



STATE-WIDE CONTRACTS DEBRIS & MONITORING

Prepare for Disaster
Recover Faster

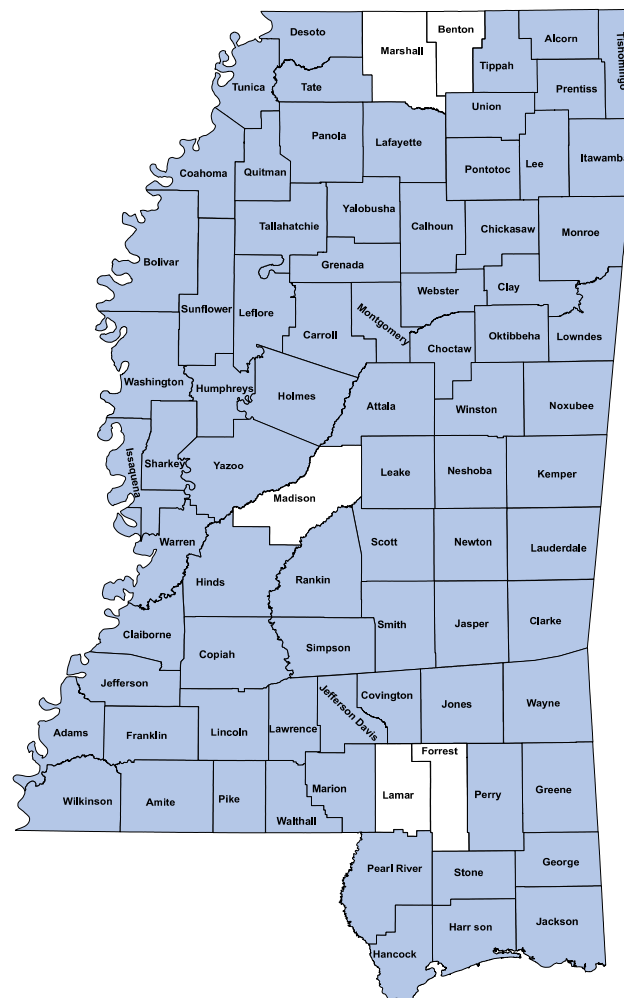
Clayton French
MEMA Deputy Director



DEBRIS NUMBERS

Past 11 Federal Declarations (4 Years)

Disaster #	Debris Amt
4429	\$3,772,361.97
4450	\$2,911,959.03
4470	\$7,491,959.05
4478	\$4,019,640.77
4536	\$23,120,851.94
4538	\$510,809.52
4551	\$6,345,442.62
4576	\$57,043,715.67
4598	\$10,497,800.68
4626	\$5,599,434.14
4697	\$45,000,000.00
	\$166,313,975.39





COLLECTION METHODS



FORCE ACCOUNT

Using your own labor and equipment.

For reimbursement – documentation is heavy!



COLLECTION METHODS

CONTRACT

Depending on the volume of debris and speed of collection, could dictate whether or not an Emergency Contract is appropriate.





COLLECTION METHODS

CONTRACT

Procurement must be conducted properly.

If not, then reimbursement is in jeopardy.





FEMA REIMBURSEMENT

FOR FEMA REIMBURSEMENT OF CONTRACTS

“Recipients and subrecipients MUST comply with ALL applicable federal laws, regulations, and executive orders. Each non-Federal Entity is responsible for managing and administering its federal awards in compliance with the applicable requirements, including but not limited to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”



CONTRACT ISSUES



FEMA USED TO SAY ...

“Cost is reasonable so we will overlook procurement issues.”



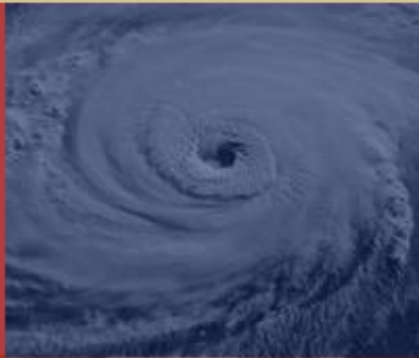
CONTRACT ISSUES

BUT NOW ...

