

Guidance Inquiry Response
Public Assistance Program
FEMA-4332-DR-TX

General Eligibility and Procurement Questions
Texas Education Agency

QUESTION: Are increased costs in transportation due to Hurricane Harvey eligible for reimbursement under the Public Assistance Program?

ANSWER: Generally increased transportation costs will not be eligible for reimbursement. If there are specific scenarios that can be provided, we would be happy to reassess on a case by case basis.

QUESTION: Are Mental Health costs associated with Harvey eligible for reimbursement under the Public Assistance Program?

ANSWER: Mental health costs generally will not be eligible for reimbursement under the Public Assistance Program, outside of emergency medical care for sheltered survivors. If there are specific scenarios that can be provided, we would be happy to reassess on a case by case basis.

QUESTION: Are costs associated with Education Service Centers hiring personnel to assist districts with hurricane recovery/procurement eligible under the Public Assistance Program.

ANSWER: Education Service Centers (ESC's) are not eligible applicants, thus any costs incurred in support of their operation, including hiring additional personnel or contractors will not be eligible for reimbursement. It is understood that the ESC's conduct what amounts to a fee-based service in support of Independent School Districts, Thus, any fees that schools may incur associated with activities of the ESC, that are a typical billable service may be evaluated as an eligible expense if claimed by the school and for eligible services.

QUESTION: Are districts able to use Co-ops/Buy Boards in the procurement process?

ANSWER: FEMA does not approve applicant contracts, or procurement methods. We suggest that you consult your servicing attorney for legal advice including that for procurement and contracting. The following comments are offered only from the perspective of technical assistance and do not constitute legal advice. Whether or not a school district is able to use a Buy Board/Co-op depends on the Buy Board or Co-op. More specifically, it depends on what entity is procuring the contracts for the buy board e.g. is it a Buy Board that is run and operated by the

State or a local government, for whom they're doing the procuring, whether the Buy Board's processes are compliant with the Federal procurement standards, and/or whether the process the school district uses to cut a task order off of the Buy Board/Co-op is compliant with Federal procurement standards outlined in 2 CFR § 200.317 - 326.

QUESTION: One new question we have is whether donations (materials, other building supplies) that districts receive, can be used towards the 10% cost share for Category E. We understand that currently donations only count towards Categories A and B.

ANSWER: You are correct that third-party donations may offset the non-Federal share of eligible emergency work projects and direct Federal assistance (PA Categories A and B). This provision is not available to offset non-Federal share of permanent work projects, including Category E. Further information on this subject can be found the Public Assistance Program and Policy Guide (PAPPG) page 36 and 37. You can download and print the PAPPG version 2 in its whole at: <https://www.fema.gov/media-library/assets/documents/111781>

- ❖ **FEMA provides a robust library of Federal procurement and contracting aides at the following website: <https://www.fema.gov/procurement-disaster-assistance-team>, including self-administered webinars, cost and pricing guides, contracting checklists, and required contract provision templates. Applicants can find answers to many of their questions as they seek to comply with Federal procurement and contracting guidelines.**