

62BIRAK Supp. 29

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EDUCATION PROGRAM NON-COMPETITIVE PROCUREMENT PROCEDURES  
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EDUCATION PROGRAM NON-COMPETITIVE PROCUREMENT  
GENERAL

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1. GENERAL

1.1 Authority. Public Law 100-297, the Indian Education Amendments Act of 1988, Section 5109; and 25 U.S.C. 2009(a)(4).

1.2 Policy and Scope. It shall be the policy of the Bureau of Indian Affairs to allow the supervisor of a Bureau school to spend funds for procurement of school supplies and equipment, without competitive bidding or the signature of a warranted contracting officer, when:

(A) The annual total cost is limited to no more than \$25,000 of the amount allotted under P.L. 100-297, Sec. 1128, for the Indian School Equalization Program (ISEP).

(B) The cost for any single item purchased does not exceed \$10,000.

(C) The school board approves the procurement.

(D) The supervisor certifies that the cost is fair and reasonable.

(E) The document relating to the procurement executed by the school supervisor or other school staff cites Public Law 100-297, Sec. 5109, as authority for the procurement.

(F) The transaction is documented in a journal maintained at the school clearly identifying when the transaction occurred, what was acquired and from whom, the prices paid, the quantities acquired, and any other information the supervisor or school board considers relevant.

1.3 Responsibility. Agency Superintendents for Education, or Area Education Programs Administrators who supervise a Bureau-operated school, and school supervisors are responsible for administering non-competitive procurement policy and procedure as defined in this manual part.

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EDUCATION PROGRAM NON-COMPETITIVE PROCUREMENT PROCEDURES  
PROCEDURES

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2. PROCEDURES

2.1 Non-Competitive Procurement Procedures. Bureauwide non-competitive procurement procedures for the acquisition of school equipment and supplies, established in this chapter, shall be implemented uniformly by authorized education program personnel.

2.2. Authorization for Non-Competitive Procurement. Agency Superintendents for Education, or Area Education Programs Administrators who supervise a Bureau-operated school, annually shall submit registers of the names and signatures of school supervisors authorized to sign procurements under 25 U.S.C. 2009(a)(4).

A. Registers of Authorized Individuals. The names and signatures of school supervisors authorized to make non-competitive procurements shall be submitted on Bureau Form BIA-62128, "Authorized Signatures For Non-Competitive Procurements Under Public Law 100-297, Section 5109" (Illustration 1), to the Bureau of Indian Affairs Office of Financial Management, Chief, Division of Accounting Management. Registers comprised of these forms documenting signatory authority shall be created on a fiscal year basis and maintained by the Office of Financial Management, Division of Accounting Management.

(1) Initial Submittal. Within 30 days of the publication of this directive, the first submittal shall be due.

(2) Annual Submittals. By October 1 of each year thereafter, Forms BIA-62128, documenting authorized signatory authority for the current fiscal year, shall be due.

(a) Purchase orders authorizing non-competitive procurement of education supplies and equipment shall be processed for a school only after its annual submittal, verifying the name and signature of the school supervisor, has been received and filed in the current fiscal year register.

(b) Only individuals whose names and signatures are recorded on Form BIA-62128 and filed in the current fiscal year registers shall be allowed to sign purchase orders under the provisions of this manual chapter.

(3) Changes In Signatory Authority. All revocations or additions of authorized signatory authority shall be in writing and submitted to the Chief, Division of Accounting Management. A separate Bureau Form BIA-62129, "Addendum to Authorized Signatures For Non-Competitive Procurements Under Public Law 100-297, Section 5109" (Illustration 2), shall be submitted for all subsequent authorizations made during the fiscal year, documenting the name, title, and signature of each newly authorized school supervisor. The Division of Accounting Management shall be notified of newly designated officials within one week of the new appointment.

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EDUCATION PROGRAM NON-COMPETITIVE PROCUREMENT PROCEDURES  
PROCEDURES

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B. Recordkeeping Requirements For Registers. Registers of authorized individuals with signatory authority shall be retained in the Bureau of Indian Affairs Office of Financial Management, Division of Accounting Management. Registers shall be maintained and disposed of in accordance with Bureau of Indian Affairs Disposition Schedule Number 2853.

2.3 Annual Orientation. All Agency Superintendents for Education, or Area Education Programs Administrators who supervise a Bureau-operated school, shall provide annual orientation to all supervisors of Bureau-operated schools regarding (a) non-competitive acquisition of school supplies and equipment under the provisions of the Act; and (b) policies and procedures outlined in this manual part. Orientation shall be conducted at the beginning of each fiscal year. All school supervisors appointed subsequent to the orientation shall receive this training within one week of their appointment.

