

MUSKEGON COUNTY COURTS' PROCUREMENT POLICY

Effective 10/1/24



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Section 1.0 Procurement

1.1 Policies / Objectives

The purpose of this policy is to provide for the fair and equitable treatment of all persons involved in procurement process of the 14th Circuit Court, Probate Court, 60th District Court (Muskegon County Courts). This policy is intended to maximize the purchasing value of public funds in procurement and to provide safeguards for maintaining a procurement system of quality and integrity to serve the best interest of the Muskegon County Courts. This policy will also serve to utilize the most efficient method of operating the procurement process for the Muskegon County Courts.

Muskegon County Courts routinely procures products and services from third party suppliers in the fulfillment of its operation for various departments. As a public entity the Muskegon County Courts have an obligation to conduct procurement activity in a timely, ethical, cost effective and efficient manner, and in accordance with all regulatory requirements of its funding and governing organizations. The Muskegon County Courts also have an obligation to treat all suppliers with whom they conduct business in a fair and ethical manner.

This policy applies to contracts for the procurement of supplies, services and construction entered into by the Muskegon County Courts after the effective date of this policy. This includes all forms of procurement activities including written, telephone and online procurements. When the procurement involves the expenditure of federal or state assistance or contracted funds, the procurement shall be conducted in accordance with any mandatory applicable federal or state laws and regulations. Nothing in this policy shall prevent any department or agency from complying with the terms and conditions of any grant, gift or bequest that is otherwise consistent with law.

1.2 Mission Statement

The mission of the Muskegon County Procurement Office of the Finance Department is to facilitate the timely and efficient procurement of quality goods and services for use by County of Muskegon departments and agencies at the lowest price or as otherwise in the best interest of the County.

The Muskegon County Procurement Office will serve the Courts under this same mission.

1.3 Code of Ethics

The Muskegon County Procurement Office subscribes to standards and code of ethics from the National Institute of Governmental Purchasing (NIGP) and the Michigan

Public Purchasing Officers Association (MPPOA) which represent good and sound standards of conduct for purchasing professionals. See Exhibit 1 and 2 for a copy of the NIGP and MPPOA Code of Ethics. Additionally, all agents, employees, officers, and elected officials of the Court must comply with the Michigan Code of Judicial Conduct and Model Code of Conduct for Trial Court Employees. These documents can be found at the Michigan Courts website: <https://courts.michigan.gov>

1.4 Conflict of Interest

No employee, officer, agent, elected official shall participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, agent, or any member of their immediate family, or organization which employs or is about to employ any of the parties indicated herein, has a tangible personal benefit from a firm considered for contract.

All officers, employees, agents, and elected officials of the Muskegon County Courts will complete a Conflict of Interest & Evaluation Team Member Guidelines Agreement to affirm that they have no real or apparent conflict of interest before participating in the evaluation process for formal solicitation projects.

1.5 Gratuities

No employee, officer, agent, elected official or Board Member may solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, food, lodging, loan or other thing of value (collectively a "Donation"). This shall not be applicable to unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, or other business items of nominal intrinsic value. Department heads and/or Elected Officials may implement a more restrictive value at their discretion.

The above applies except on behalf of the County for any County event authorized by the Courts, the Board or the County Administrator such as an employee picnic, holiday party, or other fund-raising event. No individual Donation for any authorized County event shall exceed \$1,500 in value and shall not be accepted from any donor if the County Administrator reasonably determines that accepting the Donation would be a conflict of interest or perceived as a conflict of interest.

1.6 Delegation of Authority

This section sets forth the delegation of authority for the commencement of procurement actions and the award of such actions including contract modifications.

Solicitations for budgeted expenditures for materials, supplies and/or services that cost \$9,999.99 and less are authorized by departmental authority and do not require a purchase order.

Solicitations for budgeted expenditures for materials, supplies and/or services that cost \$10,000.00 to \$24,999.99 are authorized by the applicable Court Administrator and will require three (3) written quotations. Quotations are completed at the department level or with the assistance of the Muskegon County Procurement Office, if requested. Upon receipt of the quotations, a purchase requisition will be entered for the department's internal required approvals, which may include the department head,

elected official or court administrator approval. All supporting documentation, including the written quotes, must be attached to the purchase requisition request. Upon all required approvals, a purchase order will be sent to the supplier.

