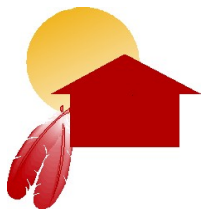


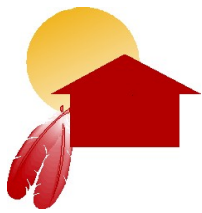
# 2021

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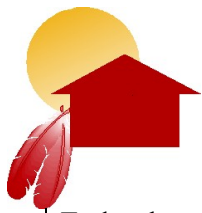
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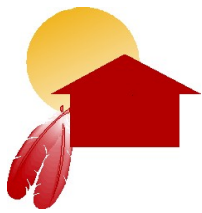
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<b>I. Purpose</b>				
<p>The purpose of this monitoring plan is to determine if the recipient’s policies and procedures are in compliance with the applicable regulations on procurement, Indian Preference in procurement, and Section 3.</p> <p>The purpose of this review is to determine, through sampling, that: 1) all procurement transactions were conducted in a manner providing full and open competition, 2) the transactions were completed in a manner that prohibits the use of statutorily or administratively imposed local geographical preferences, 3) awards were made to responsible and responsive bidders, 4) sufficient records were maintained to detail the significant history of a procurement; 5) preference in the award of contracts and subcontracts was given to Indian organizations and Indian-owned economic enterprises; and 6) preference in the award of contracts and subcontracts and employment was given to low- and very low-income persons.</p> <p>The recipient is to maintain a contract administration system which ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.</p>	<p>2 CFR 200.318-326 24 CFR 1000.42 24 CFR 1000.52 24 CFR 1003.510 (ICDBG), 24 CFR Part 135 Sec. 7(b) of P.L. 93-638</p> <p>2 CFR 200.318(b)</p>	<p>ICDBG Grant Agreement</p> <p>Subarticle F of ROSS Grant Agreement</p> <p>Article I.D. of RHED/RIF Grant Agreement</p>		<p>Read &amp; Noted</p>



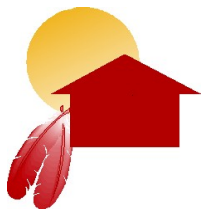
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<p>Section 7(b) of the Indian Self-Determination and Education Assistance Act provides that any contract, subcontract, grant, or subgrant pursuant to program requirements shall require that, to the greatest extent feasible, preference is given to Indian-owned economic enterprises.</p>	<p>24 CFR 1000.52 24 CFR 1003.510 Sec. 7(b) of P.L. 93-638</p>	<p>Finance Policy §4-90-020(7) §4-90-050(1)(d)</p>		<p>Yes, the Tribe requires Indian Preference in most procurement and recommends it as feasible for all micro-purchases. It also requires our contractors to require their subs to apply it as well.</p>
<p>Section 3 of Housing and Urban Development Act of 1968 requires that employment and other economic opportunities generated by HUD programs shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.</p>	<p>24 CFR 1000.42 24 CFR Part 135</p>	<p>ICDBG NOFA</p>		<p>HUD regulations in §24 CFR 1000.42 confirmed in 2020 that Section 3 is not applicable to NAHASDA programs</p>
<p><b>NOTE: 2 CFR §200.110 Effective/applicability date.</b> (a) ...For the procurement standards in §200.326, non-Federal entities may continue to comply with the procurement standards in previous OMB guidance (superseded by this part as described in §200.104) for three additional fiscal years after this part goes into effect. <b>(This part went into effect December 26, 2014. With the 3 years to implement, it applies to recipient's with fiscal years beginning on or after December 26, 2017. See 200.110 (a).)</b> If a non-</p>				



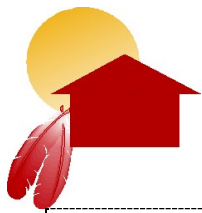
Federal entity chooses to use the previous				
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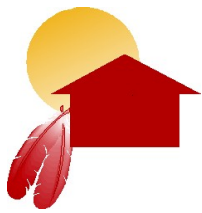
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procurement standards for an additional two fiscal years before adopting the procurement standards in this part, the non-Federal entity must document this decision in their internal procurement policies.				
<b>II. Pre-Visit Preparation</b>				-
<p>A. If available, review the following documents:</p> <ol style="list-style-type: none"> <li>1. Most recent IHP/APR, approved IHP amendments, IHP amendments in process</li> <li>2. Policies and procedures (see Section III for review instructions)</li> <li>3. Previous monitoring findings in the areas of procurement, Indian preference, contract administration, and/or Section 3</li> <li>4. Previous self-monitoring report(s)</li> <li>5. Previous financial and OIG audit findings and/or work papers in the areas of procurement, Indian preference, contract administration, and/or Section 3</li> <li>6. Corrective actions status for findings in any of these areas</li> <li>7. Previous and current enforcement actions</li> <li>8. Valid complaints in the areas of procurement, Indian preference, contract administration, and/or Section 3</li> <li>9. Relevant correspondence regarding any of these areas</li> </ol>		IHP/APR (HUD-52737)		Read & Noted



