

“Ecological Right NGO” Procurement Policy and Standards

1. Purpose of procurement standards. The purpose of these standards is to establish procedures for “Ecological Right” non-governmental organization (hereinafter referred to as EcoRight) for the procurement of supplies and other expendable property, equipment, real property and other services.

2. Code of conduct. No employee shall participate in the selection, award, or administration of a contract if a real or apparent conflict of interest is involved. Such a conflict would arise when the employee or any member of his or her immediate family, his or her partner, or an organization, which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the organization selected for a contract. The employees of EcoRight shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub-agreements except for where the financial interest is not substantial or the gift is an unsolicited item of nominal value.

3. Competition. All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. Awards shall be made to the bidder or offeror whose bid or offer is responsive to the solicitation and is most advantageous to EcoRight, price, quality and other factors considered. Solicitations shall clearly set forth all requirements that the bidder or offeror shall fulfill in order for the bid or offer to be evaluated by EcoRight. Any and all bids or offers may be rejected when it is in EcoRight’s interest to do so. In all procurement, EcoRight shall avoid practices that are restrictive of competition. These include but are not limited to:

- (a) Organizational conflicts of interest,
- (b) Any arbitrary action in the procurement process.

In the procurement of materials and services, EcoRight shall adhere to the following principles:

- Fair Competition. EcoRight shall treat all bidders with fairness and ensure that they are given the same level of information when preparing quotations or tenders.
- Conflict of Interest. Situations of conflict of interest should be declared to EcoRight in accordance with the code of conduct of EcoRight.
- Cost-effectiveness. Materials to be acquired should be evaluated not only on competitiveness in pricing but also factors such as the quality of the products/services and track records of their providers.
- Transparency. To ensure transparency, tender documents should provide all the necessary information to facilitate submission of appropriate and competitive tenders.

4. Methods of Procurement to be followed:

(a) Procurement by competitive proposals. The technique of competitive proposals is conducted with more than one source submitting an offer. This method is applied for securing services, supplies or other property that cost between \$3,000 and \$150,000. When this method is used, the following requirements apply:

- (i) Requests for proposals shall be publicized and identify all evaluation factors and their relative importance;
- (ii) Proposals will be solicited from an adequate number of qualified sources;
- (iii) EcoRight will select awardees following comprehensive evaluation of responses to its solicitations;
- (iv) Awards will be made to the responsible firm whose proposal is most advantageous to EcoRight with price and other factors considered;

(b) Procurement by micro-purchases may be applied for securing services, supplies or other property that cost less than \$3,000. If prices for required services, supplies or property are deemed reasonable by EcoRight, purchases may be awarded without solicitation of competitive quotations.

(c) Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate.

- (i) Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible and one of the following circumstances applies:
 - (A) The item is available only from a single source;
 - (B) The funding source specifically authorizes the use of noncompetitive proposals; or
 - (C) After solicitation of a number of sources, competition is determined inadequate.

5. Procurement procedures

(a) All procurement by EcoRight shall comply, at a minimum, with the requirements of subsections (i), (ii), and (iii) below:

- (i) EcoRight shall avoid purchasing unnecessary items.
- (ii) Where appropriate, an analysis is made of lease and purchase alternatives to determine which would be the most economical and practical procurement.
- (iii) Solicitations for goods and services provide for all of the following.
 - (A) A clear and accurate description of the technical requirements for the material, product or service to be procured. In competitive procurements, such a description shall not contain features, which unduly restrict competition.
 - (B) A description, whenever possible, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.
 - (D) Preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment and are energy efficient.

6. Procedure of Handling Complaints

EcoRight is committed to maintaining a fair and open procurement system. Tenderers who consider themselves being treated unfairly can lodge a complaint with EcoRight.