Solicitations for budgeted expenditures for materials, supplies and/or services expected to cost \$25,000.00 to \$149,999.99 are authorized by the Chief Judge and are completed through a simplified acquisition procedure referred to as “procurement collected quotes” to be posted publicly and conducted by the Muskegon County Procurement Office. Upon receipt of the quotations and the appropriate Chief Judge approval, a purchase requisition will be entered for the court’s internal required approvals, which may include the Court Administrator and/or Chief Judge approval. All supporting documentation, including the written quotes, must be attached to the purchase requisition request. Upon all required approvals, a purchase order will be sent to the supplier.

Solicitations for budgeted expenditures for materials, supplies and/or services expected to cost \$150,000 or more require competitive formal solicitations. The formal solicitations are completed by the Muskegon County Procurement Office with the Finance Director’s approval and the approval of the Chief Judge. Upon the Chief Judge’s approval, a purchase requisition will be entered with court’s internal required approvals, which may include the Court Administrator and Chief Judge approval. All supporting documentation must be attached to the purchase requisition request. Upon all required approvals, a purchase order will be sent to the supplier.

Budgeted client residential service expenditures order by the Judge may be awarded administratively by the Court Administrator. This includes awarding as a sole source per 2.3 Sole Source & Non-Competitive Negotiation Procurement Policy as deemed necessary.

It is the responsibility of the Court Administrator and Chief Judge to set internal approvals. All procurements for materials, supplies and/or services \$10,000.00 and over will be verified by the Muskegon County Procurement Office for compliance in accordance with the Procurement Manual. Purchase orders are intended to place an order with a supplier for a product or service during the current fiscal year and generally serve as the supplier’s authorization to proceed. No department or employee is to make a procurement in the name of the County of Muskegon without having authorization or approval.

1.7 Procurement Summary

The chart below represents a summary of the procurement thresholds and the method of procurement required for each.

Amt of Procurement	Line Item	Initial Authorization	Type of Solicitation	Award Authorization	PO Required
Petty Cash \$100 and Less	Yes	Court Finance and/or Administration	N/A	Court Finance and/or Administration	No
\$9,999.99 and Less	Yes	Court Administrator	N/A Unless Required by Grant	Court Administrator	No
\$10,000-\$24,999.99	Yes	Court Administrator	Court Collected Quotes	Procurement Office	Yes
\$25,000-\$149,999.99	Yes	Chief Judge	Procurement Collected Quotes	Chief Judge	Yes
Equal to or Greater than \$150,000	Yes	Chief Judge	Formal Solicitations	Chief Judge	Yes

1.8 Asset Acquisitions

The County shall not acquire any assets that were “free” (acquired by grant, gift or temporary transfer) whose original value was more than \$25,000 without approval by the Chief Judge.

1.9 Procurement Files

All procurement records shall be the responsibility of the Muskegon County Procurement Office. Procurement files will include, but not be limited to, rationale for the method of procurement used, selection of contract type, contractor selection or rejection, and documentation for the basis for the contract price. Courts must provide required written documents/reports as established by the Muskegon County Procurement Office for the procurement file.

1.10 Construction Related Solicitations

For construction related solicitations also refer to:

- *Construction/Renovation Oversight Policy No. 2011-617 as amended*
- *Responsibility Contracting Policy No. 2007-512 as amended*

Section 2.0 Emergency/Urgent/Sole Source & Non-Competitive

2.1 Emergency Procurement Policy

In any emergency when the necessities of life may not be obtained or essential services performed necessary to the health, welfare, or safety of the people, the County may take charge of, and supply such necessities or services, or act in accordance with State

or Federal requirements but shall not do such acts for gain or profit. Emergency procurement without prior approval may be authorized by either the County Administrator, Deputy County Administrator and/or the Chief Judge. A report and costs of the emergency procurements must be brought to the next available Board meeting. The Board Chair must be notified of the emergency as soon as it is practical to do so to determine if a special meeting is necessary.