2.4 Purchase Orders. School supervisors authorized under the provisions of this manual part shall prepare purchase orders, Optional Form 347, Order for Supplies or Services (Illustration 3), to support each non-competitive acquisition. Each purchase order shall be:

A. Restricted to funds allotted to a Bureau school under 25 U.S.C. Section 2008, i.e., Indian School Equalization Program (ISEP) funds, and involve only expenditures for supplies and equipment, as described and authorized in 25 U.S.C. 2009 (a)(4).

B. Certified by the school supervisor, in a typed statement in Item 17 (B), that "the price is fair and reasonable."

C. Supported by a school board authorization, either specific to the order or general, for the acquisition by the school supervisor of necessary supplies and equipment.

D. Signed by the school supervisor authorized to sign these procurements, as described in section 2.2, above.

E. Documented in a journal comprised of Forms BIA-62130, "Journal For Public Law 100-297 and 25 U.S.C. 2009(a)(4) Non-Competitive Procurements" (Illustration 4), verifying:

- (1) The name and location of the school.
- (2) Dates of each purchase.
- (3) Items purchased.
- (4) Source of each purchase.

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EDUCATION PROGRAM NON-COMPETITIVE PROCUREMENT PROCEDURES  
PROCEDURES

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(5) Current account balances.

(6) Purchase authority Public Law 100-297, Section 5109; and 25 U.S.C. 2009(a)(4) which expressly authorize the purchase(s).

(7) Purchase orders shall use document type "PN" as the first two characters of the document reference number.

2.5 Annual Limitations On Expenditures. Non-Competitive procurements made under Public Law 100-297 Section 5109, as codified in 25 U.S.C. Section 2009(a)(4), shall not exceed:

- A. A grand total of \$25,000 per fiscal year, per school; and
- B. \$10,000 for any single item purchased.

2.6 Journal Recordkeeping Requirements. In accordance with the Bureau of Indian Affairs Records Schedule Number 2853, journals of authorized procurement transactions shall be retained at the school site for three years after the close of the fiscal year in which the final payment was made. They then shall be transferred to a Federal Records Center and destroyed six years after retirement.

Form BIA-62128  
Issued

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Office of Indian Education Programs  
AUTHORIZED SIGNATURES FOR NON-COMPETITIVE PROCUREMENTS  
UNDER PUBLIC LAW 100-297, SECTION 5109

Listed below are the names, titles, and signatures of each BIA-operated school supervisor designated to authorize non-competitive procurements under the authority of Public Law 100-297, Section 5109, as codified in 25 U.S.C. 2009(a)(4). Signature of a warranted contracting officer is not required for purchases under this authority. All non-competitive procurement requests for school equipment and supplies purchased with Indian School Equalization Program (ISEP) funds under this authority must be signed by the school's designated official. NON-COMPETITIVE PROCUREMENTS ARE LIMITED TO SUPPLIES AND EQUIPMENT ONLY. PROCUREMENT AUTHORITY IS LIMITED TO A GRAND TOTAL NOT TO EXCEED \$25,000 PER FISCAL YEAR, PER SCHOOL. INDIVIDUAL ITEM PURCHASES SHALL NOT EXCEED \$10,000 PER ITEM.

This authorization is effective from \_\_\_\_\_, 19\_\_\_\_, through September 30, 19\_\_\_\_, or until revoked in writing. Additional designations of signatory authority for this fiscal year shall be submitted on Form BIA-62129, Addendum to Authorized Signatures For Procurement Under 25 U.S.C. 2009(a)(4).

AGENCY: \_\_\_\_\_ LOCATION CODE: \_\_\_\_\_

SCHOOL CODE \_\_\_\_\_ NAME OF DESIGNATED OFFICIAL \_\_\_\_\_ TITLE \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

SCHOOL CODE \_\_\_\_\_ NAME OF DESIGNATED OFFICIAL \_\_\_\_\_ TITLE \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

SCHOOL CODE \_\_\_\_\_ NAME OF DESIGNATED OFFICIAL \_\_\_\_\_ TITLE \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Authorizing Official: \_\_\_\_\_ Date: \_\_\_\_\_

Check one: ( ) Agency Superintendent for Education  
( ) Area Education Programs Administrator

Form BIA-62128  
Issued

CONTINUATION SHEET

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DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Office of Indian Education Programs  
AUTHORIZED SIGNATURES FOR NON-COMPETITIVE PROCUREMENTS UNDER  
PUBLIC LAW 100-297, SECTION 5109

AGENCY: \_\_\_\_\_ LOCATION CODE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

SIGNATURE: \_\_\_\_\_

Authorizing Official: \_\_\_\_\_ Date: \_\_\_\_\_

- Check one:     Agency Superintendent for Education  
                   Area Education Programs Administrator



Form BIA-62129  
Issued

BUREAU OF INDIAN AFFAIRS  
Office of Indian Education Programs  
ADDENDUM TO AUTHORIZED SIGNATURES FOR NON-COMPETITIVE PROCUREMENTS  
UNDER PUBLIC LAW 100-297, SECTION 5109

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SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

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SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

