

**BUDGET AND APPROPRIATION REGULATIONS**  
Regulation # R100-01:AC-01

**Chapter 6. Purchasing and Procurement - Tribal Court**  
Regulation # R100-01:AC-06

**Section 1. Authority; Purpose**

1-1. *Authority.* In accordance with the authority set forth in Article IV –

- a. Section 7(b) to authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Tribe;
- b. Section 7(c and d) to authorize the purchase and/or sale of land or forms of interests in land;
- c. Section 7(i) (2) to manage any funds within the exclusive control of the Tribe, to levy fines and other fees, and to borrow money; and
- d. Section 7(j) to take action not inconsistent with the Constitution; the Tribal Council enacts these regulations which identify the processes by which the Tribal Court is authorized to expend funds of the Tribe.

Further, in accordance with Section 4.10 (e) of the Budget and Appropriation Ordinance, # 01100-04, the Tribal Council hereby promulgates these rules for purchasing and procurement by the Tribe.

1-2. *Purpose.* This policy is intended to provide a framework for ensuring that purchasing transactions and accompanying procedures are uniformly applied. Guidelines are placed to support purchasing activities of the Tribe and to create a managed purchasing system.

**Section 2. Purchasing Policies - Tribal Court**

2-1. *Applicability.* The policy set forth in this Section, and as set forth in Chapter 1, shall be followed by the Tribal Court and its employees.

2-2. *Justification.* All purchase and contract actions must be justifiable and support legitimate Tribal objectives.

2-3. *Pricing.* Purchasing and contract actions will be based on competitive pricing to the greatest extent possible and exceptions shall be documented and approved. Competitive pricing as used in this policy means obtain price quotes or bids from multiple vendors to assure the lowest price on quality goods and services.

2-4. *Purchasing Processing.* All purchases are to be processed through the Purchasing Department.

2-5. *Contracts.* All purchases shall be accompanied by an original signed contract or purchase order which shall be filed with the Purchasing Department.

2-7. *Designated Authority to Purchase.* The Tribal Court shall identify by order, each fiscal year, the persons authorized to make purchases on behalf of the Tribal Court. Such authority shall also identify the authority to sign contracts authorized by the Tribal Court for the purchase of goods and services, provided that such goods and services are specified within the approved budget of the Tribal Court.

### **Section 3. Adoption; Amendment; Repeal**

3-1. Adoption. This Chapter is adopted by the Tribal Council on April 7, 2004 by resolution # 04-0407140 and repeals all other purchasing regulations.

3-2. Amendment. This regulation may be amended by the Tribal Council, or by submission of amendments by the Tribal Ogema approved by the Tribal Council, in accordance with the Constitution and any rules set forth governing amendment of regulations of the Little River Band of Ottawa Indians.

3-3. Severability *Clause*. If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.

3-4. Compliance. In regards to compliance with this regulation, deviation from the requirements of this regulation must be noted and corrected. Failure to follow the requirements of this regulation may result in disciplinary action, up to and including termination from employment, reporting to Judicial Ethics Committee if Tribal judge, including action to recover expenditures resulting from unauthorized actions.