2.2 Urgent Procurement Policy

For the purposes of the County of Muskegon, an urgent procurement is defined as: an unforeseen situation involving:

- A breakdown of essential machinery or equipment requiring immediate maintenance, repair, or replacement, or
- Threatened termination of essential services provided by the County, or
- The development of a dangerous condition, or
- An immediate need for supplies which may vitally affect the safety, health, property or welfare of the public and the normal procurement procedure is too time consuming.

The Chief Judge may waive established solicitation procedures for procurements under \$25,000 in accordance with the County of Muskegon urgent procurement definition.

It should be noted that the waiver of procedures may not be allowable for certain grant funded procurements.

2.3 Sole Source & Non-Competitive Negotiation Procurement Policy

Sole source procurements are defined as those in which only one supplier possesses the unique and singularly available capability to meet the requirements set. Examples include technical qualifications, ability to deliver at a particular time, services from a public utility or in a situation where a particular supplier or person is identified as the only qualified source available. Although technical assistance and documentation may be needed from the using department/agency, the Muskegon County Procurement Office is responsible for confirming sole-source determinations. For procurements greater than \$25,000 please refer to 4.5 Bid Waiver Policy.

Any contract for services required pursuant to a court order (e.g. adjudicated youth residential placement) may be awarded upon approval of the Court Administrator and is exempt from the requirements of sole source procurement.

A contract may be awarded without competition and approved by the Procurement Office when the following conditions exist:

- The requestor provides written supporting documentation that fully documents the reason for non-competitive procurement. Sole source justifications that include vague, general or unsupported statements may not be accepted;
- a good faith review has been conducted of available sources; and
- it is determined to be in the best interest of the Muskegon County Courts.

2.4 Sole Source & Non-Competitive Negotiation Procurement Limitations

In determining a sole source or non-competitive procurement, at least one of

the following circumstances must exist:

1. The item is only available from a single source and there is no equivalent or comparable product available to meet the overall need.
2. There is an unusual or compelling urgency or an emergency as defined in Section 2.1 and 2.2 not permitting delay from competitive processes.
3. After solicitation of a number of sources, competition is determined inadequate.
4. The product or service is patented, copyrighted or has other proprietary information or trade secrets retained by the owner.
5. The product or service is currently under warranty or other pre-established agreement to a specific Contractor and all service agreements / maintenance agreements are exclusive to a predetermined Contractor throughout the warranty / contract period.
6. The item is an associated maintenance item or item requiring compatibility to an existing Court owned system that is procured directly from the original manufacturer or supplier as the only available source for such an item.
7. The service provider selected is predetermined by an outside source such as a Medical Provider, Court Appointment or other pre-approved source and the services cannot be competitively sourced.
8. A grantor/funding agency or pass-through entity expressly authorizes a non-competitive proposal in response to a written request.

Section 3.0 Petty Cash

3.1 Petty Cash Procurement Policy

Only departments having an authorized petty cash account can use petty cash for procurements of non-inventory items up to \$100.00 or less. All petty cash expenditures must be approved by an authorized department manager and supported by appropriately detailed receipts. The County Finance Director is responsible for the establishment of petty cash accounts as well as procedures for reimbursement of petty cash expenditures and replenishment of petty cash funds. Also see *Cash Management Policy 2015-500 Section 6*.

At least once per year, departments must re-examine whether the petty cash fund is still required to meet the department's business needs, or if alternative disbursement methods could suffice. Petty cash funds should be active. Inactive funds should be terminated. Funds are considered inactive if they have no activity during a fiscal year.

3.2 Unauthorized Procurements Policy

The Court policy on unauthorized procurements is as follows:

- Any procurement made by a Muskegon County Courts employee that is not authorized and approved according to the Delegation of Authority for the commencement of procurement actions as set forth in Section 1.1

Policies/Objectives will be considered invalid and non-binding. Persons flagrantly violating this policy will be subject to discipline, up to and including discharge, consistent with Personnel Rules, collective bargaining agreements or applicable laws.

- This policy also pertains to contract or supply purchase orders that have a stated procurement limit. If the dollar amount of the procurement will exceed the procurement limit stated on the order, you must comply with the Delegation of Authority in 1.6 Delegation of Authority and receive an approved change order.