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
<b>III. On-Site Review</b>				
A. The reviewer should select samples from each of the following: small purchases (less than \$250,000), micro purchases (less than \$10,000, if used), sealed bids, competitive proposals, and noncompetitive proposals. Review the sampling methods in the General Instructions.		General Instructions for Monitoring Plans		Read & Noted
B. Is the recipient's procurement policy sufficiently detailed to ensure compliance with the regulations and provide general direction to staff? In addition:	2 CFR 200.318(a)	Finance Policy §4-90		A major update to our Procurement Policy section within the Finance Policy occurred in 2020 to ensured continued compliance with federal regulations and HUD standards.
1. Are there separate procedures established from the policy and do they reflect the details of how to perform specific tasks?	2 CFR 200.319(c)			Yes, Samish contracting procedures are in place.
2. Does the policy include formal protest procedures to handle and resolve disputes relating to its procurement transactions?	2 CFR 200.318(k)	Finance Policy §4-90-060		Yes, the policy contains a section addressing Dispute Resolutions.

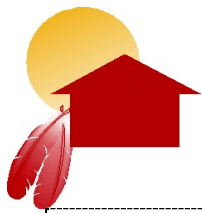


3. Does the policy include a micro-purchase provision that allows the grantee to purchase goods or services with a value of less than \$10,000 without seeking competitive quotations or applying Indian preference?	24 CFR 1000.26(a)(11)(iii) NAHASDA 203(9) 2 CFR 200.320	Notice PIH 2013-22  Finance Policy §4-90-030(1); §4-90-020 (7)(a)	Yes, the policy details micro-purchase requirements and thresholds, and recommends the use of Indian Preference when feasible, but does not require it for Micro-Purchases.
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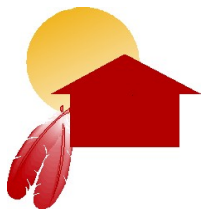


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4. Does this policy contain language that clearly describes the method to be used and the documentation to be maintained to support each micro-purchase?		Finance Policy §4-90-030(1);		Yes, the policy details micro-purchase requirements
C. Does the recipient's procurement policy and procedures include provisions that:				-
1. Provide for review of proposed procurements to avoid purchase of unnecessary or duplicative items?	2 CFR 200.318(d)	Finance Policy §4-90-010(3); §4-90-010(6)		Yes, the policy requires review and prevents unnecessary or duplicative purchases.
2. Encourage the use of federal excess, surplus, value engineering clauses, and intergovernmental agreements for procurement or use of common goods or services?	2 CFR 200.318(f) and (g)	Finance Policy §4-90-010(6)		Yes, the policy encourages use of surplus. We have value engineering not applicable at this time.
D. Does the recipient have a written code of conduct governing the performance of employees engaged in the award and administration of contracts, which includes, but is not limited to:	2 CFR 200.318(c)(1) 2 CFR 200.112	Finance Policy §4-90-010(5)		Yes, the policy contains specific clauses addressing code of conduct.

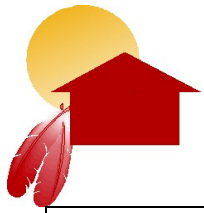




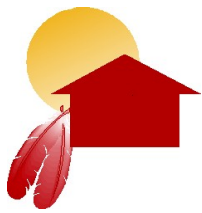
1. No employee, officer, or agent of the recipient shall participate in the selection, award, or administer a contract supported by federal funds if a conflict of interest, real or apparent, would be involved?	2 CFR 200.318(c)(1)	Finance Policy §4-90- 010(5)(a)		Yes
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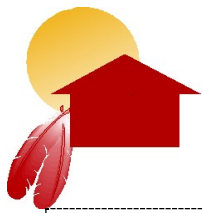
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2. A conflict would arise when an employee, officer, agent, or their immediate family, or partner has a financial or other interest in the firm selected for award?	2 CFR 200.318(c)(1)	Finance Policy §4-90-010(5)(a)		Yes
3. To the extent permitted by State or local law or regulations, such standards will provide for penalties, sanctions, or other disciplinary actions for violations?	2 CFR 200.318(c)(1)	Finance Policy §4-90-010(5)(c)		Yes
E. Does the recipient's procurement policy have protest procedures in place to handle and resolve disputes relating to its procurements?	2 CFR 200.318(k)	Finance Policy §4-90-060		Yes, the policy has clauses specifically addressing disputes and resolutions procedures.
1. Has the recipient settled all contractual and administrative issues arising out of procurements, including source evaluation, protests, disputes, and claims?	2 CFR 200.318(k)			None in 2021
2. For all disputes that have arisen, has the recipient disclosed information regarding the protests to ONAP, if appropriate?				None in 2021
F. Does the recipient's procurement policy set the small purchase threshold at \$250,000 or less?	2 CFR 200.320(b)	Finance Policy §4-90-030(2)		Yes, policy outlines small purchases in detail and mimics the current Federal threshold of \$10 - 250k