“The contract **MUST** be procured properly.”

If not, then reimbursement is in severe jeopardy.





OPTIONS



County/City Options

- Ignore
- Force Account
- Contract
- Engage Prepositioned Contract



NEW OPTION

Senate Bill 2538

MISSISSIPPI LEGISLATURE
2023 Regular Session
To: Accountability, Efficiency, Transparency
By: Senator(s) Williams, Hornh, McLendon, Butler (36th)

AN ACT TO CREATE THE MISSISSIPPI REGIONAL PRE-NEED DISASTER CLEAN UP ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 249, 2023 REGULAR SESSION, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPT IN TO REGIONAL PRE-NEED CONTRACTS FOR DISASTER CLEAN-UP SERVICES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) This section shall be known and may be cited as the "Mississippi Regional Pre-Need Disaster Clean Up Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Disaster-related" means arising out of a severe weather event or other emergency as declared by the Governor.

(b) "Pre-Need" means a contract entered into in advance of the need for the goods or services, such that the contracted entity is retained before the need for performance of the contract.

SECTION 2. It is the intent of the Mississippi Legislature that counties and municipalities be authorized to participate in regional pre-need contracts, negotiated in advance by the state after a public bidding process, for disaster-related solid waste collection, disposal, and monitoring, such that the citizens of those counties and municipalities will be quickly and adequately served while recovering from the disaster.

SECTION 3. Section 31-7-13, Mississippi Code of 1972, as amended by House Bill No. 249, 2023 Regular Session, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) **Bidding procedure for purchases not over \$5,000.00.** Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) **Bidding procedure for purchases over \$5,000.00 but not over \$75,000.00.** Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars (\$75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid

SENATE BILL 2538

Pre-Need Disaster Cleanup Act
Prepositioned Contracts for
Debris signed by Governor
Reeves on April 17, 2023.


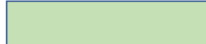
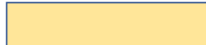


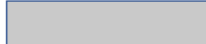





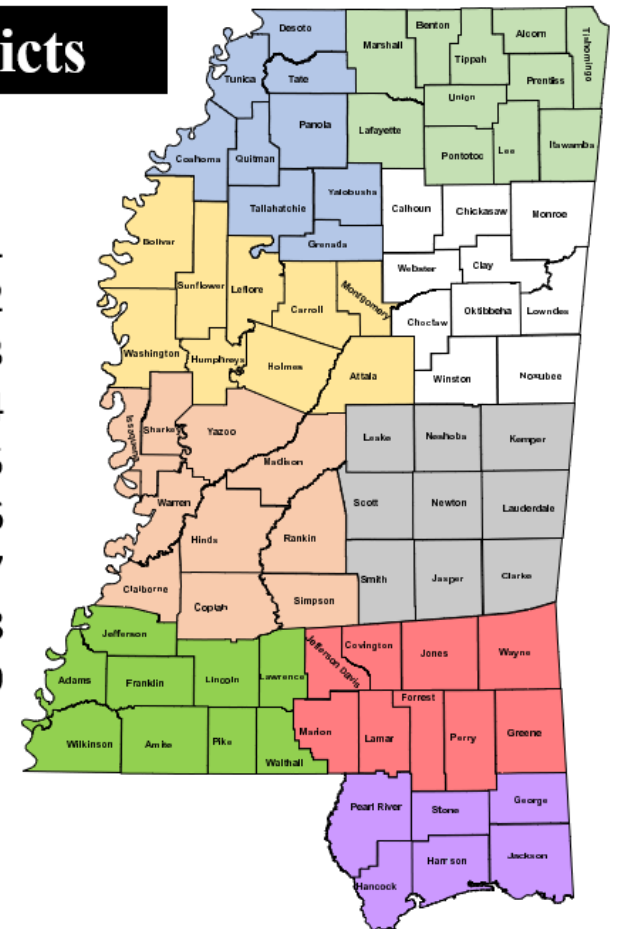
SB 2538 – Pre-Need Cleanup

MS Dept of Finance and Administration

DFA has been named as the procurement agent for Debris Collection and Monitoring Contracts. One contract for collection and one for monitoring per district. Bid documents are currently being drafted.

