

Resolution 1010

JOINT RESOLUTIONS OF NIGP/NASPO

Whereas, the Office of Management and Budget has issued a revised Attachment "O", OMB Circular A-102 (revised), effective October 1, 1979; and

Whereas, the National Institute of Governmental Purchasing and National Association of State Purchasing Officials agree with OMB and the Office of Federal Procurement Policy that important elements of the amended Attachment include:

1. Reaffirmation of maximum reliance on state and local government grantee's management of their own procurements.
2. Direction to grantor agencies to rescind non-conforming provisions of current agency subordinate regulations and limitation on the issuance of additional requirements.
3. Creation of a grantee certification program to reduce the grantee agency's burdensome pre-award review of individual procurements.
4. Addition of provisions to reduce the possibility of fraud and waste.
5. Expansion of the coverage on small, minority, women and labor surplus contracting.

Now Therefore, BE IT RESOLVED, that the National Institute of Governmental Purchasing and National Association of State Purchasing Officials:

1. Support the Office of Federal Procurement Policy as the only arbiter of grantor-grantee procurement relationships; and
2. oppose systems certification of grantee procurement programs on a grantor agency-by-grantor agency basis, but supports instead the development and administration of a cooperative program by the Office of Federal Procurement Policy, the NIGP and the NASPO,
3. opposes certification criteria and source selection methodology predicated solely Joint Resolutions on the ABA Model Procurement Code.

Whereas, The National Institute of Governmental Purchasing and the National Association of State Purchasing Officials hereby reaffirm their support in principle for the American Bar Joint Association Model Procurement Code for State and Local Government as follows:

Whereas, the National Institute of Governmental Purchasing and the Natal Association of State Purchasing Officials have long expressed an interest in and need for the codifications of the best principles and practices of public purchasing in the form of a purchasing law; and

Whereas, the American Bar Association, recognizing the diversity of state and local purchasing programs, has developed a public contract law to serve as a general model for consideration and appropriate revision to meet the requirements of state and local governments,

Now Therefore, BE IT RESOLVED, that NIGP and NASPO do not endorse all provisions of the Model Procurement Code with respect to all its provisions, language, or specific alternatives due to a number of reservations by the memberships, nevertheless endorse the concept of the Code and remain among its constituency advocating clear-headed discretion in adaptation of those portions of the Code which meet a need for revision in an existing state purchasing law

END OF JOINT RESOLUTIONS

ADDENDUM

The NIGP Board of Directors and the NASPO Executive Committee unanimously agreed that the two organizations should jointly enter into discussions with the ABA Coordinating Committee to acquire the rights for printing, distribution and sale of the suggested implementing regulations of the Model Procurement Code as well as any necessary reprinting, distribution and sale of the Model Code itself;

Further that NIGP/NASPO should in coordination with the ABA Coordinating Committee provide technical assistance to state and local governments in the review and analysis of existing procurement legislation and the evaluation of the Model Procurement Code;

Further that NIGP/NASPO should, in coordination with the ABA Coordinating Committee develop an educational and training program on the provisions of the Model Code and the Joint Resolutions suggested implementing regulations to be made available to state and local governmental activities in a seminar series on a reimbursable basis. Mr. Lewis E. Spangler, Executive Vice President, NIGP, was directed to enter into such discussions with the appropriate officials of the ABA Coordinating Committee.

The above resolution was adopted by the Board of Directors of the National Institute of Governmental Purchasing at its official meeting on the 26th day of July, 1980.

I certify that the above resolution was reviewed and ratified by the Board of Directors of the National Institute of Governmental Purchasing at its official meeting on the 11th day of November, 1995.

J. E. Brinkman, CPPO
Executive Vice President and Secretary

