

RESOLUTION 19-16

**A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING
COMMISSION TO ADOPT THE NIRPC PURCHASING AND PROCUREMENT
POLICY**

April 18, 2019

Whereas, the Northwestern Indiana Regional Planning Commission (herein called the “Commission”) is a designated recipient of State and Federal funding for eligible projects; and

Whereas, the Commission conducts procurements for itself and its subrecipients; and

Whereas, 2 CFR 200 Uniform Guidance provides procurement guidance for all federally funded procurements; and

Whereas, IC 5-22. Public Purchasing provides procurement guidance to State recipients and subrecipients in complying with the State Laws and Regulations that affect State funded procurements; and

Whereas, IC 5-22-3-3 Rules; written policies, provides that the purchasing agency of a governmental body may establish written policies for purchases made by the purchasing agency that supplement article IC 5-22; and

Whereas, the Commission has established a written “NIRPC Purchasing and Procurement Policy” in regard to State funded procurements; and

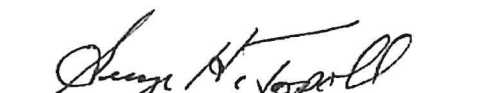
Now, therefore be it resolved by the Northwestern Indiana Regional Planning Commission that its “NIRPC Purchasing and Procurement Policy” is to be as part of the official policy and procedures to be followed by the Commission and its designated subrecipients.

Duly adopted by the Northwestern Indiana Regional Planning Commission this 18th day of April, 2019.



Diane Noll, Chair

ATTEST:


George Topoll, Secretary

NIRPC PURCHASING AND PROCUREMENT POLICY 4-18-2019

Policy Statement: It is the policy of the Northwestern Indiana Regional Planning Commission (NIRPC) that NIRPC Staff Team Leaders are in the best position to determine what goods and services they need to accomplish the work product required of their grants and programs. Purchasing and Procurement should be conducted in the most efficient and cost-effective method allowable that meets the agency goals outlined below. Procedures and processes are meant to support the Team Leaders ability to get products and services they need in a timely and cost-effective manner, while ensuring that financial, internal control, legal and regulatory requirements, and agency goals are met.

Purpose and Goal of the Policy:

The purpose of the Purchasing and Procurement Policy is to provide a decision-making framework that enables departments and program staff to participate in procurements. The policy also supports identification of the most appropriate procurement methods and procedures to apply to obtaining goods and services for the agency. The purpose of this policy is to enable NIRPC staff to conduct purchasing and procurement activities in the most efficient and cost-effective manner that meets agency goals, program needs, and is compliant with all applicable federal and state requirements.

Goals:

- Conduct business in a cost-effective, efficient and timely manner
- Procure competitively priced high-quality goods and services from vendors that are responsive and responsible
- Protect the interests of NIRPC
- Ensure legal compliance with laws and regulations
- Provide a fair and open climate for bidders and suppliers
- Document the procurement process for grant and audit compliance
- Maintain ethical business standards, financial responsibility, civic accountability, and public transparency

Scope:

This policy will apply generally to all goods and services purchased with funds for which NIRPC is responsible.

MICRO PURCHASES – Less Than or Equal to \$3,000

- When the purchase is less than or equal to \$3,000 in the aggregate
- Micro purchases are exempt from the requirement to obtain a minimum of three (3) competitive quotes or to process a sole source justification
- All purchases of supplies, equipment, and contractual services may be made from the lowest and most responsive and responsible bidder or supplier obtained in accordance with the informal purchasing procedures for micro purchases
- Qualified bidders and suppliers should receive an equitable distribution of the awards
- Fair and reasonable price determination will be used to justify purchases
- All purchases made under this section shall have funds available in the approved budget, the prior approval of the Executive Director or designated appointee and a Purchase Order or Contract processed by the Finance Department
- Award/Contract - approval by Executive Director or designated appointee