2023 Debris Districts

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9







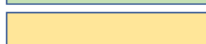






SB 2538 – Pre-Need Cleanup

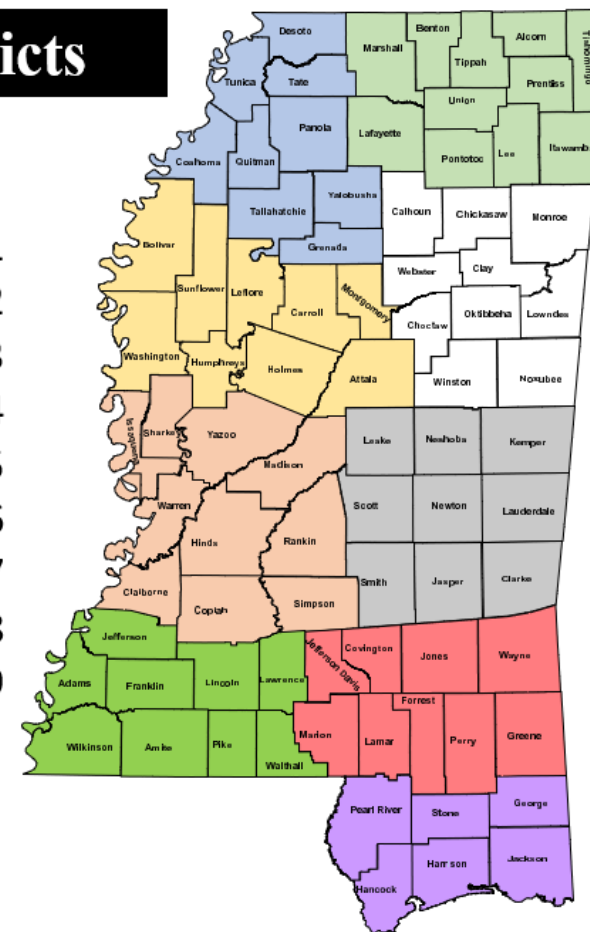
MS Dept of Finance and Administration

Once vendors are selected, MEMA will post the company per district.

Visit <https://msema.ms.gov>

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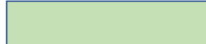
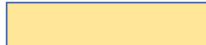


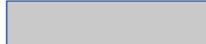



SB 2538 – Pre-Need Cleanup

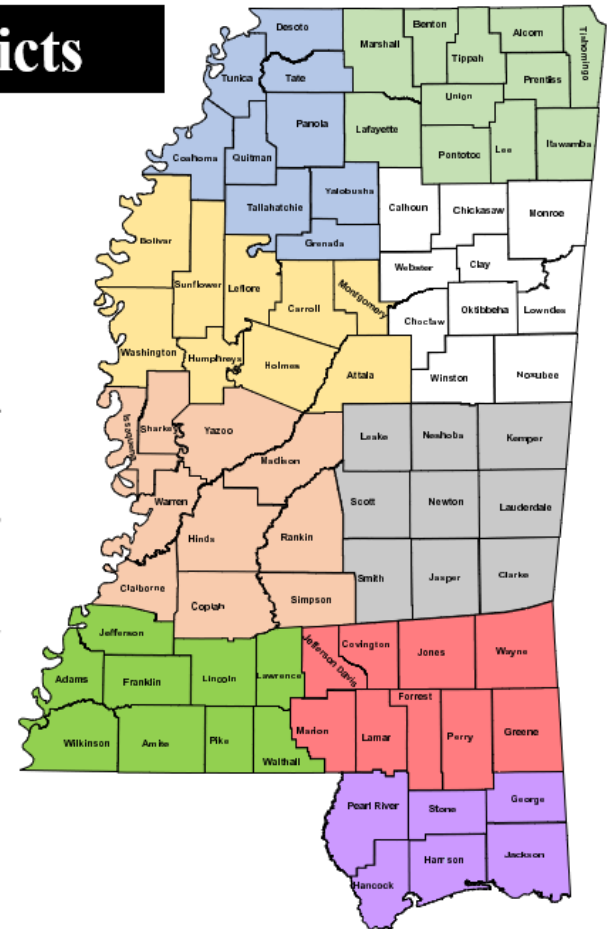
MS Dept of Finance and Administration

Once pre-positioned contracts are selected, counties and municipalities deal directly with the winning contractor to begin work.

