



# Recovery Quality Control & Monitoring Unit

# Monitoring is an Inroad to Education & Training

("How *The Measured* Gets Better")

## Title 2 CFR Part 200 Guidance

Title 2 of the Federal Code of Regulations (2 CFR 200)  
is the primary regulation governing grant funding

- These regulations apply to all FEMA Grants
  - Independent of project size or type or Subrecipient (SR)
- Reviewing a single project allows for insight into a wide range of activities
  - (procurement, contracts, policy, process, procedures)
- Monitoring provides opportunities for a deeper dive (With the SR)
  - into specific areas of Project Control and Administration
- By familiarizing the SR with the 2CFR and FEMA process tools we increase ability of the SR to avoid common contractual pitfalls
  - experienced under high stress decision processes during a disaster.

# Not an Audit

## Monitoring reviews funds being spent.

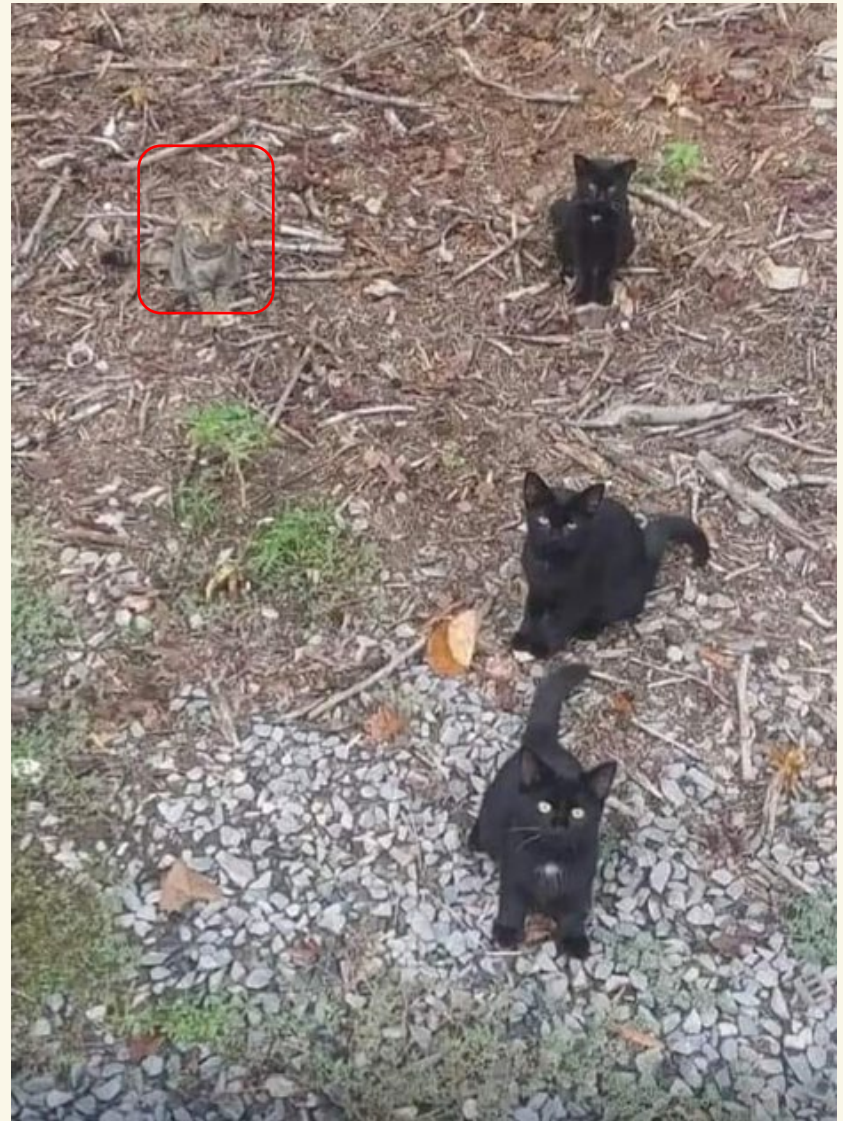
§ 200.329 Monitoring and reporting program performance.

