

RESOLUTION OF THE SUMMIT LAKE PAIUTE COUNCIL
SUMMIT LAKE PAIUTE TRIBE
OF THE
SUMMIT LAKE PAIUTE RESERVATION, NEVADA

RESOLUTION NO.: SL -24- 2008

TITLE: Amending the Bid and Award Provisions of the Tribe's Procurement Procedure Manual

WHEREAS, the Summit Lake Paiute Tribe, is a modern entity of the Northern Paiute People known, in English, as Lake Trout and Wild Onion Eaters who, for thousands of years, controlled 2,800 square miles of land in and around Summit Lake as a tribe with sovereign, unlimited, powers and laws (customs, traditions, usages, etc.); and,

WHEREAS, in 1964, and after much consideration, the members of the Lake Trout and Wild Onion Eaters organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended, adopting, for certain sovereign purposes, the name "Summit Lake Paiute Tribe" with a tribal constitution titled "Articles of Association," the latter which was approved by the Secretary of the U.S. Department of the Interior on January 8, 1965; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) certain sovereign powers, including the power to improve the welfare and education of tribal members and to take such action as is necessary to carry into effect any of the Council's powers and duties (see Article II, Section 1 (k)); and,

WHEREAS, there is a need to streamline the bidding and awarding of bids process to prevent unnecessary delay in acting on bids given the length of time between Council Meetings given the concern of the Tribe's federal funding agencies, including the U.S. Environmental Protection Agency in the Tribe's delayed spending of Section 319 funding; and,

WHEREAS, this proposed change to the Bidding and Award provisions of the Procurement Procedure Manual is a natural progression following the Council amending the Manual to comply with EPA's grant requirements in Title 40, Code of Federal Regulations (which also complied with BIA's contract requirements in Title 25, Code of Federal Regulations) where provisions requiring Indian Preference, Responsible Contractors, Full and Open Competition, Lease Versus Purchase Analysis, and Conflict of Interest in the award of a bid were added to the Manual by Resolution SL-24-2007; and,

WHEREAS, the changes proposed by this amendment do not change the end result of the past bidding and awarding provisions of the Tribe's Procurement Procedure Manual in

that before the Secretary/Treasurer of the Council approve payment that all supporting documents demonstrate a bid was properly awarded; and,

WHEREAS, the only change to the Bidding provision is the removal of the last sentence of that provision (The Tribal Council shall award all bids and their discretion shall be final.). The Council retains the authority to void any bids in which the bids are made public (confidentiality is violated); and,

WHEREAS, the change in the Award provision is to allow Department Directors to open bids on the date set forth in the notice requesting bids, require Department Directors to record all bids and retain those documents in accordance with the Tribe's Record Retention Manual, require Department Directors to keep Council members apprised of bids received, and require Department Directors to be able to articulate why they selected the bid they did,

NOW THEREFORE, BE IT RESOLVED that the Summit Lake Paiute Tribal Council does hereby approve amending, effective this date, the Tribe's Bidding and Awards provisions in the Tribe's Procurement Procedure Manual, with a Legislative Notice below the amendment in the Manual reflecting the Resolution number and date of enactment:

BIDDING

Appropriate federal procedures shall be utilized for all contract and grant procurement. Formal advertising for at least 30 days, with adequate product description, sealed bids and public openings shall be the required method normally used for procurement at and above \$10,000.00. Any item purchased exceeding \$1,000.00 in cost but less than \$10,000.00 in cost shall be obtained only after formal bides have been received from three (3) or more bidders. Any item purchased exceeding \$300.00 in cost but at or less than \$1,000.00 shall be obtained only after informal bids and/or formal bids have been received from three (3) or more bidders. Informal bids are those made by telephone, person-to-person contact or by letter. Items purchased under \$300.00 in cost may be purchased without bids having been received. All bids will be kept confidential until award. Any break in this confidentiality may void the affected bids at the discretion of the Tribal Council.

AWARD

The Department Directors shall open all bids at the time and or date announced. The Department Director seeking bids shall ensure that all bids are recorded as they are read, and that those assisting the Department Director are in agreement to the correct bid amount. The Department Director shall conduct an open discussion with those present prior to awarding the bid. But for the Council authority to void any bid for breach of confidentiality as set forth in the Bidding provision, the award of the bid shall be final.

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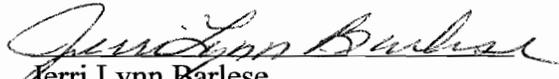
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CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby certify that the above Resolution, No. SL - 24 - 2008, was brought before the Summit Lake Paiute Council at a duly held meeting on the 17th day of May, 2008, with Five (5) members present, constituting a quorum, with the following votes to enact the Resolution: 4 FOR, 0 AGAINST; and, 0 ABSTAINING, with Council Chairman Warner Barlese presiding and not voting, and that this Resolution has not been rescinded, revoked or amended.

May 17, 2008

May 17 2008
Date


Jerri Lynn Barlese
Secretary/Treasurer
Summit Lake Tribal Council