



DWSD Procurement Policy Revisions

Workshop Reviews

Session 1	Ethics, Protests
Session 2	Exceptions to Competitive Solicitation; Contract Approvals and Amendments; and Contractor Suspension, Disqualification or Debarment
Session 3	Equalization Credits and Vendor Development Miscellaneous





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Session 2

Exceptions to Competitive Solicitation

Exceptions to Competitive Solicitation – Section 7.5

- Clarified or **NEW** exceptions to competitive solicitation:
 - Co-op Contracts, Shared Services, Piggyback Contracts
 - Emergency procurements
 - Intergovernmental Agreements
 - Legal claims
 - Legal services/Personal services
 - Separate contracts – allowed under certain circumstances - can't misuse rule to go around solicitation process. Cumulative totals tracked.
 - Single source purchases – business decision based on standardization, warranty considerations, impracticability of competitive solicitation
 - Sole source purchases – product only available from one source
 - Voucher payments
- **NEW** = Vouchers - payment made for goods or services not procured through purchase order or contract. Multiple uses enumerated.
 - Two executives must sign off
 - If exceeds budget appropriation, only Director and CFO sign off
 - Cannot exceed budget appropriation by more than 10%



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Contract Approvals & Amendments

Contract Approvals and Amendments – Section 7.8

Executing Contracts – Section 7.9

- **Contract approval thresholds are the same.**
 - **ADDED:** Mayor approvals to comport with current practice.
 - Real property transactions to become separate policy.
- **Contract amendments (Clarified and NEW):**
 - **Director approves**
 - Time only amendments – all thresholds
 - Additional funds – if still within threshold limit
 - Changes to scope of service – if still within threshold limit
 - **BOWC/City Council approves**
 - All contracts within threshold limit in any fiscal year
 - Funds added
 - Changes to scope of services
 - **Prohibited**
 - Significant changing scope of work to avoid solicitation process
- **Executing Contracts - Delegating Authority (Clarified and NEW)**
 - Director signs all contracts over \$5K
 - Can delegate authority up to \$100K
 - Deputy Director of CFO signs in case of Director's death or incapacity



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Contractor Suspension, Disqualification or Debarment

Contractor Suspension, Disqualification or Debarment – Section 7.11

- Significant changes throughout
- *Disqualification* means action taken by DWSD to bar a Contractor from doing business with DWSD for a period of time not to exceed two years.
- *Debarment* means action taken by the City to exclude a person from acting as a Contractor for a specified period of time.
- Procurement Administrator consults with General Counsel
- Notice to Contractor of Suspension while DWSD investigates possible misconduct
- DWSD may disqualify and/or send to City of Detroit Inspector General for investigation leading to debarment
 - Debarment has serious consequences for vendors
 - Inspector General has subpoena powers and specialized staff
 - City Code refers debarment to Inspector General
- Procurement process on hold during investigation

Contractor Suspension, Disqualification or Debarment – Section 7.11 (Continued)

- **Grounds for disqualification and/or debarment**
 - Crimes
 - False certification as Detroit Business Designation
 - Misrepresentations in bids re: participation of joint/mentor venturers, Detroit residents, etc.
 - History of safety violations
 - Other
- **Procurement Administrator may hold informal conferences**
 - Opportunity to cure defects
 - Review evidence
 - Attorneys allowed
- **Decision within 30 days.**
- **Opportunity to request reconsideration of decision**
 - Only if new evidence not previously considered
 - Reconsideration decision within 14 days
- **Decision is final – no further appeals**