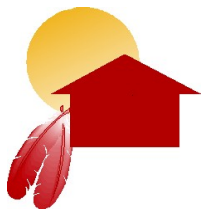
G. Does the recipient's procurement policy include a provision for micro purchases?	NAHASDA Sec. 203(g)	Finance Policy §4-90-030(1)	Yes, policy outlines micro purchases in details and mimics the current Federal threshold of under \$10k
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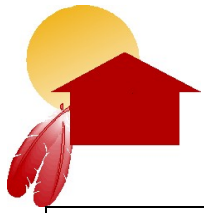
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H. Does the recipient give preference in the award of contracts to Indian organizations or enterprises by following one of the required methods:	24 CFR 1000.52 24 CFR 1003.510(d)	Finance Policy §4-90- 020(7)		Yes, policy details Indian Preference and its application in detail, including definitions and methods for verification of qualification.
1. Certified that its policies and procedures will provide preference in its procurement activities. If so,		Finance Policy §4-90- 020(7)		Yes
a. Are the policy and procedures consistent with the requirements of Section 7(b) of the Indian Self-Determination and Education Act?	24 CFR 1000.52(b)	Finance Policy §4-90- 020(7)		Yes
2. Advertised for bids or proposals limited to Indian firms.	24 CFR 1000.52(c)(1)(i) 24 CFR 1003.510(d)(1)(i)	Finance Policy §4-90- 020(7)(b); §4-90- 020(7)(c); §4-90- 020(7)(h)		There are three allowed procedures that can be used to implement the preference outlined in the policy, but the method must be identified prior to solicitation.  None in 2021



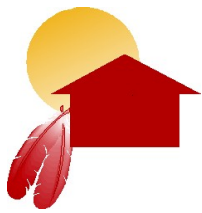
<p>3. Used a 2-stage preference procedure.</p>	<p>24 CFR 1000.52(c)(1)(iii) 24 CFR 1003.510(d)(1)(ii)</p>	<p>Finance Policy §4-90- 020(7)(b); §4-90- 020(7)(c); §4-90- 020(7)(h)</p>	<p>There are three allowed procedures that can be used to implement the preference outlined in the policy, but the method must be identified prior to solicitation. Additionally, there are separate requirements outlined for ICDBG large procurement using the 2-stage method as required under HUD regulation.</p> <p>None in 2021</p>
<p>I. Does the recipient have procedures that comply with 24 CFR 1000.54 or 24 CFR 1003.510(e) for handling complaints that arise from the method they follow in providing for Indian preference?</p>	<p>24 CFR 1000.54 24 CFR 1003.510(e)</p>	<p>Finance Policy §4-90- 060(4)</p>	<p>Yes, the policy directly addresses these disputes to follow the requirements under 24 CFR 1000.54.</p>



<b>RECIPIENT NAME:</b>	<b><u>Regulator v/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>Ref. Pg.</u></b>	<b><u>Remarks</u></b>
NOTE: The recipient can choose to adopt procedures that meet or exceed those described in 1000.54 or 1003.510(e). Do not make a finding based solely on the recipient not having its own compliant procedures because the recipient is already required to follow the procedures in 1000.54 or 1003.510(e).				Read & Noted
J. Does the recipient have either a separate policy on Section 3 or is it included in the procurement policy?	24 CFR Part 135 24 CFR 1000.42			N/A - HUD regulations in §24 CFR 1000.42 confirmed in 2020 that Section 3 is not applicable to NAHASDA programs
1. Do the policy and procedures provide preference in procurement consistent with the requirements of Section 3?	24 CFR Part 135 24 CFR 1000.42(a)&(c) 24 CFR 1000.48(c)			See above
2. Does the policy include a provision for the applicable thresholds?	24 CFR 135.3(a)(3) 24 CFR 1000.42(b)			See above
<b>IV. Procurement</b>				-
A. Select a sample of procurement transactions for construction services. Review the sampling methods in the General Instructions.	24 CFR 1000.503(b)(c)	General Instructions for Monitoring Plans		N/A in 2020  Read and Noted

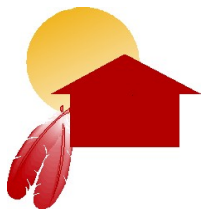


B. Was the appropriate procurement method used for each procurement transaction?	2 CFR 200.320			Yes, our procurement procedures undertaken within the Microix PO approval workflow ensures that the correct method is employed for the type of activity and amount of the transaction.
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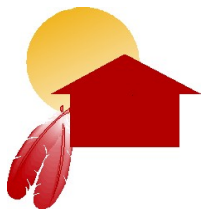