SMALL PURCHASES – More than \$3,000 TO Less Than or Equal to \$50,000 IC 5-22-8

- If the purchase is more than \$3,000, but does not exceed \$50,000 in the aggregate, purchase may be made off of the Indiana State Quantity Price Agreements (QPA) bid list **OR** initiate the appropriate procurement method from the list below, whichever is most advantageous
 - Request for Quotes
 - Sealed Bids
 - Competitive Proposals
 - Sole Source
- All purchases of supplies, equipment, and contractual services may be made from the lowest and most responsive and responsible bidder or supplier obtained in accordance with the purchasing procedures for small purchases
 - A minimum of three (3) quotes required from responsive and responsible bidders or suppliers
 - If a single bid is received a cost or price analysis must be done to determine that the price is fair and reasonable
- All purchases made under this section shall have funds available in the approved budget, the prior approval of the Executive Director or designated appointee and a Purchase Order or Contract processed by the Finance Department
- Award/Contract - approval by Executive Director or designated appointee

SMALL PURCHASES – Within the Simplified Acquisition Threshold (SAT) - More than \$50,000 TO Less Than or Equal to \$150,000 IC 5-22-8

- If purchase is more than \$50,000, but does not exceed \$150,000 in the aggregate, a written Procurement Recommendation will be presented to the Finance and Personnel Committee for review and recommendation for approval by the Board of Commissioners. The Board of Commissioners will issue final approval to procure.
 - Upon approval, the Procurement Coordinator will cause the required Contract or Requisition and Purchase Order forms to be prepared and executed
- Purchase may be made off of the Indiana State Quantity Price Agreements (QPA) bid list **OR** initiate the appropriate procurement method from the list below, whichever is most advantageous
 - Request for Quotes
 - Sealed Bids
 - Competitive Proposals
 - Sole Source
- All purchases of supplies, equipment, and contractual services may be made from the lowest and most responsive and responsible bidder or supplier obtained in accordance with the purchasing procedures for small purchases within the SAT
 - A minimum of three (3) quotes required from responsive and responsible bidders or suppliers
 - If single bid received cost or price analysis must be done to determine that the price is fair and reasonable
- All purchases made under this section shall have funds available in the approved budget, Board approval, and a Purchase Order or Contract processed by the Finance Department
- Award/Contract - approval by the Board of Commissioners

PURCHASES More Than \$150,000 - Competitive Proposals IC 5-22-7

- If purchase exceeds \$150,000 in the aggregate, a written Procurement Recommendation will be presented to the Finance and Personnel Committee for review and recommendation for approval by the Board of Commissioners. The Board of Commissioners will issue final approval to procure.
 - Upon approval, the Procurement Coordinator will cause the required Contract or Requisition and Purchase Order forms to be prepared and execute

- Purchase may be made off of the Indiana State Quantity Price Agreement (QPA) bid list **OR** initiate the appropriate procurement method from the list below, whichever is most advantageous
 - Competitive Proposals
 - Sole Source
- If using the Competitive Proposal procurement method, a formal advertised bid is required
 - Make request to advertise for bids to appropriate Committee/Board
 - Notice is published two (2) times, at least a week apart, with the second notice published at least seven (7) days before the bid opening
 - If single bid received price analysis must be done to determine that the price is reasonable
- Evaluation of proposals received from responsive and responsible bidders by assigned evaluation committee
- All purchases made under this section shall have funds available in the approved budget, Board approval, and a Purchase Order or Contract processed by the Finance Department
- Awards/Contract - approval by the Board of Commissioners

FUNDING SOURCE FOR PURCHASE

- Purchasing and procurement rules will follow this policy and **IC 5-22** when using agency funds or the policy of the funding source, whichever is more stringent. **All federal funds will follow 2 CFR 200 Uniform Guidance.** Funding sources may include but are not limited to:
 - Local Government Funding
 - Indiana Department of Transportation (INDOT)
 - **Title 23 CFR – Federal Highway Administration**
 - **As it applies to INDOT and FHWA funds, Sole Source purchases must have prior approval from INDOT**
 - **A written justification is submitted to INDOT prior to the purchase**
 - **INDOT must approve the written justification prior to the purchase**
 - Indiana Department of Environmental Management (IDEM)
 - Indiana Department of Natural Resources (IDNR)
 - Federal Transit Administration (FTA)
 - Federal Highway Administration (FHWA)
 - **Title 23 CFR – Federal Highway Administration**
 - **As it applies to INDOT and FHWA funds, Sole Source purchases must have prior approval from INDOT**
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 - Environmental Protection Agency (EPA)
 - Economic Development Administration (EDA)
 - US Department of Agriculture Forest Service (USFS)
 - Department of Energy
 - Private Foundations