**Monitoring by the non-Federal entity.** The non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function or activity. See § 200.332.

## Auditing reviews funds fully expended.

§ 200.501 Audit requirements.

(a) **Audit required** A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.



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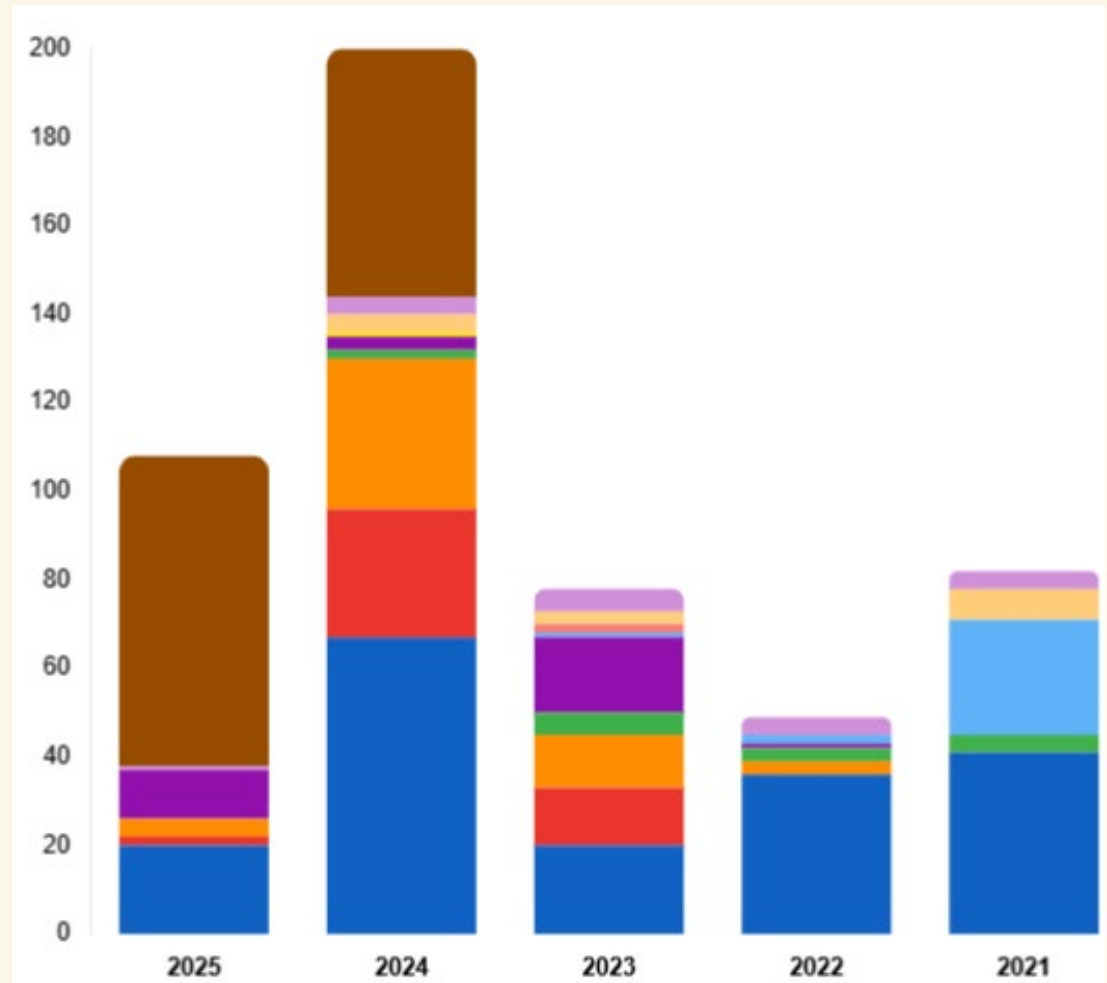
# What We Do

Compliance  
Assessments

Risk & Trend Analysis

Eligibility Checks

Audit Report Reviews



● Desk Assessment ● External Training ● CalOES/CSTI Training ● Audit Reports Review ● Activation ● Procurement Review ● Contract Review  
● Grants Management - Special Project ● Hazard Mitigation - Special Project ● Public Assistance - Special Project ● Audit Activities ● SGMA FORM Data Entry