3.3 Environmental Procurement Policy

In line with the Federal Water Pollution Control Act (33 USC 1251-1387); Clean Air Act (42 USC 151-1387; and Energy Policy and Conservation Act (42 USC 6201) as amended, the Muskegon County Courts promotes products and practices, which reduce our impact on the environment. The Muskegon County Court's Environmental Procurement Policy is as follows:

- Minimize the environmental impact on water, air and energy use due to manufacturing, utilizing, or disposing of products procured by the Court or its contractors
- Encourage private sector development of more environmentally benign products and services by increasing demand for these products and services
- Encourage standards and promote energy efficiency in purchasing decisions

Section 4.0 Formal Solicitation

4.1 Formal Solicitation Opening Policy

All formal solicitations for procurements, construction projects, and services be opened publicly and impartially by the Muskegon County Procurement Office with at least one witness.

4.1.1 Tie Solicitation Policy

In the case of a tie, with all other factors including price are considered equal, a coin toss shall be used to determine which of the tied bidders receive the award.

4.1.2 Late Solicitation Policy

Late bids will not be considered. All formal solicitations sent out by the Courts have wording on the cover page, advertisement page and in the conditions to responders that no late bids/proposals will be accepted.

4.1.3 Modification and Withdrawal of Solicitations

4.2 Prior to Opening

It is not uncommon for a bidder to make a mistake of serious enough consequence to require a modification to or a withdrawal of his/her bid. Such modification or withdrawal is easily handled if the bidder discovers his/her mistake prior to the scheduled time and date of opening. When such a mistake is discovered, the bidder will be permitted to withdraw his/her bid or to correct the error, without revealing the amount of the bid. Preferably, the bidder should be permitted to submit a corrected

sealed bid or a notice of withdrawal before bid opening time.

4.3 Following Opening

If a mistake or error is discovered by the bidder or by the Purchasing Authority after the bid opening, the resolution is somewhat more complex. If the mistake is an obvious one, the Muskegon County Procurement Office has the obligation to call it to the attention of the bidder and to request a verification of his/her bid. If the bidder acknowledges the mistake and requests relief, the Purchasing Authority then should proceed in the following manner:

- *Clerical Mistakes* - Any mistake which is obviously a clerical one, such as an error in price extension, in placement of decimal points, reversal of prices, FOB destination, FOB point of origin, etc., may be corrected by the Muskegon County Procurement Office after verification is made by the bidder.
- *Withdrawal* - Permission to allow a bidder to withdraw his/her bid without prejudice may be given when clear and convincing evidence supports the existence of an error. If there is significant and obvious disparity between the lowest bidder and of the other bidders, a bidder may be permitted to withdraw without prejudice, upon submission of evidence that a non-intentional error occurred. This proof may be in the form of original work papers, computations, etc. It is neither reasonable nor fair to enforce a bid which is so low that the bidder will incur severe losses if awarded the contract.
- *Corrections* - The correction of mistakes other than clerical errors are not permitted. When there is no clear and convincing evidence of a mistake, the bidder will not be permitted to withdraw without prejudice or to correct his/her error. If he/she fails to enter into a contract, his/her bond or bid deposit should be forfeited.

4.4 Award Policy

This policy is to explain how bids/proposals/quotes are awarded and who is authorized to make the award for the Muskegon County Courts.

It is a policy of the Muskegon County Courts that all procurements in the amount of \$25,000.00 or more are approved by the respective Chief Judge. This includes Chief Judge of the 60th District Court, the 14th Circuit Court and Muskegon County Probate Court. Procurements of \$10,000 and less may be awarded by the Court Finance Director/Court Administrator Awards in the amount of \$9,999.99 .00 to \$24,999.99 may be awarded by the Court Administrator after conferring with the Muskegon County Procurement Office.

Muskegon County Courts reserve the right to accept or reject any and all bids, proposals or quotes, reserve all rights granted to them by law, reserve the right to waive formalities and to take such action as deemed necessary in the best interest of the Courts. The Muskegon County Courts will maintain documentation for such actions. For awards over \$25,000.00, the Request for Chief Judge Authorization form will be used for documentation.

4.5 Bid Waiver Policy

This policy is to explain how a requesting court can forgo the solicitation process or procurement collected quotes for procurements of \$25,000.00 or more.

