

**State of Michigan
Independent Citizens Redistricting Commission (MICRC)
Procurement Review Procedures and Guidelines**

Adopted February __, 2021

MICRC PROCUREMENT REVIEW PROCEDURES AND GUIDELINES

A. Purpose

The MICRC is committed to transparency in the redistricting process and utilizing taxpayer dollars responsibly with integrity and accountability. These Procedures and Guidelines are adopted to foster transparency and integrity in the evaluation, negotiation and award process for the MICRC's handling of Requests for Proposals (RFP) or such other solicitations or procurement analyses undertaken by the MICRC pursuant to its authority under Subsection 4 of article IV, § 6 of the Michigan Constitution. These Policies and Procedures are intended to ensure uniformity of practice and procedures in the procurement activities of the MICRC.

B. Scope

These Procedures and Guidelines apply to the MICRC, its individual members, and staff as well as any individual participating in the review, evaluation, comparison or recommendation proffered regarding solicitations for the MICRC or made on its behalf. These Procedures and Guidelines shall be read in conjunction with the MICRC Commissioner Code of Conduct.

C. Process

1. The MICRC establishes the following procurement thresholds and associated actions:

\$4,999.99 and below no bid required (informal contract)
\$5,000.00 to \$49,999.99 three (3) bids required
\$50,000.00 and above a request for proposal shall be issued

2. The MICRC requires a Solicitation Manager for all procurements. The Solicitation Manager shall be identified on each procurement and their contact information listed.
3. The MICRC may participate in an existing State of Michigan contract or procurement for services or goods.
4. The Executive Director may make, or authorize others to make, an emergency procurement not to exceed \$ [REDACTED] when exigencies require the immediate delivery of goods or services. Emergency procurements shall be made with such competition as is practicable under the circumstances and reported to the MICRC at its next regular meeting. The report shall include the basis of the emergency and for the selection of the particular contractor. The Executive Director shall submit

- the procurement contract to the MICRC for action within two (2) weeks of the procurement.
5. The MICRC shall issue procurement requests and provide an opportunity for responsive bids to be submitted utilizing the following process with relevant dates and deadlines contained in the procurement request:
 - a. For Request for Proposals:
 - i. MICRC approves the issuance of the RFP by majority vote.
 - ii. Requests for proposals shall be posted on the MICRC website for a minimum of seventeen (17) days.
 - iii. Submission of bidder questions.
 - iv. Posting of MICRC responses to bidder questions which have been approved by a majority vote of the MICRC.
 - v. MICRC adopts a resolution to establish a committee to review the ranked proposals and make recommendations to the MICRC.
 - vi. Deadline to submit a proposal.
 - vii. Review by MICRC and Michigan Department of State (“MDOS”) staff to rank proposals and provide rationale to the MICRC for each proposal received.
 - viii. Committee shall review the ranked proposals in an open meeting and identify recommendations to bring to the full MICRC for bidder presentations.
 - ix. MICRC, by majority vote, shall select the bidders invited to present their responsive proposal to the MICRC.
 - x. MICRC shall perform its due diligence in the review and evaluation of responsive proposals and the selection of bidder presentations.
 - xi. Upon completion of its due diligence activities, the MICRC shall select the bidder to which the contract will be awarded by majority vote.
 - b. For MICRC procurements requiring three (3) bids:
 - i. MICRC approves the issuance of the procurement request by majority vote.
 - ii. The procurement request shall be posted on the MICRC website for a minimum of seven (7) days.
 - iii. The MICRC may permit bidder questions by including the relevant dates for submission of questions and the corresponding response date in the procurement request. If bidder questions are included in the procurement, the posting of MICRC responses to bidder questions shall be approved by a majority vote of the MICRC.
 - iv. Deadline to submit a bid.
 - v. Review by MICRC and Michigan Department of State (“MDOS”) staff to provide recommendations to the MICRC on next steps.
 - vi. MICRC shall perform its due diligence in the review and evaluation of responsive bids.
 - vii. Upon completion of its due diligence activities, the MICRC shall select the bidder to which the contract will be awarded by majority vote.
 - c. For informal contracts:

- i. The Executive Director may procure a good or service utilizing an informal contract process to obtain best value for the MICRC.
- ii. This process shall not require bids or posting.
- iii. The cumulative limit on any informal contract with a single vendor is \$4,999.99 per month.
- iv. The Executive Director shall prepare a monthly report for the MICRC detailing the goods or services procured during the previous month, actual cost incurred and any other relevant information.

D. Evaluation Guidelines

The MICRC mandates the following for any individual participating in its procurement activities:

1. Disclose, to the Solicitation Manager, any actual or potential conflict of interest you have with a bidder or the award of an informal contract, or any situation that may call into question your ability to participate impartially and without bias.
 - a. Conflict of interest includes any personal, financial, business or other interest that impairs, may impair or give the appearance of impairing independent judgment or action in the performance of duties.
 - b. Individual members of the MICRC shall disclose and abstain, if necessary, pursuant to the MICRC Rules of Procedure, *Section 9.1, Duty to Vote*, dated February 4, 2021.
2. Report any actual or perceived conflict of interest of others to the Solicitation Manager or MICRC General Counsel.
3. Perform evaluation duties impartially and without bias.
4. Adhere to the highest ethical standards by demonstrating honesty, integrity, and professionalism.
5. Report any verbal, written or electronic contact or communication from a bidder or third parties on behalf of a bidder to the Solicitation Manager or the MICRC General Counsel.
6. Review and understand the solicitation documents and addendums.
7. Review and understand the proposals received.
8. Attend scheduled meetings and be prepared to actively participate in the evaluation and/or award process based on bidder submissions and interviews.
9. Ensure the details of the proposals and evaluation remain confidential until the MICRC or Committee meeting where it will be discussed in an open meeting.
10. Evaluate each bid on its merits.
11. Apply evaluation criteria consistently to each bid.
12. Document evaluation results and provide rationale where appropriate.
13. Comply with any applicable civil service rules including relevant ethical standards of conduct.
14. Attend any post award activities such as debrief and protest meetings, and vendor kick-off meetings, as needed.

E. Award or Final Decision

1. MICRC shall award RFPs or procurements requiring three (3) bids based on the most responsive proposal received from a responsible vendor that provides the best value.
 - a. “Best value” is determined by analyzing the components of the proposal such as price, quality, expertise, schedule, terms and conditions, product cost, supply situation, timeliness, expertise, Michigan economic impact, environmental and sustainability practices, compliance with relevant law including labor laws, and identifying the vendor who provides the best overall offer to the MICRC.
 - b. A “Responsive” proposal is one that is submitted in accordance with the solicitation instructions and meets all mandatory requirements identified in the solicitation.
 - c. A “Responsible Vendor” is a vendor that demonstrates it has the ability to successfully perform the duties identified by the solicitation.

2. All contract awards or procurement activities that require an evaluation of bids by the MICRC shall be authorized by resolution supported by majority vote of the MICRC. No award or decision is final until a resolution is adopted and the successful bidder has been notified by the MICRC.