

PROCUREMENT

Overview



Texas Department of Public Safety

DIVISION OF EMERGENCY MANAGEMENT

WHO?

- Applies to administrators, engineers, contractors, etc.
- Retainer contracts are specifically prohibited.



WHAT?

- Most stringent of Federal, State or Local laws and regulations apply
- Title 44, Code of Federal Regulation
- Title 2, Code of Federal Regulation
- Texas Local Government Code
- City/County Procurement



WHEN?

- The procurement process should be completed prior to work being started by anyone that will be reimbursed by HMGP funds.
- After project award date, unless Pre-Award Costs are budgeted.



WHERE?

The request for sealed bids or qualifications for professionals should be published in the local or regional paper.

The advertisement must convey

- Description of the project
- Place and time the submittals are due
- FEMA project



GENERAL INFO

- No submittals past the advertised deadline.
- The wider you cast your net the better the bids/qualifications may be.
- Clear contractor through SAM



FEDERAL GUIDANCE

Per 2 CFR 200, Administrative Requirements for Federal Grants:

1. If a consultant service was used to prepare the application on a project, the consultant will not be eligible to participate as a project administrator unless the consultant was procured to prepare AND administer the project in the same solicitation prior to award of the project.



GUIDANCE continued...

2. Cost plus percentage, or percentage of construction cost type contract are ineligible.
3. Retainer contracts (or service contracts on retainer) are not eligible.
4. Procurement must be followed per Federal, State or Local laws and regulations, most stringent applies. Most common: Small purchase, Sealed bids, and Competitive Sealed Proposal.