Certain procurements may be acquired through a bid waiver from the appropriate Chief Judge. This bid waiver must be obtained in a written form and sent to the Muskegon County Procurement Office with the purchase requisition.

4.5.1 Bid Waiver Limitations

The appropriate Chief Judge may authorize a bid waiver for procurements of \$25,000 or more. The waiver of formal solicitations and procurement collected quotes may be requested if:

1. An urgency exists which would result in a direct loss to the Court or imminent damage to public safety or health by requiring competitive bids due to the time loss inherent in the bidding procedures. See 2.2 Urgent Procurement Policy.
2. There is only a single source for procurement 2.3 Sole-Source/Non- Competitive Negotiation Procurement.
3. The commodity has been reviewed by Procurement and appropriately sourced. Substantial savings or benefit is available to the County to waive the procurement process. Documentation of the sourcing method and savings is kept with the request.
4. It is something that may be procured through the Cooperative Procurement Policy. See 8.1 Cooperative Procurement Policy.

Section 5.0 Bonds, & Insurance

5.1 Bond Policy

To help ensure a project will be completed in accordance with the construction/project requirement contract a number of bonds may be required as part of a bid or proposal package. A listing of the types of bonds is described in 5.1.1 Bond & Insurance Policies. County and/or Court construction projects and some highly technical projects over certain amounts may be subject to contractor bonding requirements as established in Act 213 of 1963 and the 40 U.S.C. (United States Code) 3141-3148 (aka: Davis-Bacon Act). Bonding requirements will be determined and reviewed by the Muskegon County Procurement Office.

- Michigan Act 213 of 1963 covers contracts \$50,000 or more for the construction, alteration, or repair of any public building, or public work or improvement for the County, that is awarded, the proposed contractor, herein is to provide their cost to the County a performance bond and payment bond.
- 40 USC 3141-348 applies to contractors and subcontractors performing on federally or assisted contracts in excess of \$2,000 or more for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis- Bacon Act directs the Department of Labor to determine such

locally prevailing wage rates.

5.2 Insurance Policy

This section describes the insurance requirements for various types of contracts entered into by the County. Insurance requirements can add protection for the County and Courts. Insurance requirements and Hold Harmless Agreements are intended to verify the financial responsibility of suppliers and contractors to protect the public from injuries or damages arising out of the negligence of suppliers and contractors, and protect the assets of the County and/or Courts, and the interest of its employees, resulting from such negligence of suppliers and contractors.

Insurance requirements will be written and reviewed by the Risk Manager. All formal solicitations will be forwarded to the Risk Manager before posting for review of writing of the insurance requirements. All insurance documents from the awarded supplier must be submitted to the Risk Manager for inspection and approval before a project can start.

Section 6.0 Suppliers

6.1 County / Supplier Relations

It is essential to develop and maintain goodwill between the County and/or Courts and our suppliers. The reputation of the County and Courts can be promoted by:

- Giving all salespersons a full, fair, prompt and courteous service
- Keeping specifications fair, accurate and clear
- Being up front and truthful in all transactions and correspondence
- Establishing a relationship of mutual confidence and satisfaction
- Keeping competition open and fair
- Keeping specifications fair, accurate and clear
- Having consistent buying policies and principles
- Keeping free from any obligation to any supplier
- Keeping all meetings and relationships with salespersons professional

The relationship between County and Court Staff and the supplier is intended to be one of mutual understanding. Fundamentally, no contract that proves unsatisfactory to the supplier is good for the County and/or Courts. It is the responsibility of all employees involved in the purchasing function to establish a relationship of mutual confidence and satisfaction between the County and/or Courts and its suppliers within the confines of applicable law and policy.

6.2 Muskegon County Courts Removal or Suspension

The Muskegon County Procurement Office and/or the Chief Judge(s) may recommend removing or suspending any bidder from bidding, provided evidence is available for such action. Should a county department or court have a complaint about a supplier the department should notify the Muskegon County Procurement Office in writing. The Muskegon County Procurement Office and/or Chief Judge(s) will then review the complaint and determine the course of action. The supplier will be given formal notice of such removal or suspension. The Muskegon County Procurement Office will

maintain a list of any Supplier's /Bidder's that are suspended or removed from the bidding processes.