NOTE: The county / municipality will sign the Notice to Proceed with the vendor – not DFA.

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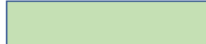
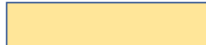


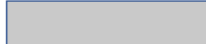





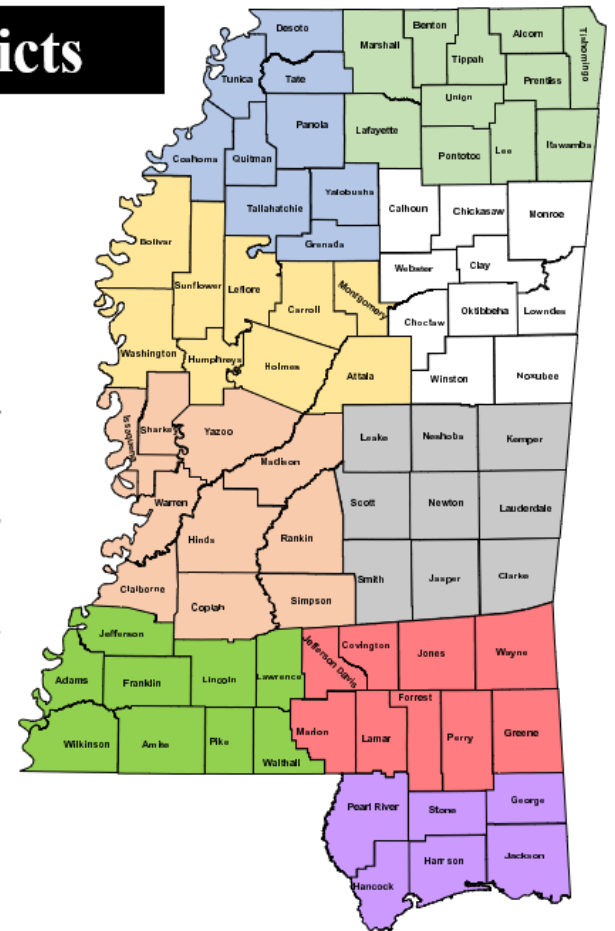
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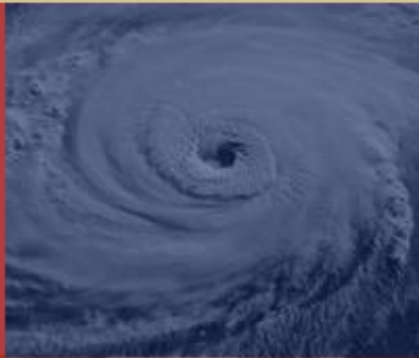
MS Dept of Finance and Administration

The statute dictates that these are 1-year contracts with an option to be extended an additional year.

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ADVANTAGES

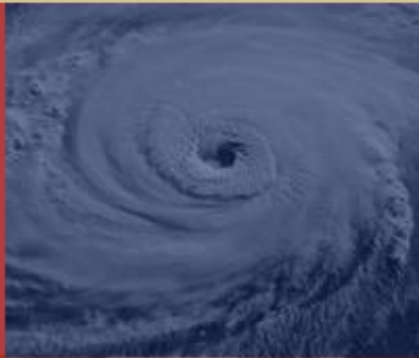


- Debris operations can start right after a storm.
- Debris operations can continue until complete.
- Contract already procured in compliance with federal procurement regulations.



KEEP PROPER FOCUS

By utilizing a pre-approved State contract, it will allow counties to focus on the immediate demands of a disaster without the distraction of conducting a procurement process for debris and monitoring. It also helps to ensure that counties have contractors ready to perform debris work quickly after an incident occurs, when needed the most.



OPTIONS



County/City Options

- Ignore
- Force Account
- Contract
- Engage Prepositioned Contract
- Utilize State Contracts



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