriate staging areas. The procurement office should verify that priority items are shipped in the most efficient manner possible because often emergencies limit the availability of transportation resources and cleared routes.

In conjunction with the Transportation Emergency Support Function, the procurement office is also responsible for coordinating the movement of resources by providing routing information and ensuring appropriate routes are used to prevent bottlenecks, unnecessary diversions. Drivers must have communication capability (cell phone/two-way radio).

If transportation resources outside the state's own are required, the procurement office will identify commercial transportation carriers from the private sector. Procurement offices must also coordinate with the SEOC for the necessary security of any transportation vehicles and refueling requirements.

When possible, transportation vehicles should use state refueling stations. Some states can authorize non-state vehicles to use these state fuel sources. During the planning phase, obtain this authority for non-state vehicles during emergency situations. Provide drivers with a state fuel card and/or a State Credit/Payment/Procurement Card for refueling authorized vehicles and purchasing other necessities. Procedures need to be in place for the use of the card(s).

Tracking Shipments

During an emergency response, make sure to implement the state procurement office's procedures for tracking state and private transportation resources. These procedures should include maintaining a list of all shipments for tracking purposes and establishing a policy for the issuance of hand receipts for items shipped and received. In addition to maintaining tracking information, the procurement office may be required to provide logistical support to confirm accurate shipments and to ensure proper routing.

Tracking Property

Emergency situations require procurement offices to track large amounts of property. The procurement office must establish a policy for maintaining the issuance, tagging, and tracking of equipment and supplies. It is important to maintain a log of model and serial numbers for all equipment. A chain of custody must be established for the equipment assigned to individuals and organizations.

The Federal government has the authority to use, lend, or donate Federal equipment, supplies, facilities, personnel, and other resources for use or distribution by state and

local governments for emergencies and major disasters. The procurement office, and/or the state's office of property management, is a likely office to have primary responsibility for managing that property, even though many state procurement offices normally do not manage inventories or stores. Procurement offices should consider coordinating with state agencies or local governments that have significant inventory capability as well as Federal procurement and logistics offices in their locality. This is due to the possibility of overseeing property management and the need to learn efficient approaches for the storage and management of property.

Telecommunication

Priority Telecommunications Services

Federal resources are available to aid in communication during emergency situations. The National Communications System, a part of the U.S. Department of Homeland Security, provides priority telecommunication services and other related programs to support national security and emergency preparedness efforts across Federal, state, and local organizations. Procurement Offices must apply for these services in advance.



Visit the [Priority Telecommunication Services](#) website for guidance.

Types of telecommunication services include:

- Government Emergency Telecommunication Services (GETS) is a nationwide, priority telecommunication service that provides emergency personnel access and priority through a unique dialing plan with personal identification numbers. State Procurement Officials should obtain a GETS card in advance of a disaster. Visit the [GETS website](#).
- Telecommunications Service Priority (TSP) is used for provisioning or restoration of those telecommunications that support national security and emergency preparedness. The user receives a TSP authorization code and provides that code to their communications service provider. See the [TSP website](#).
- Wireless Priority Services (WPS) gives authorized national security and emergency preparedness personnel priority access to available cellular resources during emergency situations. The cellular carrier may charge additional fees for WPS services. Visit the [WPS website](#).



Conclusion

Keep the four T's in mind when you are planning your emergency preparedness toolkit! Make sure you have the appropriate systems in place to undertake managing Transactions, Tangible Goods, Transportation and the necessary Telecommunication infrastructure to coordinate all of these important aspects of emergency response.