6.3 Causes for Removal or Suspension of Supplier/Bidder

The following shall be sufficient grounds for removal or suspension. This list is not meant to be all inclusive, but serves as a guideline for supplier discipline and business ethics:

- Delivery of commodities, equipment or services which do not comply with the specifications
- Failure to make delivery or complete a project in the time specified on the contract or purchase order
- Failure to keep the offer firm for thirty (30) days after the date and time set for opening bids
- Failure to provide a performance bond when required by the Invitation for Bid, following the award of a contract or purchase order
- Collusion with other bidders or prospective bidders to restrain competitive bidding
- Failure to accept orders offered that are based upon firm bids
- Failure to make applicable adjustments or replacement of damaged goods or services
- Failure to honor warranties and guarantees on products delivered
- Giving information on the application for placement in the bidder's database which is false or misleading
- For consecutive failure to respond with either a bid or an indication of "no bid" to Invitations for Bid
- Failure to follow administrative procedures set forth in this policy
- Any violation of the laws of the State of Michigan or the Federal Government

6.4 Supplier Complaints & Procedures

The County and Courts has established administrative procedures for handling supplier complaints in a fair and timely manner. Supplier must observe the following steps in order to file complaints:

Step 1

The supplier must contact the Court Administrator(s) within seven (7) days of the incident about which he or she has a complaint. The Court Administrator(s) may request the supplier to present the complaint in writing if it is serious and/or the supplier is requesting a delay of the procurement award.

The Court Administrator(s) will investigate the complaint and review all findings with the Chief Judge(s). The Court Administrator(s) will reply verbally or in writing within seven (7) days to the supplier after discussion with the Chief Judge(s).

Step 2

If the supplier is dissatisfied with the Court Administrator(s)'s reply, an appeal must be made in writing within seven (7) days to the Muskegon County Director of Finance and/or County Administrator.

The administrative procedure herein will provide the supplier with the most straightforward and effective method of handling supplier complaints.

Section 7.0 Contract Administration

7.1 Contract Administration

Contract Administration is conducted at the department level. Contract administration includes the broad goals of successfully completing the procurement of a particular good or service by assuring that the Courts receives the required service or good on time, in the right quantity, of the right quality and that the supplier is properly compensated.

7.2 Contract Policy

For procurement purposes, a contract is a formal written agreement between the Courts and a selected supplier, consultant or contractor for a particular purpose. All contracts committing the Courts, such as those with consultants, contractors, attorneys, physicians, first time lease, etc., must be reviewed by the Corporate Counsel. Contracts within the Department's designated spending authority as outlined in Section 1.6 may be signed by the Department Head all others are to be approved by the appropriate and signed by the Chief Judge.

7.3 Contract Amendments / Change Orders

A contract modification, supplemental agreement or change order is a change issued by the Muskegon County Courts to incorporate a change in any of the contract terms, including price, specifications, completion time, etc. The Muskegon County Courts have a right to order changes to existing contracts (including deletions) provided that those changes are determined to be "within the general scope" of the original contract. Change orders within the intended scope of the original contract, including unforeseen circumstances, can be requested by the Court Administrator(s) and executed by the Court Administrator(s), with the approval of the Chief Judge(s) during a construction project with a summary of the changes if greater than or equal to \$25,000 subsequently brought to the appropriate entity for final approval. Changes that are not within the general scope of the original contract do not meet the standard of free and open competition and must be processed separately as sole source procurements or competed as separate competitive procurements.

7.4 Settlement of Claims / Disputes

Disputes over interpretation, misunderstandings and performance of a contract/purchase order which cannot be resolved by mutual agreement between the court(s) and the supplier shall be referred to the Court Administrator (s) or Chief Judge(s).

Section 8.0 Cooperative Purchasing

8.1 Cooperative Purchasing Policy

The Muskegon County Courts encourages greater economy and efficiency, and in accordance with efforts to promote cost effective use of shared services across Federal and State Governments, the County encourages the agreements where appropriate for procurement or use of common or shared goods and services. Such as the State of

Michigan Extended Purchasing Program (MiDEAL) or Sourcewell.

