

**From:** [Chad Smith](#)  
**To:** [Chad Smith](#)  
**Subject:** RE: Draft updated procurement policy for your review  
**Date:** Friday, May 13, 2016 7:53:06 AM

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From: Diane Wilson <[dwilson@nebcommfound.org](mailto:dwilson@nebcommfound.org)>  
Date: May 5, 2016 11:58 AM  
Subject: Draft updated procurement policy for your review  
To: Jerry Kenny <[kennyj@headwaterscorp.com](mailto:kennyj@headwaterscorp.com)>  
Cc: Angie Zimmer <[azimmer@nebcommfound.org](mailto:azimmer@nebcommfound.org)>

Jerry,

Attached is the Platte River Recovery Implementation Program procurement policy, edit-marked to show our proposed changes. Please let me know if you want to review it prior to me sending to our auditors for review, or whether you are OK if your and their reviews happen simultaneously.

We tried to minimize changes to the policy while making sure it complies with the new rules in Title 2, Part 200 of the Code of Federal Regulations (the official name for the "Supercircular"). One of the key things you can review for is whether this can be implemented – as you know, the only thing worse than not having a key clause in a policy is having that clause but not doing what it says we will do.

I have also attached the procurement sections of the Supercircular for your reference, as follows:

- Procurement Standards (Sections 200.317 through 200.326) – 6 pages
- Appendix II to Part 200 (Contract Provisions for Non-Federal Entity Contracts under Federal Awards) – 2 pages

Angie and I think there are a few other steps we'll need to take to be in compliance with the federal procurement standards; this would include:

- Making sure the appropriate personnel on the EDO staff are familiar not only with the new policy, but with the portions of the regulations that are attached; we can talk about training later
- Having some sort of document (the regs refer to "written standards of conduct" - maybe a sheet that applicable EDO employees sign annually - that addresses the conflicts of interest requirements (see Section 200.318 (c) on the first page of the Procurement Standards) – namely, not being involved in a procurement that will provide benefit to the employee or

his/her family; not accepting gifts from contractors; and having disciplinary procedures for violation of the these standards

- Adding language to the standard contract template to cover some of the new requirements

These items can get underway once you, NCF and our auditors are comfortable with the updated Policy and you think it is ready to go to the Governance Committee.

If you have questions on any of this, don't hesitate to let Angie or me know. If you want to discuss, the best way to reach me is on my mobile phone – the number is below.

As always, thanks for working with us to get this moving in the right direction.

Diane

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