EMERGENCY PREPAREDNESS ACTION LIST

Section VIII: The Four T's

- ☐ Review [FEMA](#) procurement procedures.
- ☐ Locate your local GSA customer service representative by clicking [here](#).
- ☐ Check to make sure you have an adequate number of pCards for members of the logistics and response team. Cards should be assigned to the procurement staff and used when issuing every emergency order.
 - ☐ If it is not possible to issue an order with a card, use a purchase order document.
- ☐ Establish a contract with each vendor who has necessary emergency goods in advance.
- ☐ Maintain a current list of all state transportation resources including vehicles for specialized needs (refrigeration trucks for transporting bodies, livestock-hauling vehicles, helicopters/planes, etc.)
- ☐ Coordinate transportation with the state EOC to determine movement priorities for surface transportation or resources within the state during emergencies.
- ☐ Establish Donations Coordination Team (DCT) consisting of representatives from the state EMA, lead agency (central procurement office), non-profit organizations (i.e. American Red Cross) and [National Voluntary Organizations Active in Disaster \(NVOAD\)](#).
- ☐ Develop Memoranda of Agreement (MOAs) with state agencies that own transportation resources (i.e. Department of Transportation, General Services and military).
- ☐ Develop procedures for the transportation of resources into affected areas.
- ☐ Delegate movement priorities for surface transportation of resources within the state during emergencies.
- ☐ Verify priority items are shipped in the most efficient manner possible because often emergencies limit the availability of transportation resources and cleared routes.
- ☐ Review National Communications System's priority telecommunication services [website](#) for guidance on possible resources for telecommunication during times of emergency resources and cleared routes.



SECTION IX:

Response

ACRONYMS USED IN THIS SECTION

EOC: Emergency Operations Center

FEMA: Federal Emergency Management Agency

NASPO: National Association of State Procurement Officials

The remaining sections of this guide identify issues that arise during response incident management and recovery. When we refer to “response” we are referring to the capabilities necessary to save lives, the environment, protect property and meet basic human needs after an incident occurs.

Recall

Upon notification, initiate procurement office recall procedures. Respond to the EOC. Account for all personnel and maintain a communications link to keep them apprised of developments and resource requirements.

Activate the Purchasing Function at the EOC

Normally, the initial step for activating the purchasing function is a briefing at the EOC that identifies the nature of the incident. The fact that the procurement portion of the plan is activated suggests that resource management issues will arise that could not have been satisfied through normal purchasing procedures.

Purchasing staff should have assigned space, computers, and telephones, as well as other necessary procurement-specific supplies (for example, paper purchase orders).

Use State Resources

State government agencies will use internal resources and the resources of other state agencies to the maximum extent possible prior to requesting resources from outside vendors. Verify that you have utilized state resources to the maximum extent possible.

Alternate Resource Assistance

In the event of an emergency, procurement offices in other states can be contacted for assistance. They may be able to offer advice or identify additional vendor resources for necessary equipment and supplies. NASPO, and their cooperative purchasing arm, [NASPO Valuepoint](#) can help coordinate efforts.

Receiving

In the confusion of emergency response, retaining evidence of receipt of goods and services can be especially challenging. Vendors typically are just as motivated to be responsive, and they often leave control to the state with respect to supplies that are delivered. Traditional receiving reports may not be available—therefore, it is important to develop an approach to record evidence of receipt. When necessary, use radio or telephone communications to communicate with the site. Record the results of this “oral receipt” with date, time, and identity of the person providing the information.

Documentation

Documentation is extremely important during and after the emergency. The procurement office should maintain detailed logs of:

- All purchases
- Bidding information (including all bids obtained)
- Vendors contacted when no bids were secured
- Delivery and acceptance
- Other procurement activities
- Messages, approvals (signatures)
- Correspondence relating to a purchase request

What to do in the Emergency Response Period



Term contracts or bidding should be used for purchases whenever possible. If it is not possible to use a term contract or seek bids, document why the process was not used.

Request and maintain vendor confirmations of bids received (or no bids). Document any dealings with other entities including but not limited to FEMA, Corp of Engineers, other Federal entities, local governments, private sector, and other states.

Cost Overruns

Cost overruns normally fall into the three categories:

- Variations in unit prices
- Change in the scope of eligible work
- Delays in timely starts or completion of eligible work

In the case of overruns in work approved by FEMA, state procurement officials may be required to assist with obtaining required documentation. The state may be required to evaluate each cost overrun and, when justified, submit a request for additional funding. All requests for approval must contain enough documentation to support the eligibility of all claimed work and costs. The Grantee must include a written recommendation when forwarding the request.

Procurement Officials normally are not responsible for execution of funding applications or execution of the overarching FEMA-State Agreement. However, improper purchasing activities adversely affect the ability of the State to receive reimbursements. Close coordination with the office having primary responsibility for Federal cost reimbursement is necessary.

