

STOCKBRIDGE-MUNSEE COMMUNITY
Purchasing Department Policy

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Policy

It is the purpose of this document to establish a written standard to ensure the procurement of goods and services on behalf of the Stockbridge-Munsee Community is accomplished in a uniform manner that will promote efficiency and ensure integrity.

The Purchasing Department shall strive to ensure that all purchases of goods and services are justifiable and cost effective. All purchases will be legitimate and support Tribal program, department, and enterprise objectives. The Tribe will purchase goods and services that meet its needs and avoid unnecessary or duplicative purchasing.

Federal government and State sources of supply will be considered when feasible. Such sources will be used whenever they offer the Tribe the best available price and the ability to meet the Tribe's technical and delivery requirements.

General

This policy is applicable to all Tribal departments and businesses. It is the responsibility of Tribal departments and businesses to work within the guidelines of this policy.

Programs, departments and enterprises are required to do their own purchasing, with the exception of office supplies and computer-related equipment. Accordingly, the responsibilities for following the established policies, and subsequent procedures, fall upon the program, department or enterprise staff. Office supply orders will be placed by Finance Department staff, and computer-related equipment orders will generate from the MIS department.

The Purchasing Department provides oversight of the daily purchasing activities of the Community, makes recommendations when requested to do so, assists Tribal departments with preparing bid packages, and from a broad prospective works to ensure that expenditures are properly authorized prior to procurement.

The Purchasing Department will support the implementation of these policies in a number of ways, including:

- Maintaining a sufficient list of responsible vendors to assure competitive bidding
- Facilitating the procurement process to obtain the best value for the Community
- Facilitating competitive bidding
- Maintaining records of bids received
- Consideration of requests for exceptions to competitive bid requirements and maintaining records of approved exceptions
- Management of communication with bidders
- Handling of all department and vendor complains and adjustment promptly and appropriately

Purchases will fall into one of the below categories. Tribal staff are responsible for accurately identifying the correct category of their purchase, and as such following the appropriately procedure for procurement.

Small Purchases - are the procurement of goods and services contracts that don't exceed \$499.99.

Large Purchases - are the procurement of goods and service contracts between the dollar amounts of \$500.00 and \$4,999.99.

Capital Expenditures - are the procurement of goods that exceed \$5,000.00.

Capital Projects - are the procurement of services that exceed \$5,000.00

Total Sum Procurements - are products that are priced in pieces but are dependent on additional pieces to be functional.

Sole Source - is the procurement of specialty goods and service contracts from a unique vendor, whereby receiving quotes and/or invitations for bids are not feasible.

Service Contracts - are binding agreements with a vendor to provide a specific service such as residential garbage pick-up, commercial garbage pick-up, pest control, coffee supplies, etc. which annually exceeds \$5,000.00. Service Contracts should not exceed a three-year term. Service Contracts do not include employment contracts.

Employment Contracts - are binding agreements between eligible employees and the Stockbridge-Munsee Community. The Purchasing Department has no involvement with employment contracts.

Emergency Purchases - are purchases that result from circumstances or situations beyond anyone's control which affect the health, life or safety of staff, Community members, or others and could result in substantial financial loss or liability.

Computer Equipment - are purchases of computer related equipment or software

In the instance of written bids or quotes, the following will be taken into account:

Price, Warranty Information, Product Availability, Delivery Time, Quality of Workmanship, Quality of Service, Quality of Materials, Past Experience with Vendor, Reputation of Vendor

The Purchasing Department is to serve as the exclusive channel through which all vendor solicitations and bids for goods and services are handled. Professional services must be obtained through a consulting or service contract, which must be signed by the Tribal President.

Waivers of Policy:

The Request for Waiver of Competitive Bidding (PD-Form 3) must be completed by Tribal Department staff in any instance listed below:

- Three Sources are not locally or readily available.
- Alternative providers cannot meet the required product or service specification.
- An emergency need which does not allow time for bidding.
- Preexisting contract can be used cost effectively with a preferred vendor.

In the event of an emergency, where bidding time is unavailable, the Purchasing Manager has the authority to approve PD-Form 3 for purchases not exceeding \$10,000.00. All other PD-Form 3 requests must be approved by the Tribal Council via motion.

