

Guidance for Purchasing Entities on NASPO ValuePoint Cooperative Contract Purchases

This document provides guidance for Purchasing Entities to promote compliance with federal regulations when making purchases off a NASPO ValuePoint cooperative contract. These recommendations align with the Federal Emergency Management Agency's (FEMA) advice and are intended to support Purchasing Entities in maintaining proper documentation and adhering to regulatory requirements.

This guidance applies to Purchasing Entities acting as recipients or subrecipients of federal funds when utilizing master agreements in the NASPO ValuePoint portfolio for Debris Removal and Monitoring. It outlines responsibilities and best practices to promote compliance with [2 C.F.R. § 200.318](#) and other applicable procurement regulations in [2 C.F.R. Part 200](#). Purchasing Entities should consider these recommendations alongside other applicable laws. Purchasing Entities are encouraged to adhere to the following:

- Document procurement procedures – maintain and use documented procurement procedures consistent with State, local, and tribal laws and regulations and the standards identified in §§ 200.317 through 200.327.
- Oversight of contractors – maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. See also [§ 200.501\(h\)](#).
- Conflicts of interest – have written conflict-of-interest policies to prevent individuals with real or apparent conflicts from participating in contract-related decisions. Employees, officers, agents, or board members cannot accept gratuities from contractors, except for nominal unsolicited gifts, with violations subject to disciplinary action. Entities with parent, affiliate, or subsidiary organizations (excluding states, local governments, or tribes) must also address organizational conflicts of interest that may compromise impartiality in procurement decisions.
- Avoidance of unnecessary or duplicative items – ensure procurement procedures avoid unnecessary or redundant purchases and consider consolidating or breaking out procurements for cost efficiency and evaluate whether leasing or purchasing is more economical when acquiring property or equipment.
- Responsible contractors – only award contracts to responsible contractors capable of fulfilling the contract terms, and evaluate factors such as contractor integrity, compliance with public policies and labor standards, past performance, and financial and technical resources.
- Procurement records – keep detailed records of each procurement transaction, including the procurement method, contract type, contractor selection or rejection, and contract price justification.
- Settlement of contractual and administrative issues – maintain responsibility for resolving all contractual and administrative issues related to procurement transactions, including protests, disputes, and claims.

By adhering to this guidance, Purchasing Entities can promote compliance with FEMA's recommendations and federal regulations when using the master agreements in the NASPO ValuePoint portfolio for Debris Removal and Monitoring.