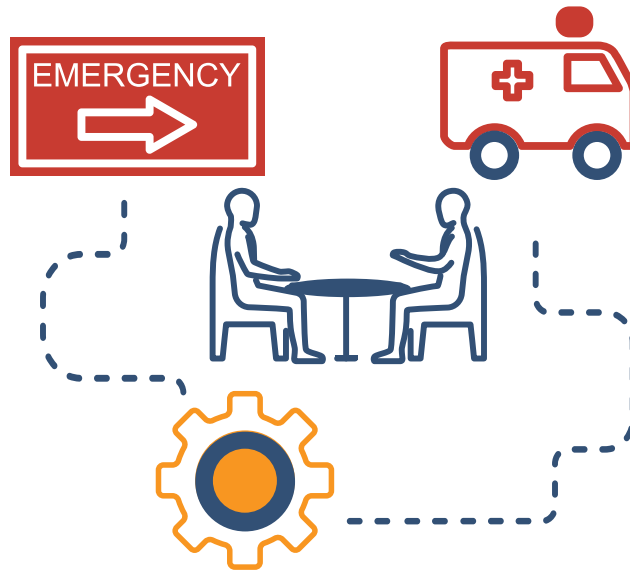
Conclusion

The response phase requires a quick and efficient response from procurement officials but there can be unforeseen circumstances that create potential roadblocks in the process. Remember that communication infrastructures and the procurement office might be damaged, and it may be difficult to contact your staff. While these difficulties may present themselves, the planning and preparation you have done now will pay off during this phase. Remember a quick response can save lives and the procurement office plays an integral role!

EMERGENCY PREPAREDNESS ACTION LIST

Section IX: Response

- ☐ Initiate procurement office recall procedures and notify the EOC.
- ☐ Account for all personnel and maintain communications link between staff.
- ☐ When necessary, use radio or telephone communications to communicate with the EOC site.
- ☐ Maintain detailed logs of:
 - ☐ All purchases
 - ☐ Bidding information (including all bids obtained)
 - ☐ Vendors contacted when no bids were secured
 - ☐ Delivery and acceptance
 - ☐ Other procurement activities
 - ☐ Messages, approvals (signatures)
 - ☐ Correspondence relating to a purchase request
- ☐ Verify that you have utilized state resources to the maximum extent possible, including:
 - ☐ Warehoused materials
 - ☐ Supplies
 - ☐ Transportation
- ☐ Develop an approach to record evidence of receipt.
 - ☐ Record the results of any "oral receipt" with date, time, and identity of the person providing the information.
- ☐ Have close coordination with the office having primary responsibility for Federal cost reimbursement to verify all requests for approval to justify cost overruns and garner reimbursement.



SECTION X:

Recovery

ACRONYMS USED IN THIS SECTION

EMA: Emergency Management Agency

EOC: Emergency Operations Center

FEMA: Federal Emergency Management Agency

NASPO: National Association of State Procurement Officials

NIMS: National Incident Management System

PA Program: Public Assistance Program

The process of recovery encompasses short and long-term efforts for rebuilding the community. Remember, “recovery” differs from “response” as it refers to the actions needed to assist communities affected by an incident to rebuild while “response” refers to the immediate actions needed after the emergency. This includes the process of rebuilding infrastructure, providing housing to affected people, promoting economic development, and restoring government services. It is important to make this distinction as protocols can differ based on whether the action is considered part of the response or recovery phase.

Procurement statutes and rules are usually effective during the recovery period. While some supplies and services may meet state and local standards for emergency or urgency during the recovery phase, many do not. Personnel who have been working on the emergency may have grown accustomed to a procurement process that now must be adjusted to accommodate previously existing state requirements for competition and compliance with other procurement policies during the recovery period.

One way to continually remind state and local personnel of the probable application of procurement rules is to relentlessly use the terms response and recovery to focus conversations.

Effect on Schedule

Make plans and define timeframes (using terms like “+30 days”) to identify responsibilities and the expected time span necessary to complete tasks. When competitive solicitation requirements apply, those times may be driven by state or local law. In the plan-

ning phase, explain the distinction between response and recovery, as well as expected changes to anticipated timelines.