Section 9.0 Minority / Disadvantaged Business Policy

9.1 Minority / Disadvantage Business Policy

It is the policy of Muskegon County Courts that no person or business shall be excluded from participation, denied the benefits of, or otherwise discriminated against in relation to the award and performance of any contract or subcontract on the grounds of race, color, creed, national origin, age, or gender. The Muskegon County Courts encourage Disadvantaged Business Enterprises (DBE) to participate competitively in court procurement actions.

We, the judges of the Muskegon County, State of Michigan, do hereby certify that the above is true and correct copy of a policy adopted by the Muskegon County Courts. We have hereunto set and affixed the seal of our office on this 30th day of September, 2024.


Hon. Kenneth S. Hoopes
Chief Judge 14th Circuit Court, 61st
Probate Court


Hon. Raymond J. Kostrzewa
Chief Judge 60th District Court

Exhibit 1: The NIGP Code of Ethics



The Institute believes, and it is a condition of membership, that the following ethical principles should govern the conduct of every person employed by any public sector procurement or materials management organization:

1. Seeks or accepts a position as head (or employee) only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles to the advantage of the employing organization.
2. Believes in the dignity and worth of the services rendered by the organization and the social responsibilities assumed as a trusted public servant.
3. Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.
4. Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable.
5. Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved.
6. Believes that members of the Institute and its staff should at no time or under any circumstances, accept directly or indirectly, gifts, gratuities or other things of value from suppliers.
7. Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations, but personally remains in the background by emphasizing the importance of the facts.
8. Resists encroachment on control of personnel in order to preserve integrity as a professional manager. Handles all personnel matters on a merit basis. Political, religious, racial, gender and age considerations carry no weight in personnel administration in the agency being directed or served.
9. Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically without discrimination.
10. Subscribes to and supports the professional aims and objectives of the National Institute of Governmental Purchasing, Inc.

Exhibit 2: The MPPOA Code of Ethics

1. A member shall regard public service as a trust, giving primary consideration to the interest of the government we serve.
2. A member shall be governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.
3. A member shall not seek or dispense personal favors, handling all administrative functions objectively on the basis of principle and law.
4. A member identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved and handles each administrative problem objectively and emphatically without discrimination.
5. A member at no time or under any circumstances accepts directly or indirectly, gifts, gratuities, or other things of value from suppliers which might influence or appear to influence purchasing decisions.
6. A member keeps their governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.
7. A member shall strive to improve his/her knowledge of public purchasing methods, techniques, policies, practices and laws.
8. A member shall avoid unfair practices, and conduct all matters with fairness, dignity and honesty.
9. A member seeks nor dispenses personal favors and handles each administrative problem objectively and emphatically without discrimination.
10. A member shall endeavor to effectively and efficiently administer their purchasing responsibility by securing the greatest value for every tax dollar expended.
11. A member shall cooperate with all purchasing organizations engaged in activities which develop and further enhance the profession and counsel fellow procurement officers in the performance of their duties.
12. A member shall practice open competitive bidding based upon adequate and open specifications whenever practical.
13. A member subscribes to and supports the professional objectives of the Michigan Public Purchasing Officers Association.

Contract Administration

Unlawful purchases for a Governmental Unit include:

1. Contributions to churches, veterans, non-profit organizations
2. Payment of funeral expenses for a person injured on government property
3. Donations to a private ambulance or EMS service not under contract with the governmental unit
4. Donations, including use of property or equipment to Little League, Scouts, Big Brothers/Big Sisters.
5. Donations to community organizations
6. Expenses for private road construction or maintenance
7. Office refreshments, picnics
8. Presents to officials and employees or retirement recognition events
9. Flowers to the sick or departed
10. Mileage of officials and employees to and from their residence to the city, township or village hall, county building or meeting rooms
11. Per Diem compensation to township supervisor, clerk and treasure on a salary basis for attending township board meetings. (Check City and Village Charters for their compensation procedures or restrictions) Extra compensation for summer tax collections unless part of the initial salary resolution or authorized within statutory procedures for an increase in salary
12. Extra compensation for special elections unless part of initial salary resolution or authorized under statutory procedures for an increase in salary.