

NEBRASKA STATE VOLUNTEER FIREFIGHTER ASSOCIATION
Procurement Procedures
Based on the Uniform Guidance

Sections 200.326 through 200.316 of the Uniform Guidance set forth the standards to be used by recipient in establishing the procedures to be used in acquiring goods and services with federal funds. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal statutes and executive orders. No additional procurement standards or requirements shall be imposed by the Federal awarding agencies upon recipients, unless specifically required by Federal statute or executive order or approved by OMB. The recipient is the responsible authority, without recourse to the federal awarding agency, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of an award or other agreement. This includes disputes, claims, protests of award, source evaluation or other matters of a contractual nature.

No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub-agreements. However, recipients may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient. All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and

free competition. The recipient shall be alert to organizational conflicts of interest as well as noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Awards shall be made to the bidder whose bid or offer is responsive to the solicitation and is most advantageous to the recipient, price, quality and other factors considered. Solicitations shall clearly set forth all requirements that the bidder shall fulfill in order for the bid or offer to be evaluated by the recipient. Any and all bids or offers may be rejected when it is in the recipient's interest to do so.

Procurement Procedures

1. All recipients shall establish written procurement procedures
2. Positive efforts shall be made by recipients to utilize small businesses, minority-owned firms, and women's business enterprises, whenever possible.
3. Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources or accessibility to other necessary resources. In certain circumstances, contracts with certain parties are restricted by agencies' implementation of E.O.s 12549 and 12689, "Debarment and Suspension." In order to verify the entities that are debarred, suspended, proposed for debarment, visit sam.gov.
4. Recipients shall, on request, make available for the federal awarding agency, pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc., when any of the following conditions apply:
 - A recipient's procurement procedures or operation fails to comply with the procurement standards set forth in the Uniform Guidance

- The procurement is expected to exceed the small purchase threshold fixed at 41 U.S.C. 403 (11) (currently \$25,000) and is to be awarded without competition or only one bid or offer is received in response to a solicitation.
 - The proposed award over the small purchase threshold is to be awarded to other than the apparent low bidder under sealed bid procurement.
5. Procurement records and files for purchases in excess of the small purchase threshold shall include the following at a minimum: (a) basis for contractor selection, (b) justification for lack of competition when competitive bids or offers are not obtained, and (c) basis for award cost or price.

Contract Administration and Provisions

A system for contract administration shall be maintained to ensure contractor conformance with the terms, conditions and specifications of the contract and to ensure adequate and timely follow up of all purchases. Recipients shall evaluate contractor performance and document, as appropriate, whether contractors have met the terms, conditions and specifications of the contract.

The recipient shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts.

- Contracts in excess of the small purchase threshold shall contain contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms and provide for such remedial actions as may be appropriate.
- All contracts in excess of the small purchase threshold shall contain suitable provisions for termination by the recipient, including the manner by which termination shall be affected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract

may be terminated because of circumstances beyond the control of the contractor.

The following table shall be used as guideline for expenditure approval, authorization and documentation procedure.

Expenditure Approval, Authorization and Documentation			
Dollar Amount	Minimum Authorization	Minimum Documentation	Competitive Procurement Requirement
\$25,000 and above	NSVFA President/NSVFA E-Board	Conformation of budget and standard contract w/ modifications highlighted.	RFP and three written bids.
Leases or other multi-year commitments of unrestricted funds	NSVFA President/NSVFA E-Board	At discretion of Chief	At discretion of Chief Executive Officer
Computers and related equipment	NSVFA President/NSVFA E-Board	Recommendation of Chief	At discretion of Chief Executive Officer
Contracts under \$1,000 threshold --related to programs	NSVFA President/NSVFA E-Board	Refer to procedure number 5 above	Refer to procedure number 5 above
All other Contracts - Regardless of Amount	NSVFA President/NSVFA E-Board	Refer to procedure number 5 above	Refer to procedure number 5 above

Note: Procedure number 5 says procurement records and files for purchases in excess of the small purchase threshold shall include the following at a minimum: (a) basis for contractor selection, (b) justification for lack of competition when competitive bids or offers are not obtained, and (c) basis for award cost or price.