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SIGNATURE: \_\_\_\_\_

SCHOOL CODE      NAME OF DESIGNATED OFFICIAL      TITLE

---

SIGNATURE: \_\_\_\_\_

Authorizing Official: \_\_\_\_\_ Date: \_\_\_\_\_

- Check one:        Agency Superintendent for Education  
                      Area Education Programs Administrator

**ORDER FOR SUPPLIES OR SERVICES**

PAGE 1 OF 2 PAGES

**IMPORTANT:** Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER	2. CONTRACT NO. (If any)	3. ORDER NO.	4. REQUISITION/REFERENCE NO.
5. ISSUING OFFICE (Address correspondence to)		6. SHIP TO: (Consignee and address, ZIP Code)	
7. TO: CONTRACTOR (Name, address and ZIP Code)		SHIP VIA:	

8. TYPE OF ORDER

A. PURCHASE — Reference your \_\_\_\_\_

Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of:

B. DELIVERY — Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. ACCOUNTING AND APPROPRIATION DATA	10. REQUISITIONING OFFICE		
11. BUSINESS CLASSIFICATION (Check appropriate box(es))			
<input type="checkbox"/> SMALL <input type="checkbox"/> OTHER THAN SMALL <input type="checkbox"/> DIS-ADVANTAGED <input type="checkbox"/> WOMEN-OWNED			
12. F.O.B. POINT	14. GOVERNMENT B/L NO.	15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date)	16. DISCOUNT TERMS
13. PLACE OF INSPECTION AND ACCEPTANCE			

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
SEE BILLING INSTRUCTIONS ON REVERSE	18. SHIPPING POINT	19. GROSS SHIPPING WEIGHT	20. INVOICE NO.			17(H). TOT. (Cont. pages)
	21. MAIL INVOICE TO: (Include ZIP Code)					17(I). GRAND TOTAL

UNITED STATES OF AMERICA BY (Signature)	23. NAME (Typed)
	TITLE: CONTRACTING/ORDERING OFFICER



Form BIA-62130  
Issued May 15, 1991

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DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Office of Indian Education Programs  
JOURNAL FOR PUBLIC LAW 100-297, SECTION 5109; AND 25 U.S.C. 2009 (a) (4)  
NON-COMPETITIVE PROCUREMENTS

Procurements made under Public Law 100-297, Section 5109, as codified in 25 U.S.C. 2009(a) (4), can be non-competitively authorized by designated officials whose names and signatures are recorded on Bureau Form BIA-62128 or BIA-62129 on file in the Office of Financial Management, Division of Accounting Management. Up to an annual total of \$25,000 per school may be authorized under this authority. Each individual item purchased cannot exceed \$10,000.

The following purchases were made during FY \_\_\_\_\_.

SCHOOL: \_\_\_\_\_ LOCATION: \_\_\_\_\_  
CODE: \_\_\_\_\_

<u>DATE</u>	<u>QUANTITY</u>	<u>ITEM</u>	<u>SOURCE</u>	<u>PRICE</u>	<u>BALANCE AVAILABLE</u>
10/1					\$25,000

I certify that the cost of each itemized purchase listed above is fair and reasonable. All non-competitive procurements were authorized by the school board and were made in accordance with Public Law 100-29, Section 5109, as codified in 25 U.S.C. 2009(a) (4)

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AUTHORIZING OFFICIAL

Form BIA-62130  
Issued May 15, 1991

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Office of Indian Education Programs  
JOURNAL FOR PUBLIC LAW 100-297, SECTION 5109 and 25 U.S.C. 2009(a) (4)  
NON-COMPETITIVE PROCUREMENTS

INSTRUCTIONS

1. Use one sheet per school.
2. Pre-number all Journal pages.
3. Maintain a copy of all authorizations with the journal page documenting the transaction.
4. DATE: Enter the date of each transaction consecutively in the order in which the transactions were made.
5. QUANTITY: Enter the quantity of the item purchased
6. ITEM: Enter the name of each item purchased.
7. SOURCE: Enter the name of the vendor, i.e., individual, business, organization, etc. from which the purchase was made.
8. BALANCE AVAILABLE: The 10/1 beginning balance of \$25,000 is pre-printed for each fiscal year. After entering the amount of each purchase, subtract the last amount entered from the preceding balance to obtain the balance of available total funds remaining for non-competitive purchases in the current fiscal year. EXPENDITURES MUST NOT EXCEED A CUMULATIVE TOTAL OF \$25,000 in any one fiscal year. NO INDIVIDUAL ITEM MAY EXCEED THE COST LIMITATION OF \$10,000.

AUTHORIZING OFFICIAL: This document must be signed by the official whose name and signature appear on Form BIA-62128, Authorized Signatures For Procurements Under Public Law 100-297, Section 5109; and 25 U.S.C. 2009(a) (4), on file in the Office of Financial Management, Division of Accounting Management for the current fiscal year.