Recovery of Resources

After the disaster, the procurement office needs to provide complete and timely documentation to support the purchases made.

Documentation will include electronic spreadsheets showing all detailed information:

- Purchase order numbers by date/time
- Vendor award
- Cost information
- Commodity or service description
- Agency requester
- Buyer assigned

Furnish the EMA with copies of each authorized purchase and complete bid documentation (i.e., vendors contacted for bids, bid information, pricing/quotes, and invoicing). Information must support and follow the procedures and bidding requirements of both the State and Federal Government.

Monitor and terminate the services for any contracts established during the emergency that are no longer needed (i.e. portable toilets).

The NIMS requires full accounting of expendable and nonexpendable resources, including proper treatment of unused supplies that may have been in excess to needs during the response and recovery.

Ensure the return of all equipment and unused supplies into the inventory of the state EOC or other originating government entity.

After Action Reports on the Recovery Phase

Use this phase as an opportunity to critique the Procurement Office's planning process and implementation during recovery. Some questions to ask include:

- What worked?
- What did not work as well as it could have? Why not?
- What changes to the plan are required to improve performance next time?

FEMA establishes policies that clarify or provide direction for specific situations within the parameters established by the Stafford Act and various regulations that pertain to FEMA's PA Program. Completion deadlines

are specified by FEMA based on categories of work. The completion deadlines are six months for debris clearance, six months for emergency work, and 18 months for permanent work. If purchase order performance periods cannot be specified consistent with those restrictions, inform the State Emergency Management Coordinator/Director.

Conclusion

Ensure that your state follows the time schedules specified by FEMA and provides the proper documentation. Use this time to reflect on the preparation and response phases in order to learn from the emergency situation and perform more effectively in the future.



EMERGENCY PREPAREDNESS ACTION LIST

Section X: Recovery

- ☐ Make plans and define timeframes (using terms like “+30 days”) to identify responsibilities and the expected time span necessary to complete tasks.
- ☐ Provide complete and timely documentation to support the purchases made. Documentation should include electronic spreadsheets showing all detailed information:
 - ☐ Purchase order numbers by date/time
 - ☐ Vendor award
 - ☐ Cost information
 - ☐ Commodity or service description
 - ☐ Agency requester
 - ☐ Buyer assigned
- ☐ Furnish the EMA with copies of each authorized purchase and complete bid documentation (i.e., vendors contacted for bids, bid information, pricing/quotes, and invoicing).
- ☐ Monitor and terminate the services for any contracts established during the emergency that are no longer needed (i.e. portable toilets).
- ☐ Ensure the return of all equipment and unused supplies into the inventory of the state EOC or other originating government entity.
- ☐ Use this time to reflect on the preparation and response phases in order to learn from the emergency situation and perform more efficiently in the future.

Conclusion

Both natural and manmade disasters can pose significant difficulties for government officials when a swift response is most necessary. From procuring the supplies necessary for your state to respond effectively to the emergency, to ensuring the correct procedures are followed for the reimbursement of expenses—the role a procurement officer plays during an emergency is critical. Don't let fear or inertia keep your office from planning for the worst.

This document was written to help guide your office's preparation, response, and recovery from an emergency. However, this guide is not all encompassing nor intended as legal advice and NASPO encourages all procurement officers to review the primary materials referenced in this guide and any resource provided by FEMA.

Involve your Regional FEMA representative during your planning process and reach out with any questions you may have.