Credit Card Purchases:

Credit Card Purchases processed by the Purchasing Manager for the procurement of goods should be used as a last resort. If a vendor will accept a Purchase Order from the Stockbridge-Munsee Community, this is the preferred method of business.

Bids:

Invitations for bids and/or proposals are clear, include product specifications that are necessary to the efficient daily operations of the requesting department, and meet the needs of the Tribe. It is not the intent of the invitations for bids and/or proposals to be brand specific, except in instances which best serve the Community.

A Request for Bid (RFB) will be used when the evaluation team, which includes the Purchasing Manager and appropriate departmental staff, develops exact specifications for the products or services needed. Bids must be submitted on uniform plans and specifications that will aid the team in comparing bids to determine which bid is the lowest. Bids should not be written to exclude bidders based solely on the brand of product that they can offer.

A Request for Proposal (RFP) will be used when the evaluation team is unable to develop exact specifications for the product or service but has determined what the end result must be.

All bids must be submitted to Tribal Council in a sealed envelope and opened according to established TC precedent/procedures. Bids submitted via email will not be accepted.

Standardization of Goods and Services

When economically feasible, goods and services that are not unique to one department will be standardized to meet the needs of all Tribal departments. In some cases, the Purchasing Department may recommend that an alternate vendor and/or product be used, based upon negotiated pricing, discounts, or payment terms. In these instances, departments will be made aware of the recommendation, and asked to utilize the alternate vendor and/or product if a second purchase is needed.

Computer Equipment Purchasing

All computer-related equipment and software purchases made by the Tribe must first be approved by the designated MIS staff. All items to be purchased must be consistent with Tribal standards for networking and serviceability. It is MIS's responsibility to ensure that all purchased items meet these requirements.

Vendor List

The Purchasing Department shall maintain a list of all active vendors hereby referred to as the Preferred Vendors List. The Preferred Vendors List will not contain exclusive, debarred or suspended vendors. Exclusive, Debarred or Suspended Vendors will be listed separately. All Tribal departments initiating purchases shall verify the status of vendors and adhere to the following usage guidelines

Types of vendors include:

- **Exclusive Vendor:** After completing the bid process the Tribe may enter into a contract with a specific approved vendor to exclusively provide goods and/or services. Tribal Departments must utilize these vendors when purchasing the identified goods and/or services.
- **Preferred Vendor:** After a vendor successfully completes the Tribal Vendor Information form (PD-Form 2), they will be considered a preferred vendor and will be added to the vendors list. The Purchasing Department will maintain the list of preferred vendors for providing goods and/or services. Tribal Departments must utilize these vendors when purchasing the identified goods and and/or services in which they provide.
- **Debarred or Suspended Vendor:** Tribal Council, through an official motion, can choose to debar or suspend a vendor from the Preferred Vendor List. Poor performance, substandard quality of goods or services, or illegal actions can cause a vendor to be suspended or removed from the Preferred Vendor List. If a vendor is removed from the Preferred Vendor List, the vendor is not eligible to be added to the Preferred Vendors List for a period of 5 years.
- **Open Market:** Tribal Departments may utilize an open market approach to obtain a vendor when the Purchasing Department hasn't identified as a preferred or exclusive vendor for a specified good and/or service. If utilizing the open market a perspective vendor must successfully complete the Tribal Vendor Information form (PD-Form 2) prior to the purchase of goods and/or services by the Tribe.

Sole Source Vendors

If it has been determined that a particular vendor is a sole source vendor for a good or service *and* the good or service is recurring, the Tribal Council, by motion, may approve the sole source vendor as such for a period not to exceed 3 years, with an unlimited number of renewals if necessary. Requests must be made using PD-Form 4.

Purchasing Pre-Owned Items

In instances when purchasing pre-owned equipment or items, the Purchasing Manager has the authorization to approve purchases over \$10,000, given that these items have been approved by the Tribal Council as an Approved Capital Expenditure and the purchase falls within the approved amount. Comparison pricing should be submitted to the Purchasing Manager.