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<b>A. Sealed Bids Method of Procurement</b>				-
This is the preferred method for procuring construction services. Invitations for Bids (IFB) are publicly solicited from an adequate number of known suppliers, providing them sufficient time prior to the date set for the public opening of the bids. The IFBs are to include any specifications and pertinent attachments and are to define the items or services in order for the bidder to properly respond. The firm-fixed-price type of contract is awarded to the lowest responsive and responsible bidder.	2 CFR 200.320(c)	Finance Policy §4-90-030 (3) and §4-90-040 (3)(g)		Read & Noted, see sub-sections for Large Purchases and Construction Contracting in the Finance Policy’s Purchasing and Procurement Section.  None in 2021
A. Determine whether the recipient awarded any contracts using the sealed bids method of procurement.				N/A in 2021
B. Did the recipient maintain adequate records in order to determine whether:	2 CFR 200.318(i)			N/A in 2021
1. Cost or price analyses were conducted?	2 CFR 200.323(a)			N/A in 2021
2. IFBs:				N/A in 2021
a. Were publicly advertised in a newspaper or other means that did not limit the number of bidders that would respond?	2 CFR 200.320(c)			N/A in 2021

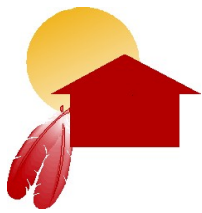




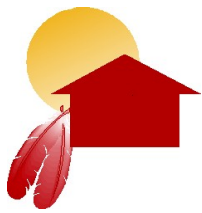
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b. Clearly defined the items or services needed in order for the bidders to properly respond?	2 CFR 200.320(c)(2)(ii)			N/A in 2021
c. Provided bidders with adequate time to respond?	2 CFR 200.320(c)(2)(i)			N/A in 2021
d. Indian preferences were publicly announced in the advertisement and bidding solicitation?	24 CFR 1000.52(c)(4) 24 CFR 1003.510(d)(4)			N/A in 2021
e. Indian preference policy was followed?	24 CFR 1000.52(c)(1) 24 CFR 1003.510(d)			N/A in 2021
f. Section 3 preferences were publicly announced in the advertisement and IFB and incorporated the Section 3 clause?	24 CFR 135.32 24 CFR 135.38 24 CFR 1000.42			N/A in 2021
3. If errors were noted, determine whether the errors are an indication of a systemic problem or isolated incidents. (Note: ensure that an adequate number of procurements were sampled in order to render an opinion.)				N/A in 2021
4. An adequate number of bids were obtained? (Note: there should be bids from at least two qualified bidders.)	2 CFR 200.320(c)(1)(ii)			N/A in 2021



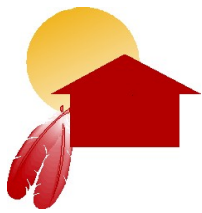
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<p>5. The recipient received less than two approvable bids? Did the grantee either: (1) re-advertise the contract, (2) open the solicitation to Indian <u>and</u> non-Indian contractors or (3) request Area Office approval to award the contract to the single bidder. If the grantee chooses option 2 for the next solicitation, and the process <u>still</u> results in only one approvable response, the grantee has met Indian preference requirements and may award the contract to the single bidder or offeror with no Area Office review or approval.</p>	<p>24 CFR 1000.52(b)(3) 24 CFR 1003.510(d)(2) &amp; (3)</p>			<p>N/A in 2021</p>
<p>NOTE: the procurement regulations only require awarding agency approval if the procurement is expected to exceed the small purchase threshold.</p>				<p>-</p>
<p>6. The recipient conducted a public opening of the bids (attendance sheets included in files)?</p>	<p>2 CFR 200.320(c)(2)(iii)</p>			<p>N/A in 2021</p>
<p>7. The bidders provided the bid bond or other assurances prior to bid opening?</p>	<p>2 CFR 200.325(a)24 CFR 1000.26(a)(12) 24 CFR 1003.501(a)(13)</p>			<p>N/A in 2021</p>



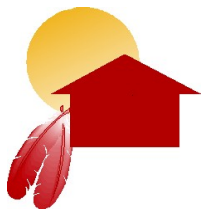
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8. The recipient checked to ensure the contractors were not on the Limited Denial to Participate or Debarred lists?	2 CFR Part 2424 2 CFR Part 180 2 CFR 200.213 24 CFR 1000.44 24 CFR 1003.608			N/A in 2021
9. There were any instances of conflict of interest in the award of any contracts?	2 CFR 200.318 (c)(1)&(2) 24 CFR 1000.30 24 CFR 1003.606			N/A in 2021
10. Awards were made only to responsive and responsible contractors possessing the ability to perform the work successfully?	2 CFR 200.318(h)			N/A in 2021
11. The recipient provided a rationale for contractor or vendor selection?	2 CFR 200.318(i)			N/A in 2021
12. There were sound, documented reasons for every bid that was rejected?	2 CFR 200.320(c)(2)(v)			N/A in 2021
<b>B. Competitive Proposals Method of Procurement</b>				-
Under this method of procurement, offers are submitted from more than one source. This method is generally used when conditions are not appropriate for the use of sealed bids and is generally for professional services, such as consultants, attorneys, etc. Requests For Proposals (RFP) will be publicized and identify all evaluation factors and their relative importance and will be solicited from an adequate number of qualified sources.	2 CFR 200.320(d)	Finance Policy §4-90-030 (3) and §4-90-040 (3)(h)		Read & Noted, see sub-sections for Large Purchases and Construction Contracting in the Finance Policy’s Purchasing and Procurement Section.  None in 2021



