

FEMA Public Assistance Debris Management Information

Debris Management Contracting and Monitoring

Applicants may use force account labor and resources to accomplish part or all of the work after a disaster or they may use contractors. If contractors are used to do part or all of the work, the Applicant must follow FEMA contracting guidelines to ensure maximum reimbursement for debris removal and disposal efforts.

Acceptable Contract Types

1. **Time and Materials** – **Cannot be used for more than 70 hours of actual work.** This type of contract is usually used immediately after a disaster to mobilize contractors to start emergency removal efforts. These contracts should have a termination clause and a not-to-exceed limit for both time and costs. The contract should be terminated when the first of these limits is reached.
2. **Unit Price** – **Is usually used when the scope of work is hard to define and is based on estimated quantities of debris.** Unit price contracts are based on weight (tons) or volume (cubic yards). These contracts require close monitoring during removal, hauling and disposal to ensure accuracy.
3. **Lump Sum** – **Should only be used when the scope of work is clearly defined and the areas of work can be precisely identified.** Lump sum contracts establish one price for all work included in the contract. The price is fixed unless the scope of work changes. This type of contract is easy to monitor when the scope is well-defined.

A pre-awarded contract for emergency services may be used if the contract was competitively bid and prices are comparable with established rates in the region. The contract issuer may be a jurisdiction or a regional operational authority. “Piggybacking” by using an existing contract established by another jurisdiction is **not** recognized by FEMA as an acceptable form of contracting.

Cost plus a percentage, contingency contracts, and contracts awarded to debarred contractors are **not** allowed.

Contract Monitoring/Debris Monitoring

As a condition of the FEMA grant funding program, the Applicant is responsible for ensuring that the contract is properly monitored so that quantities and expenses are documented to substantiate FEMA funding.

- ✓ Monitors should verify that debris picked up is eligible; measure truck load capacities; verify volumes or weights of debris in trucks; inspect pick-up areas, haul routes, temporary storage sites, and disposal sites; verify the contractor is working in assigned areas; and ensure other contract requirements are met.
- ✓ The Applicant should train and deploy debris monitors to watch and document contractor activities. Debris monitors may come from the Applicant’s full-time work force, temporary hires, or contracted services. The Applicant may also request FEMA/State assistance with debris monitoring. The costs of overtime, temporary hires, and contractors performing disaster-related debris removal work are eligible for reimbursement.
- ✓ For unit price contracts, the Applicant should use load tickets to document weights and volumes of contractor vehicles and loads.
- ✓ For time and materials contracts, the Applicant should document the times that Contractor manpower and equipment are actively used (limited to 70 hours).
- ✓ The Applicant can request debris monitor training from the State and FEMA.

Contracting Tips:

- ✓ FEMA does not recommend, pre-approve, or certify any debris contractor.
- ✓ Only FEMA has the authority to make eligibility decisions; **contractors cannot make eligibility determinations.**
- ✓ FEMA does not credential any personnel other than official employees and Technical Assistance Contractor personnel.
- ✓ Contracts should have a well-defined scope of work, specified costs, basis of payment, and delivery schedule.
- ✓ Contracts must be competitively bid and have “reasonable” costs.
- ✓ FEMA will participate in uniform practices of reimbursing mutual aid costs if a written agreement was signed prior to the disaster occurring.
- ✓ Communities cannot guarantee a minimum number of hours for a time and materials contract.
- ✓ For reimbursement, Applicants must be able to provide FEMA with documentation of competitive bidding, bid tabulation, contract monitoring including field monitoring of debris operations, quantity of debris handled, payment, and force account costs (if applicable).

Contracting/Monitoring References

FEMA 321, Policy Digest
FEMA 322, Public Assistance Guide
FEMA 325, Debris Management Guide
FEMA 329, Debris Management Brochure
FEMA 9580.1, Debris Operations Job Aid
FEMA 9580.4, Fact Sheet: Debris Operations

Questions? Call the FEMA Contract Hotline at 1-800-XXX-XXXX.