# What we do

## Review local projects for compliance:

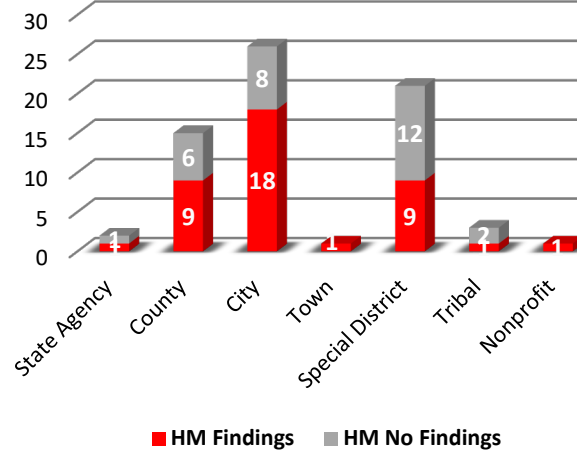
Hazard Mitigation

Public Assistance

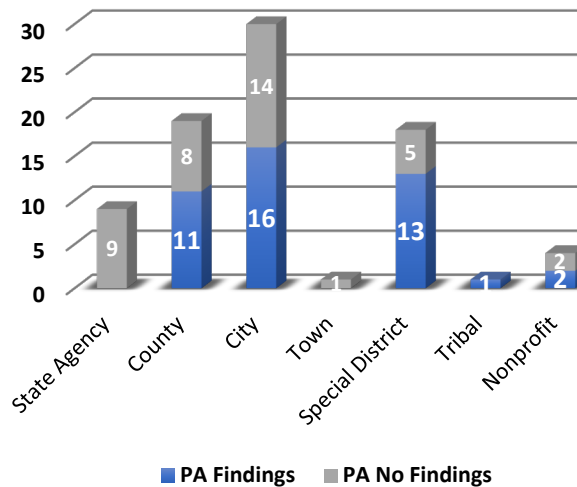
FMAG; PDM; HMA,

Crisis Counseling

### Hazard Mitigation Municipal Type



### Public Assistance Municipal Type



#### Hazard Mitigation Findings Report

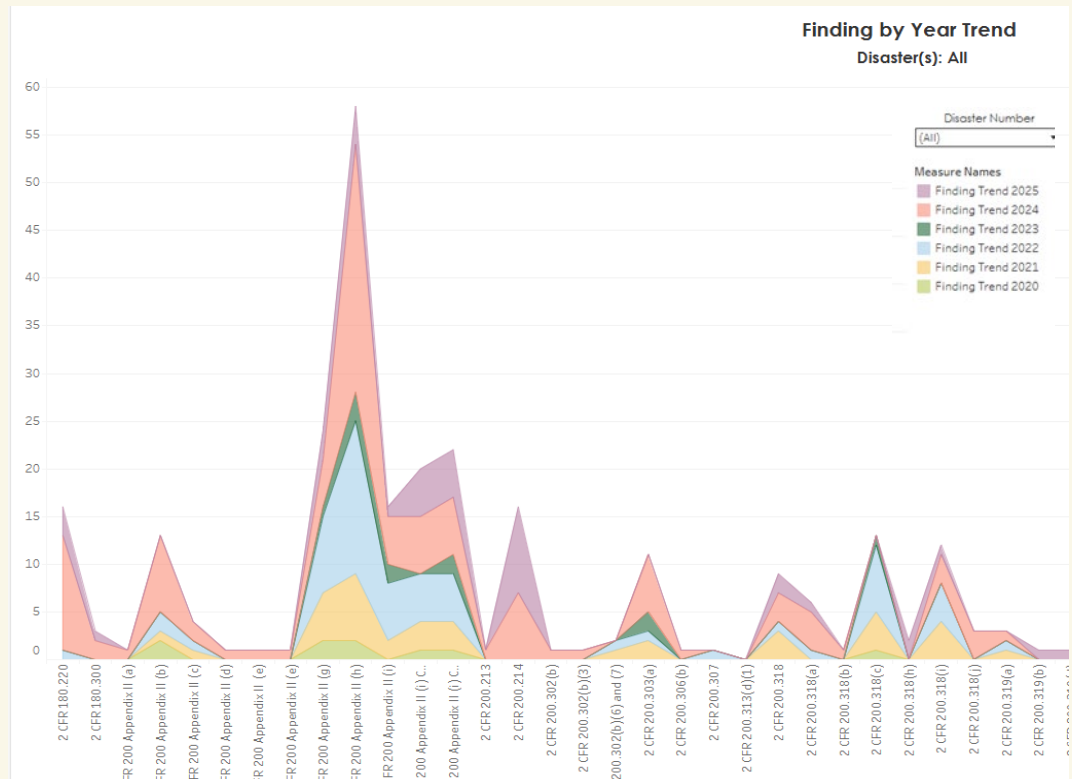
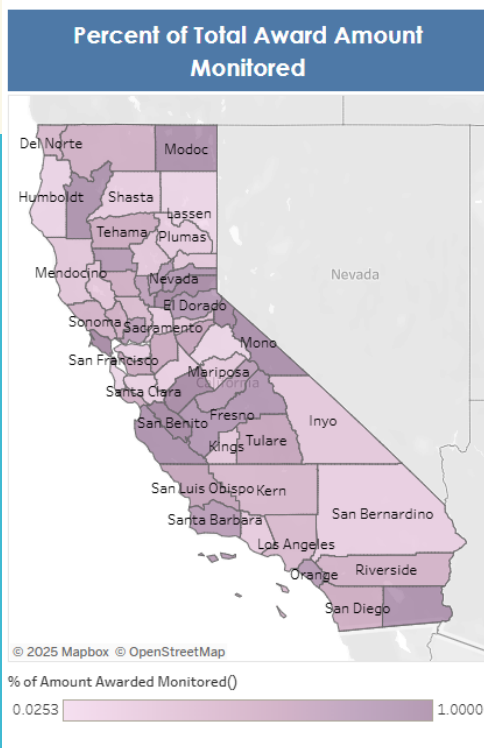
Citation	Finding Type	Total
<a href="#">2 CFR 200 Appendix II (h)</a>	Missing: Suspension and Debarment Provisions	29
<a href="#">2 CFR 200 Appendix II (g)</a>	Missing: Clean Air and Water Act provisions.	16
<a href="#">2 CFR 200 Appendix II (i) Contra</a>	Missing Byrd Anti-Lobby Certificate	10
<a href="#">2 CFR 200 Appendix II (i) Contra</a>	Missing Byrd Anti-Lobby Amendment Provision	8
<a href="#">2 CFR 200.318(c)</a>	Conflict of Interest.	6
<a href="#">2 CFR 200.214</a>	Vendor/Contractor verification of status	6
<a href="#">2 CFR 200.303(a)</a>	Effective Internal Controls	4
<a href="#">2 CFR 200.319(a)</a>	Open Competition	4
<a href="#">2 CFR 200.320(c)</a>	Non-Competitive procurement issue	4
<a href="#">2 CFR 200.403</a>	Factors affecting Allowability of Costs.	4

#### Public Assistance Findings Report

Citation	Findings Type	Total
<a href="#">2 CFR 200 Appendix II (h)</a>	Missing: Suspension and Debarment Provisions	23
<a href="#">2 CFR 200.214</a>	Vendor/Contractor verification of status	13
<a href="#">2 CFR 180.220</a>	Sam.gov Inadequate vendor or Contractor verification	12
<a href="#">2 CFR 200 Appendix II (b)</a>	Missing: Termination for Cause or Convenience Provisions	11
<a href="#">2 CFR 200 Appendix II (g)</a>	Missing: Clean Air and Water Act provisions.	10
<a href="#">2 CFR 200.318(c)</a>	Conflict of Interest.	9
<a href="#">2 CFR 200 Appendix II (i) Contra</a>	Missing Byrd Anti-Lobby Amendment Provision	7
<a href="#">2 CFR 200 Appendix II (i) Contra</a>	Missing Byrd Anti-Lobby Certificate	5