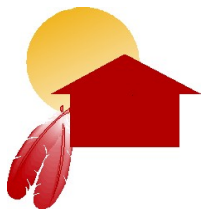
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<p>Recipients are to have a method for conducting technical evaluations of the proposals received and for selecting awardees. Recipients are to award either a fixed-price or cost-reimbursement type contract to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered. Contingency arrangements are prohibited per 2 CFR Part 200 when recovery of the costs is from the federal government. Recipients may use competitive proposals procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services.</p>				
<p>A. Determine whether the recipient awarded any contracts using the competitive proposals method of procurement.</p>				N/A in 2021
<p>1. Did the recipient maintain adequate records in order to determine whether:</p>	2 CFR 200.318(i)			N/A in 2021
<p>1. Cost or price analyses were conducted?</p>	2 CFR 200.323(a)			N/A in 2021



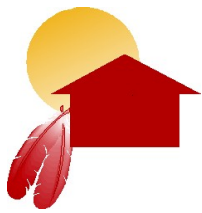
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2. RFPs:				N/A in 2021
a. Were publicly advertised, whether in a newspaper or other means, that did not limit the number of firms that would respond?	2 CFR 200.320(c)(2)(i)			N/A in 2021
b. Identified all significant evaluation factors, including price or cost, where required, and their relative importance?	2 CFR 200.320(d)(1)			N/A in 2021
c. Indian preferences were publicly announced in the advertisement and RFP?	24 CFR 1000.52 23 CFR 1003.510(d)(4)			N/A in 2021
d. If applicable, Section 3 preferences were publicly announced in the advertisement and RFP and incorporated the Section 3 clause?	24 CFR 135.32 24 CFR 135.38 24 CFR 1000.42 24 CFR 1003.510(a)(2)			N/A in 2021
3. If errors were noted, determine whether the errors are an indication of a systemic problem or isolated incidents. (Note: ensure that an adequate number of procurements were samples in order to render an opinion.)				N/A in 2021
4. Were an adequate number of proposals obtained? (Note: there should be proposals from at least two qualified firms.)	2 CFR 200.320(d)(2)			N/A in 2021



<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>Ref. Pg.</u></b>	<b><u>Remarks</u></b>
<p>5. The recipient received less than two approvable proposals? Did the grantee either: (1) re-advertise the contract, (2) open the solicitation to Indian <u>and</u> non-Indian contractors or (3) request Area Office approval to award the contract to the single bidder or offeror. If the grantee chooses option 2 for the subsequent solicitation, and the process <u>still</u> results in only one approvable response, the grantee has satisfied HUD's Indian preference requirements and may award the contract to the single bidder or offeror with no Area Office review or approval.</p>	<p>24 CFR 1000.52(c)(2) 24 CFR 1003.510(d)(2) &amp; (3)</p>			<p>N/A in 2021</p>
<p>NOTE: the procurement regulations only require awarding agency approval if the procurement is expected to exceed the small purchase threshold.</p>				
<p>6. Did the recipient's records contain a method for conducting technical evaluations of the proposals received and for selecting awardees?</p>	<p>2 CFR 200.320(d)(3)</p>			<p>N/A in 2021</p>
<p>7. Did the recipient's records include documentation of the basis for negotiation of a fair and reasonable price?</p>	<p>2 CFR 200.320(d)(5)</p>			<p>N/A in 2021</p>

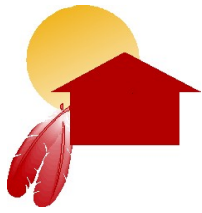


<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>Ref. Pg.</u></b>	<b><u>Remarks</u></b>
8. Do any of the proposals received include payment that is contingent upon recovery of the costs from the federal government (contingency arrangement)? Examples of contingency arrangements may be:	2 CFR 200.459			N/A in 2021
a. The professional gets paid a percentage of any successes it achieves for the recipient, or				N/A in 2021
b. The professional gets paid a fixed amount only for its successes.				N/A in 2021
9. Does the documentation verify that only A/E professional services excluded price as an evaluation factor?	2 CFR 200.320(d)(5)			N/A in 2021
10. Were there any instances of conflict of interest in the award of any contracts?	2 CFR 200.318(c)(1) 24 CFR 1000.30 24 CFR 1003.606			N/A in 2021
11. Were awards made to responsive and responsible offerors whose proposals would be most advantageous to the recipient after price and other factors were considered?	2 CFR 200.320(d)(4)			N/A in 2021

