

# Oneida Tribe of Indians of Wisconsin



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

## BC Resolution 11-24-10-C

### *Sole Source Contracting for Oneida and Indian-owned Businesses*

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

**WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and

**WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

**WHEREAS,** the Indian Preference Law recognizes the need to maximize economic benefits on the Oneida Reservation by affording Indian-owned businesses the maximum opportunity to supply materials and services in the direct and indirect performance of all contracts; and

**WHEREAS,** a lack of consistent enforcement of the provisions of the Indian Preference Law is resulting in a loss of economic opportunity for Indian-owned businesses, as well as a loss of opportunities to gain experience; and

**WHEREAS,** immediate action is necessary to mitigate the damage that is caused by a failure to enforce the current Indian Preference law.

**NOW THEREFORE BE IT RESOLVED,** that, except where prohibited by law or grant funding requirements, all Tribal departments, programs and entities shall exclusively utilize Oneida businesses first, and then certified Indian-owned businesses, in accordance with this Resolution, unless none are available and qualified to fulfill a contract.

**BE IT FURTHER RESOLVED,** that "Oneida business" means a business which is certified by the Indian Preference Department as eligible for receiving Indian preference, where such business is majority-owned by the Oneida Tribe of Indians of Wisconsin, or by one or more members of the Oneida Tribe of Indians of Wisconsin.

**BE IT FURTHER RESOLVED,** that where exactly one (1) Oneida business is available and qualified to meet contract requirements, then such contract shall be sole-sourced to that business, pending approval through regular internal sign-off procedures for sole source contracts.

**BE IT FURTHER RESOLVED**, that where two (2) or more Oneida businesses are available and qualified to meet the contract requirements, then such contract shall be subject to competitive bidding only among those businesses.

**BE IT FURTHER RESOLVED**, that where exactly one (1) Indian-owned business and no Oneida business, is available and qualified to meet the contract requirements, then such contract shall be sole-sourced to that business, pending approval through regular internal sign-off procedures for sole source contracts.

**BE IT FURTHER RESOLVED**, that where two (2) or more Indian-owned businesses and no Oneida businesses; are available and qualified to meet the contract requirements, then such contract shall be subject to competitive bidding only among those businesses.

**BE IT FURTHER RESOLVED**, that Oneida Purchasing Department shall provide quarterly reports to the Oneida Business Committee, identifying all sole source contracts and contracts subject to competitive bidding awarded in accordance with this Resolution, and for each contract shall identify the names of the parties, the amount and duration of the contract, and the goods and services to be provided under the contract.

**BE IT FURTHER RESOLVED**, that parties to sole source contracts shall negotiate all contract-related fees, rates and prices in accordance with Tribal purchasing practices, fair market value and industry standards, and shall adhere to Tribal contracting and purchasing policies for the duration of the contract.

**BE IT FINALLY RESOLVED**, that any Tribal employee that fails to follow the requirements of this Resolution shall be subject to progressive discipline as identified in the Personnel Policies and Procedures.

#### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 7 members were present at a meeting duly called, noticed and held on the 24<sup>th</sup> day of November 2010; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for; 0 members against; and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
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Patricia Hoefl, Tribal Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."