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### Findings by Section

Finding		
2 CFR 200 Appendix II (h)		58
2 CFR 200 Appendix II (g)		23
2 CFR 200 Appendix II (i) C.		18
2 CFR 200 Appendix II (i)		18
2 CFR 200 Appendix II (i) C.		16
2 CFR 200 Appendix II (b)		14
2 CFR 180.220		14
2 CFR 200.318(c)		13

### Findings by Section

Finding		
2 CFR 200.318(i)		11
2 CFR 200.303(a)		11
2 CFR 200.430(g)		8
2 CFR 200.214		8
2 CFR 200.318(a)		7
2 CFR 200.318		7
2 CFR 200.430		6
2 CFR 200.334		6



We identify deficiency trends for compliance with the code of federal regulations.

We provide technical assistance to the state's subrecipients to improve trends and remove the deficiencies in compliance



## Guidance For Compliance

### Contract Provisions Guide

Navigating Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

### Public Assistance Program and Policy Guide

### Hazard Mitigation Assistance Program and Policy Guide

### Roadmap to Procurement Compliance

Procurement Disaster Assistance Team (PDAT)

### Environmental and Historic-Preservation Emergency Regulatory and Permitting Guidance

Governor's Office of Emergency Services  
February 2023 v1.4



California Governor's Office of Emergency Services  
Storm Debris Removal Quick Guide  
Public Assistance Projects

Procurement Under Grants Training

Purchasing Under a FEMA Award:  
Common Mistakes to Avoid by Non-State  
Entities

Purchasing Under a FEMA Award:  
Exigency or Emergency Circumstances

#### Contract Provisions Quick Reference Guide

Tables A and B are designed to help FEMA grant recipients and subrecipients conduct a quick reference of the applicability of a specific contract provision and whether sample contract language is included within this Guide to incorporate within the NFE's contract.

The Tables are divided between the required contract provisions set forth under 2 C.F.R. Part 200 Appendix II and those that FEMA recommends in addition to those required by 2 C.F.R. Part 200.

Table A: Required Contract Provisions (continued next page)

Provision (Appendix II Section)	Applicability	Sample Contract Language Included
1. <u>Limit Contractual/Administrative Remedies for breach of contract</u>	Greater than Simplified Acquisition Threshold (SAT)- \$250,000	No. It is based on NFE's procedures.
2. <u>Termination for cause and convenience</u>	Greater than \$10,000	No. It is based on NFE's procedures.
3. <u>Equal Employment Opportunity</u>	Construction work	Yes. Exact language from 41 C.F.R. § 60-1.4(b) included.
4. <u>Davis-Bacon Act</u>	Construction work	Yes, via reference to required language at 29 C.F.R. § 5.5(a).
5. <u>Consistent "Anti-Kickback" Act</u>	Construction work greater than \$2,000	Yes.
6. <u>Contract Work Hours and Safety Standards Act</u>	Greater than \$100,000 + mechanics or laborers	Yes. Exact language required from 29 C.F.R. § 5.5(b).
7. <u>Rights to inventions made under a contract or agreement</u>	Funding agreement	Yes.
8. <u>Clean Air Act and Federal Water Pollution Control Act</u>	Greater than \$150,000	Yes.
9. <u>Debarment and Suspension</u>	Greater than \$25,000	Yes.
10. <u>Anti-Aid Lobbying Amendment</u>	Greater than \$100,000; and Certification required for all contracts greater than \$100,000	Yes. Clause and certification.

### Contracting with Federal Funds for Goods and Services Before, During and After Disasters

### PRICING GUIDE FOR RECIPIENTS AND SUBRECIPIENTS UNDER THE UNIFORM RULES (2 C.F.R. PT. 200)



#### Code of Federal Regulations

A point in time eCFR system



lib Title 2



DHS OIG HIGHLIGHTS  
AUDIT TIPS FOR MANAGING  
DISASTER-RELATED PROJECT COSTS



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