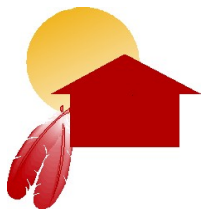


RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
12. Did the recipient check to ensure the offerors were not on the Limited Denial to Participate or Debarred lists?	2 CFR Part 2424 2 CFR Part 180 2 CFR 200.213 24 CFR 1000.44 24 CFR 1003.608			N/A in 2021
<b>C. Noncompetitive Proposals Method of Procurement</b>				-
<p>Noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. This method may only be used when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals. Also, it can only be used when the item is available only from a single source; the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; HUD authorizes noncompetitive proposals; or after solicitation of a number of sources, competition is determined inadequate.</p> <p>Recipients are required to conduct a cost analysis, i.e., verifying the proposed costs data, the projections of the data, and the evaluation of the specific elements of costs and profits.</p> <p>Also, HUD may require recipients to submit the proposed procurement for pre-award review.</p>	2 CFR 200.320(f)	Finance Policy §4-90-030 (4)		<p>Read &amp; Noted, see sub-section for Non-Competitive Proposals in the Finance Policy’s Purchasing and Procurement Section.</p> <p>None in 2021</p>

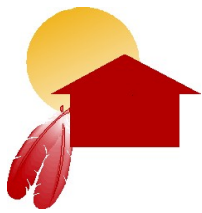




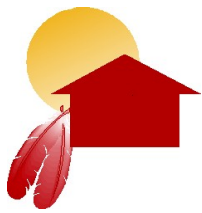
<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>Ref. Pg.</u></b>	<b><u>Remarks</u></b>
A. Determine whether the recipient awarded any contracts using the Noncompetitive Proposals method of procurement.				N/A in 2021
B. Did the recipient maintain adequate records to determine whether:	2 CFR 200.318(i)			N/A in 2021
1. It was infeasible to use the small purchase, sealed bid, or competitive proposals method?	2 CFR 200.320(f)			N/A in 2021
2. The item or service was available only from a single source?	2 CFR 200.320(f)(1)			N/A in 2021
3. There was an emergency that would not allow a delay by using another method?	2 CFR 200.320(f)(2)			N/A in 2021
C. Did review of the procurement actions indicate that any of the solicitations were too restrictive in competition (placing unreasonable requirements, unnecessary experience, excessive bonding, etc.)?	2 CFR 200.319(a)(1-7)			N/A in 2021
D. Also:				
1. Did ONAP authorize noncompetitive proposals? (If yes, stop here for this section.)	2 CFR 200.320(f)(3)			N/A in 2021



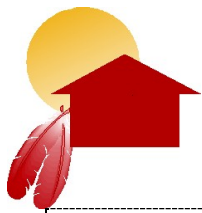
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
2. Was competition inadequate after the recipient had solicited a number of sources?	2 CFR 200.320(f)(4)			N/A in 2021
3. Did the recipient perform a cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation?	2 CFR 200.323(a)			N/A in 2021
4. Were there any instances of conflict of interest in the award of any contracts?	2 CFR 200.318(c)(1) 24 CFR 1000.30 24 CFR 1003.606			N/A in 2021
5. Did the recipient check to ensure the offerors were not on the Limited Denial to Participate or Debarred lists?  Source: SAMS <a href="https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf">https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf</a>	2 CFR Part 2424 2 CFR Part 180 2 CFR 200.213 24 CFR 1000.44 24 CFR 1003.608			N/A in 2021
<b>D. Small Purchase Method of Procurement</b>				-
This method of procurement is used for securing services, supplies, or other property that do not cost more than \$250,000 (or whatever the recipient's policy sets as the threshold, provided it does not exceed \$250,000).	2 CFR 200.320(b) 2 CFR 200.88	Finance Policy §4-90-030 (2)		Read & Noted, see sub-section for Small Purchase Procurement in the Finance Policy's Purchasing and Procurement Section.
A. Determine what the recipient's small purchase threshold is set at.	2 CFR 200.88			The threshold is between \$10-250k in 2021.



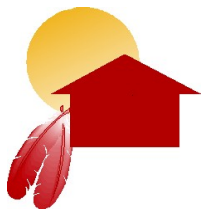
<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>Ref. Pg.</u></b>	<b><u>Remarks</u></b>
NOTE: Recipient has flexibility to set an amount less than what the thresholds are set under regulation.				-
B. Was the appropriate procurement method used for each item or service purchased?	2 CFR 200.330			Yes, a contract for Project Management services was executed in 2021 and it was correctly processed as a small purchase procurement using comparative bids/rates.
C. Did the recipient maintain adequate records in order to determine whether:	2 CFR 200.318(i)			-
1. Requests for quotes:				-
a. An adequate number of quotes were obtained?	2 CFR 200.320(b)			Yes, the minimum of 3 quotes were obtain for the comparison.
b. To the greatest extent feasible, the recipient provided Indian preference?	24 CFR 1000.52(c) 24 CFR 1003.510(d)(3)			None of the respondents qualified for Indian Preference.
c. To the greatest extent feasible, the recipient provided Section 3 preference?	24 CFR Part 135			N/A for NAHASDA funded activity
d. For professional services, any of the proposals include payment that is contingent upon recovery of the costs from the federal government (contingency arrangement)? Examples may be:	2 CFR 200.459			N/A in 2021 or in this procurement



