

Guidance Tools

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	Legal/contractual/administrative remedies for breach of contract	Greater than Simplified Acquisition Threshold (SAT)- \$250,000	No. It is based on NFE's procedures.
2	Termination for cause and convenience	Greater than \$10,000	No. It is based on NFE's procedures.
3	Equal Employment Opportunity	Construction work	Yes. Exact language from 41 C.F.R. § 60-1.4(b) included.
4	Davis-Bacon Act	Construction work	Yes, via reference to required language at 29 C.F.R. § 5.5(a).
5	Coveland "Anti-Kickback" Act	Construction work greater than \$2,000	Yes.
6	Contract Work Hours and Safety Standards Act	Greater than \$100,000 + mechanics or laborers	Yes. Exact language required from 29 C.F.R. § 5.5(b).
7	Rights to inventions made under a contract or agreement	Funding agreement	Yes.
8	Clean Air Act and Federal Water Pollution Control Act	Greater than \$150,000	Yes.
9	Debarment and Suspension	Greater than \$25,000	Yes.
10	Byrd Anti-Lobbying Amendment	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



Title 2



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