Glossary

COOP: Continuity of Operations Plan

DCT: Donations Coordination Team

EMA: Emergency Management Agency

EMAC: Emergency Management Assistance Compact

EOC: Emergency Operations Center

EOP: Emergency Operation Plan

ERT: Emergency Response Team

ESC: Emergency Services Coordinator

FEMA: Federal Emergency Management Agency

GETS: Government Emergency Telecommunication Services

GSA: General Services Administration

IAP: Incident Action Plan

ICS: Incident Command System

IMAC: Interstate Mutual Aid Compact

MOAs: Memoranda of Agreement

NASPO: National Association of State Procurement Officials

NIMS: National Incident Management System

NVOAD: National Voluntary Organizations Active in Disaster

NRF: National Response Framework

OMB: Office of Management and Budget

PA Program: FEMA's Public Assistance Program

PDAT: Procurement Disaster Assistance Team

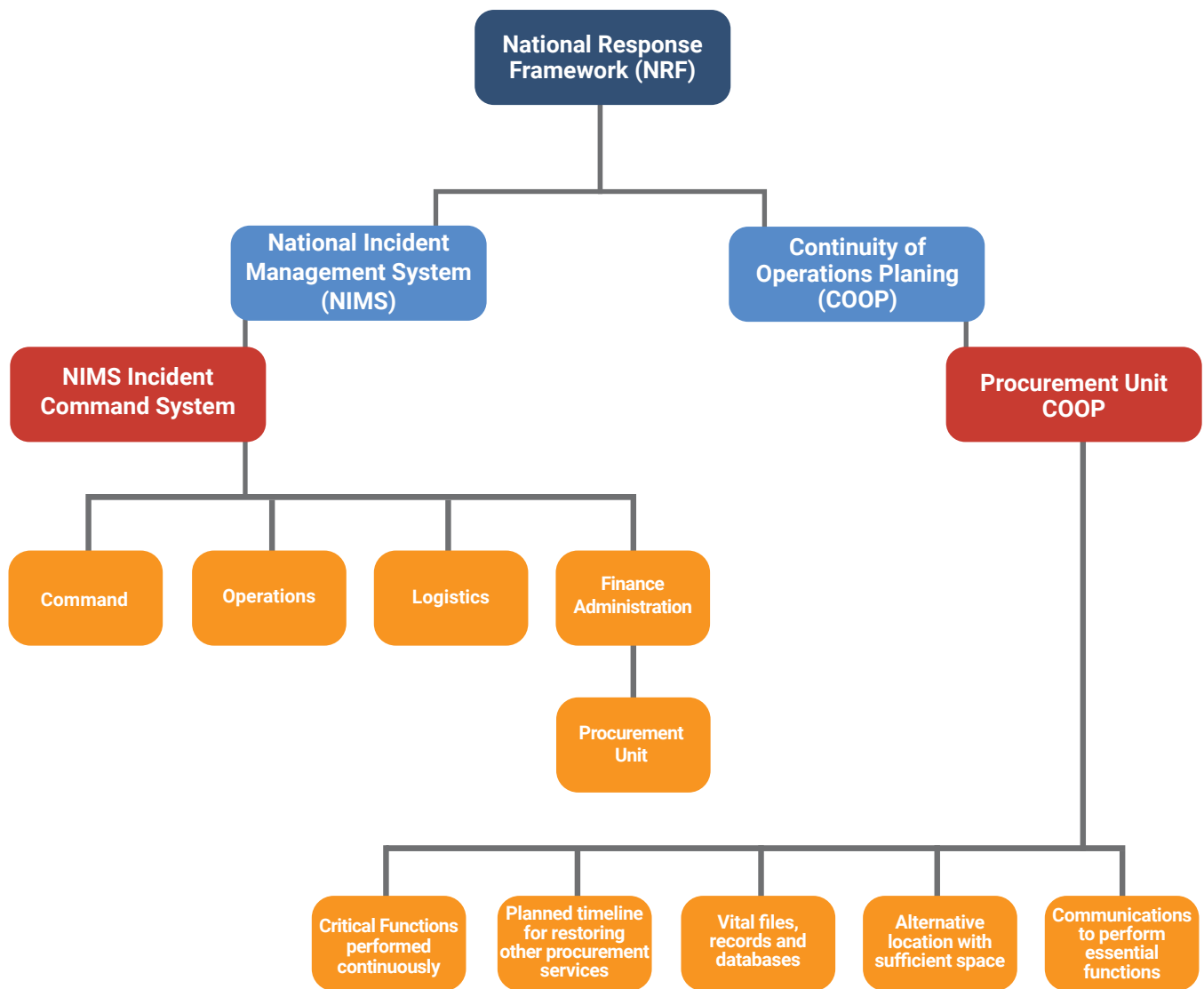
SEOC: State Emergency Operation Center

SMESC: State Military Emergency Services Coordinator

TSP: Telecommunications Service Priority

WPS: Wireless Priority Services

Appendix A



EMERGENCY PREPAREDNESS ACTION ITEMS

Preparation Phase

- ☐ Check your state's definition of an emergency.
- ☐ Familiarize yourself with the Stafford Disaster Relief and Emergency Assistance Act.
- ☐ Familiarize yourself with the FEMA Public Assistance Program: types of grants available thresholds for reimbursement, terminology, etc.
- ☐ Coordinate with your state's Emergency Management Agency.
- ☐ Establish a COOP (Continuity of Operations Plan) for central procurement office.
- ☐ Check for EMAC (Emergency Management Assistance Compact) for current contacts/agreements.
- ☐ Review other state EMAC agreements for examples of how to implement your own.
- ☐ Create a plan to manage logistics and resource management, within your state's emergency response plan.
- ☐ Take inventory of any pre-positioned supplies and locations.
- ☐ Develop policies and procedures governing the acquisition of resources in support of emergency operations.
 - ☐ i.e.: chain of command, authorized purchase authority, all internal approval requirements, and financial approval of procurements
- ☐ Create a Procurement Response Kit, including backup computers and electronic devices, and paper supplies to ensure proper documentation of any emergency procurement processes.
- ☐ Develop a Communications Plan for staff to maintain vital lines of communication.

Eligibility Requirements

- ☐ Adopt the National Response Framework to be eligible for federal assistance.
- ☐ Read the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Rules).
- ☐ Access the Procurement Disaster Assistance Team's website to review resources available: supplemental materials and field manual.
- ☐ Familiarize yourself with relevant contract provision clauses for using FEMA funds.
- ☐ Familiarize yourself with their regulations as your office will be held accountable for how funds are spent.
 - ☐ In most cases, the state will operate as a pass-through entity for federal funds distributed to localities and political subdivisions.
 - ☐ Make sure to account for all required certifications when accessing federal funds.

In the Event of an Emergency

- ☐ Check inventory of pre-positioned supplies and locations.
- ☐ Initiate procurement office recall procedures and notify the Emergency Operations Center.
- ☐ Account for all personnel, maintain communications link between staff.
 - ☐ Remember communication infrastructure may be damaged, satellite phones may be utilized.
- ☐ The emergency procurement office should maintain detailed logs of:
 - ☐ All purchases
 - ☐ Bidding information (including all bids obtained)
 - ☐ Vendors contacted when no bids were secured
 - ☐ Delivery and acceptance
 - ☐ Other procurement activities
 - ☐ Messages, approvals (signatures)
 - ☐ Correspondence relating to a purchase request
- ☐ Verify that you have utilized state resources to the maximum extent possible, including:
 - ☐ Warehoused materials
 - ☐ Supplies
 - ☐ Transportation
- ☐ Develop an approach to record evidence of receipt.
 - ☐ Record the results of any “oral receipt” with date, time, and identity of the person providing the information.
- ☐ When necessary, use radio or telephone communications to communicate with the EOC site.
- ☐ Have close coordination with the office having primary responsibility for federal cost reimbursement to verify all requests for approval to justify cost overruns and garner reimbursement.

Aftermath and Recovery

- ☐ Make plans and define timeframes (using terms like “+30 days”) to identify responsibilities and the expected time span necessary to complete tasks.
- ☐ The procurement office needs to provide complete and timely documentation to support the purchases made. Documentation should include electronic spreadsheets showing all detailed information:
 - ☐ Purchase order numbers by date/time
 - ☐ Vendor award

- ☐ Cost information
- ☐ Commodity or service description
- ☐ Agency requester
- ☐ Buyer assigned
- ☐ Furnish the EMA with copies of each authorized purchase and complete bid documentation (i.e., vendors contacted for bids, bid information, pricing/quotes, and invoicing).
- ☐ Monitor and terminate the services for any contracts established during the emergency that are no longer needed (i.e. portable toilets).
- ☐ Ensure the return of all equipment and unused supplies into the inventory of the state EOC or other originating government entity.
- ☐ Use this time to reflect on the preparation and response phases in order to learn from the emergency situation; update and adjust your COOP plan to perform more efficiently in the future.



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