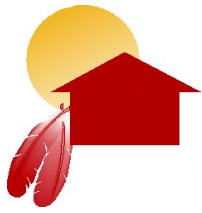
<b>RECIPIENT NAME:</b>	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
(1) The professional gets paid a percentage of any success it achieves for the recipient, or				N/A in 2021 or in this procurement
(2) The professional gets paid a fixed amount only for its successes.				N/A in 2021 or in this procurement
3. If errors were noted, determine whether they are an indication of a systemic problem or isolated incidents. (Note: ensure that an adequate number of procurements were sampled in order to render an opinion.)		We reviewed the contract file for D. Carpenter in Accounting		<p>The EPLS record was pulled on 4/15/21 after the contract was executed on 2/2/2021. This was a procedural failure. The VSA does allow for termination and requires the vendor to not be disbarred, so at no time were we obligated to continue under the contract if the vendor was disbarred, and thus we were not obligated to spend federal funding with a disbarred vendor in this case.</p> <p>This was an isolated failure in procedure. Additionally, the Planning Department is also now using a check list within their procedure that includes the EPLS record being pulled prior to contract execution as an additional check in balance to strengthen compliance within our procedure.</p>
4. Awards were made only to responsible contractors or vendors possessing the ability to perform the work successfully?	2 CFR 200.318(h)			Yes
5. If the recipient provided a rationale for contractor or vendor selection or rejection?	2 CFR 200.318(i)			Yes, a thorough memo outlining the rationale for selection was provided in the record.



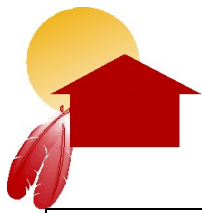
6. If there were any instances of conflict of interest in the award of any contracts?	2 CFR 200.318(c)(1) & (2) CFR 1000.30 24 CFR 1003.606			None presented, real or apparent, with this contract.
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RECIPIENT NAME:	<u>Regulatory / Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
7. Did the recipient check to ensure the suppliers or contractors were not on the Limited Denial to Participate or Debarred lists?  Source: SAMS <a href="https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf">https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf</a>	2 CFR Part 2424 2 CFR Part 180 2 CFR 200.213 24 CFR 1000.44 24 CFR 1003.608			Yes, but not prior to contract execution. See above. Additional checklist now in place to ensure internal control for this requirement is met.
8. Does it appear that the recipient is breaking down requirements of a purchase for the purpose of bid splitting to avoid the requirements that apply to larger purchases?	2 CFR 200.318(d)			N/A in 2021
<b>E. Micro Purchases Method of Procurement</b>				
This method of procurement may be used for the purchases of goods or services with a value of less than \$10,000. The intent of micro purchasing is to reduce the burden of complying with the federal procurement process for goods and services of minimal cost. The provision allows the recipient the ability to purchase without soliciting competitive quotations if the price is considered reasonable.	NAHASDA Sec. 203(g) 24 CFR 1000.26(a)(11)(1) 2 CFR 200.67 2 CFR 200.320(a)	Finance Policy §4-90-030 (1)		Read & Noted
<b>A. Micro Purchase Policy</b>				
1. Determine the recipient's micro purchase threshold.		Finance Policy §4-90-030 (1)(a)		The threshold is set as less than \$10k in 2021.

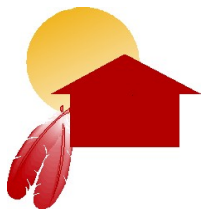


RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
a. Is the micro purchase threshold within the \$10,000 limit?		Finance Policy §4-90-030 (1)(a)		Yes
2. Was the procurement or contracting officer's signature on the micro-purchase purchase order to signify that the cost has been determined to be reasonable?	2 CFR 200.303			Yes, under current procedures, every procurement must be approved by the Program Director, Compliance Officer, COO and CFO at Samish through the Microix PO workflows. All reviews are done for both budget, allowability and reasonableness.
<p>B. Does it appear that the recipient is breaking down requirements of a purchase for the purpose of bid splitting to avoid the requirements that apply to larger purchases?</p> <p>NOTE: This is examined under the Finance section and if this practice is observed, expand the review under Procurement. It is recommended to do a sampling of micro-purchases just for this purpose.</p>	2 CFR 200.318(d)			No
<b>V. Contract Administration Review</b>				-

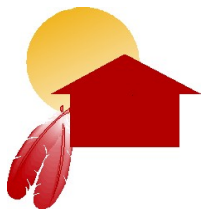


<p>Recipients are to maintain a contract administration system which ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Recipients are required to perform a cost or price analysis for contract modifications. Recipients will negotiate profit as a separate element of the price for each contract in which there is no price competition</p>	<p>2 CFR 200.323 2 CFR 200.318(b) &amp; (i)</p>	<p>Finance Policy §4-90-040; Planning Dept Procedures – general and sealed bid</p>	<p>Read &amp; noted – no construction contract in place in 2021.  Contract administration is done within the Planning Department, although some procedures are also noted in the Finance Policy as responsibilities of the contract representative. Planning uses the checklist templates as attached in their procedure for contract administration, but typically the project planner on the project develops their own system of tracking and monitoring for the needs, timelines, concerns of each contract.</p>
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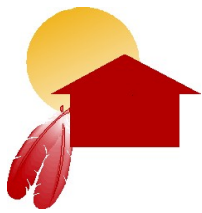




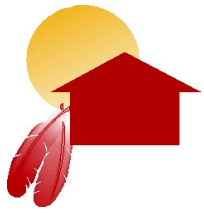
<b>RECIPIENT NAME:</b>	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
<p>and in all cases where a cost analysis is performed. The cost plus a percentage of cost and percentage of construction cost methods of contracting are not allowed. Contracts with contingency arrangements are also prohibited when recovery of the costs are from the federal government.</p> <p>For construction or facility improvement contracts over the small purchase threshold, the recipient must require bonding from its contractors to ensure that HUD's interest is adequately protected. The recipient's contracts must contain all the provisions required, including those for Indian preference and Section 3.</p>		Finance Policy §4-90-040		N/A in 2021
<p>A. Is a review of the recipient's technical specifications on proposed procurements needed to ensure that the item and/or service specified is the one being proposed for purchase? If no, go to item C, below.</p>	2 CFR 200.324(a)			N/A in 2021
<p>B. If yes, did the recipient provide these documents?</p>	2 CFR 200.324(a)			N/A in 2021
<p>C. Does the recipient have an executed contract for every service or item acquired under the Sealed Bid, Competitive Proposals, or Noncompetitive Proposals method of procurement?</p>	2 CFR 200.62 2 CFR 200.318(i)			Yes, currently have both an A/E and a preliminary storm water contract, needed for acquisition of the easement, contract in place for 34 <sup>th</sup> St. The A/E followed a large purchase competitive procurement process, and the storm water contract is a micro-purchase, but our procedure is to engage a VSA.



<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>Ref. Pg.</u></b>	<b><u>Remarks</u></b>
<p>D. Do the applicable contracts, purchase orders, and solicitations contain all the required provisions, including those for Indian preference and Section 3?</p> <p>NOTE: Section 3 is triggered when construction and rehab projects create the need for new employment, contracting, or training opportunities.</p>	<p>24 CFR 1000.52(c)(6) 24 CFR 1003.510(d)(6)(i) – (iv) 24 CFR 135.38 2 CFR 200 Appendix II</p>			<p>The only applicable clause under Appendix II of 2 CFR 200 for this A/E contract is section (b) regarding termination for cause or convenience, which is properly addressed in Article 9 of the contract.</p> <p>Note: Section 3 is not applicable for NAHASDA project.</p>
<p>E. Is there documentation verifying that Section 3 requirements were followed, if applicable, by the grantee, contractor, and/or subrecipient if new staff were hired. Section 3 not required if no new staff were hired for the grant.</p>	<p>24 CFR Part 135</p>			<p>N/A for NAHASDA</p>
<p>F. If the recipient used the Small Purchase method of procurement:</p>				<p>Yes, it was a small purchase</p>
<p>1. Did the contract modification increase the contract amount by more than the recipient's small purchase threshold?</p>				<p>No modifications in 2021</p>
<p>2. If so, did the recipient send the contract modification in for ONAP's review and approval, if requested?</p>	<p>2 CFR 200.324(b)(5)</p>			<p>N/A</p>
<p>G. Has the recipient required some type of bonding from the contractors?</p>	<p>2 CFR 200.325 24 CFR 1000.26(a)(12)</p>			<p>N/A for A/E and storm water easement work in place in 2021</p>



<b>RECIPIENT NAME:</b>	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
	24 CFR 1003.501(a)(13)			-
H. Has the recipient awarded any cost plus percentage of cost or percentage of construction cost type contracts?	2 CFR 200.323(d)			No in 2021
I. Has the recipient awarded any contracts that contain contingency arrangements?	2 CFR 200.433			No in 2021
J. Is there evidence that the recipient monitors the contractor's performance to ensure compliance with the contractor's terms, conditions, and specifications of their contract or purchase order?				Storm water was a one-day performance with Samish staff site visit. Project Manager compares scope of work and contractual obligations per invoice at time of submittal;
<b>VI. Summary</b>				-
<ul style="list-style-type: none"> <li>A. Summarize the results of the review in a work paper.</li> <li>B. Discuss significant issues with Supervisor.</li> <li>C. Develop findings, including questioned costs and corrective actions, as appropriate.</li> <li>D. Develop concerns because they could lead to a violation</li> <li>E. Develop report language, including any findings and concerns.</li> <li>F. If there are any major issues identified in this review and the recipient has approval to invest, determine if a withdrawal of investment authority should be recommended.</li> </ul>				Program in compliance and no areas of weakness found.



Office of Native American Programs

Procurement and Contract Administration  
Monitoring Plan  
RECIPIENT

<b>Reviewer Name:</b>	Jenna Burnett, with T. Ross, interviewed S. Paskewitz and R. Walters
<b>Review Date(s):</b>	11/09/2021 via TEAMS

Jenna Burnett, Compliance:

Tiffany Ross, Compliance Officer:

Sharon Paskewitz, Housing Director:

Ryan Walters, Planning Director:

Reviewed and approved by  
Carey Thurston, Controller: