

CNMI PROCUREMENT

**UNDERSTANDING THE
REGULATIONS
& BEST PRACTICES**





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WHAT IS COMPETITIVE SEALED BIDDING?

Competitive sealed bidding is a formal procurement method where bids or proposals are submitted confidentially, opened publicly at a set time, and the contract is awarded.

It emphasizes **fairness, transparency,** and **competition,** ensuring that government purchases are made at the best price without favoritism.

Must include a clear and complete description of required goods, services, or construction, better known as the Scope of Work (SOW)

INVITATION TO BID (ITB)

- used for straightforward projects with a clearly defined scope where the award goes to the lowest responsive and responsible bidder.

Examples: uniforms, machinery, equipment, computers, vehicles, or routine (janitorial) services, etc.

REQUEST FOR PROPOSAL (RFP)

- used for complex projects where factors beyond price—such as quality, technical approach, and innovation—must be evaluated.

Examples: consultancy services, architectural services,

COMPETITIVE SEALED BIDDING (ITB) SUBMISSION REQUIREMENTS



1. Justification for the Acquisition of Goods, Services, or Construction. Citing NMIAC 70-30.3-725 – Gratuities & Kickbacks and 70-30.3-730 – Prohibition Against Contingent Fees.
2. Specifications/Scope of Work for Goods, Services, or Construction.
3. Purchase Order for Advertisement of ITB (Marianas Variety)

For lease or purchase of vehicles requirements remain the same. However, the Vehicle Justification Form is required.

COMPETITIVE SEALED BIDDING

	Invitation to Bid (ITB)	Request for Proposal (RFP)
Primary focus	Lowest price	Best overall value
Scope clarity	Clear, well-defined	Complex, less defined
Evaluation criteria	Price only	Price + quality + approach
Flexibility	Low (follow specs)	High (innovative solutions)
Best for	Routine, standard work	Complex, specialized work

SUMMARY TABLE



COMPETITIVE SEALED BIDDING (ITB)
PUBLIC NOTICES

- **Must follow the procedures in § 70–30.3–201.**
- **Maximum thirty (30) days advertisement period.**
- **Advertisement can never be less than seven (7) days.**

COMPETITIVE SEALED BIDDING

01

- Develop SOW,
- Issue Public Notice

02

- Review Bids/Proposals
- Evaluation
- Selection

03

- Contract
- Notice to Proceed
- Upload to Munis

STEPS / FLOW CHART

COMPETITIVE SEALED BIDDING (ITB) PRE-AWARD PHASE

JUSTIFICATION

Department's recommendation to award a contractor:

1. Reason for selection of vendor and why other vendors were not selected.
2. Bid analysis (if applicable)
3. Contract Documents
4. Standard Terms and Conditions
5. Contractor's Bid Submission

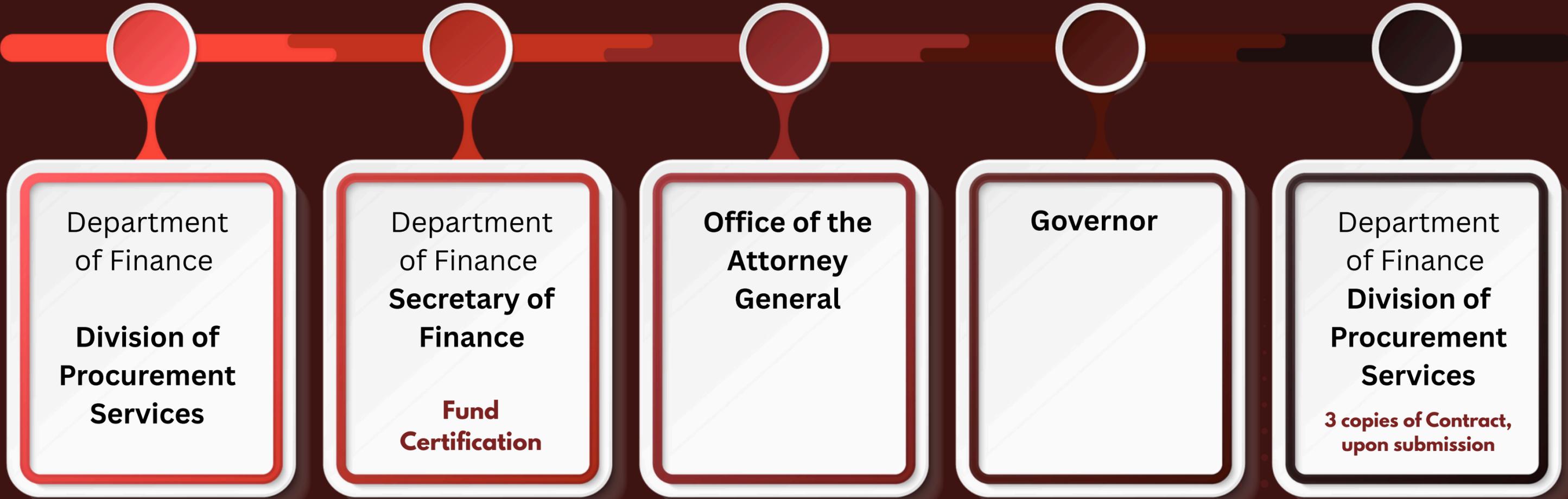
NOTE

THE DIVISION OF PROCUREMENT SERVICES IS THE ONLY AUTHORIZED DIVISION TO DETERMINE RESPONSIBILITY OF A CONTRACTOR (NMIAC 70-30.3-245)**

CONTRACT REQUIREMENTS

COMPETITIVE SEALED BIDDING (ITB) PRE-AWARD PHASE ROUTING PROCESS

The department is responsible for routing the contract to the appropriate offices.



NOTE

THE DIVISION OF PROCUREMENT SERVICES IS RESPONSIBLE FOR CONTACTING THE CONTRACTOR

COMPETITIVE SEALED BIDDING (ITB) PRE-AWARD PHASE ROUTING PROCESS

Upon receipt of the contact documents, the Division of Procurement Services will:

> **CONTACT CONTRACTOR FOR SIGNING AT PROCUREMENT SERVICES**

> **ISSUE THE NOTICE OF AWARD
ISSUE THE NOTICE OF NON-AWARD**

> **ISSUE THE NOTICE TO PROCEED (NTP).**

The department is responsible for providing the NTP start date to Procurement Services. The selected date must allow sufficient time to properly notify the Contractor to begin work under the contract.

Once the NTP is issued, the Department may pick up the contract documents and distribute copies to Financial Services and the Contractor.

Procurement keeps a copy of the contract.

COMPETITIVE SEALED PROPOSALS (RFP) REQUEST FOR PROPOSALS

§ 70-30.3-210

- A formal procurement method used by government when acquiring goods or services—especially when factors beyond price are important in the selection process.
- RFP must state requirements, terms, proposal information, and evaluation criteria.

SUBMISSION REQUIREMENTS

1. Justification for the Acquisition of Services. Citing NMIAC 70-30.3-210, NMIAC 70-30.3-725 – Gratuities & Kickbacks and 70-30.3-730 – Prohibition Against Contingent Fees.
2. Scope of Work (Must include evaluation criteria).
3. Purchase Order for Advertisement of ITB (Marianas Variety)

COMPETITIVE SEALED PROPOSALS (RFP) PRE-AWARD PHASE

Department submits written notice to Procurement Director identifying the evaluation team members and RFP scoring matrix.

- *Must obtain approval before starting evaluations.*

Complete evaluations.
Submit to Procurement Director written justification and score sheets of the evaluation committee.

- *Discussions or negotiations must be conducted with each proposer separately.*
- *Proposal may be excluded from the competitive range if:*
 - *It is so deficient that revising it during negotiations would be equivalent to submitting a new proposal; or*
 - *It clearly has no reasonable chance of being selected for award.*
 - *Department shall provide justification.*

COMPETITIVE SEALED BIDDING (RFP) PRE-AWARD PHASE

JUSTIFICATION

Department's recommendation to award a contractor:

1. Reason for selection of vendor and why other vendors were not selected.
2. Contract Documents
3. Standard Terms and Conditions
4. Evaluation Committee Results
5. Contractor Proposal Submission

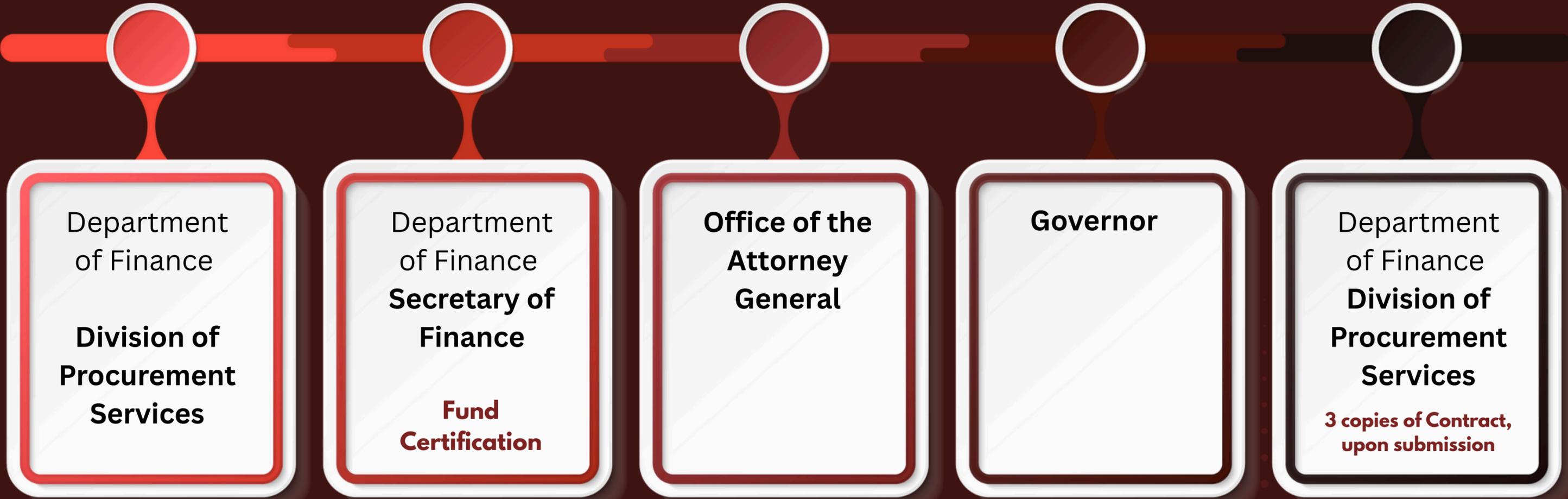
NOTE

THE DIVISION OF PROCUREMENT SERVICES MAKES THE FINAL DETERMINATION IF THE SELECTED CONTRACTOR IS THE MOST RESPONSIBLE CONSIDERING ALL REQUIREMENTS IN THE RFP.

CONTRACT REQUIREMENTS

COMPETITIVE SEALED PROPOSALS (RFP) PRE-AWARD PHASE ROUTING PROCESS

The department is responsible for routing the contract to the appropriate offices.



NOTE

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COMPETITIVE SEALED BIDDING (RFP) PRE-AWARD PHASE ROUTING PROCESS

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CIRCUMSTANCES PERMITTING OTHER THAN FULL AND OPEN COMPETITION

PROCUREMENT ALLOWED WITHOUT FULL AND OPEN COMPETITION

- Small Purchases (§220)
- Sole Source (§225)
- Emergency Procurement (§230)
- Expedited Purchasing in Special Circumstances (§235)
- Software Purchases (§320)
- GSA Purchases



CIRCUMSTANCES PERMITTING OTHER THAN FULL AND OPEN COMPETITION

REQUIREMENTS FOR

- **SOLE SOURCE,**
- **EMERGENCY, &**
- **EXPEDITED
PURCHASES**

- Written justification to Procurement Director **before** contract execution, including:
 - Need & purpose of the contract and how it supports agency objectives
 - Confirmation that services do not duplicate previous work
 - Non-availability of resources within or outside the agency
 - Vendor qualifications, including review of evaluations and resumes for key personnel (for professional services)
 - Reasonableness of price, supported by:
 - Detailed cost information
 - Comparison to similar services
 - Special cost factors
 - Same level of review for contract amendments

If justification is insufficient, the Procurement Director must promptly notify the official with expenditure authority of the grounds for denial.

SMALL PURCHASES

NMIAC §70-30.3-220

PURCHASES THAT DO NOT EXCEED \$10,000

At least one (1) quote shall be obtained.

- However, the Procurement Director may require obtaining additional quotations.

PURCHASES THAT EXCEED \$10,000 BUT IS LESS THAN \$ 50,000

- Solicit at least three written or electronic quotations.
 - Record and file all quotations.
- If fewer than three quotes are received:**
- Expenditure authority must certify in writing and provide proof of requests.
 - Director may approve or require more quotes.

SMALL PURCHASES

NMIAC §70-30.3-220

FEDERAL FUNDED PURCHASES

\$10,000–\$50,000

- Solicit at least three (3) written/electronic quotes.
- Record and file all quotes.

If fewer than three quotes are received:

- Expenditure authority must certify in writing and provide proof of requests.
- Director may approve or require more quotes.

SMALL PURCHASES

NMIAC §70-30.3-220

GSA PURCHASE

- Purchase orders may be used for GSA buys, even over \$250,000.
- Must obtain at least one quote from GSA.

SOLE SOURCE

NMIAC §70-30.3-225

JUSTIFICATION

- Unique capabilities of vendor and need.
- Efforts to obtain competition.
- Reasons alternatives were not chosen.
- For (a)(2)–(a)(4), must provide copy of applicable federal grant or act.

****MUST ALSO BE COMPLIANT WITH NMIAC 70-30.3-215.**

EMERGENCY PROCUREMENT

NMIAC §70-30.3-230

AUTHORITY

- The Procurement Director may authorize emergency procurement when there is a THREAT to:
 - public health
 - public safety **or**
 - public welfare

EMERGENCY PROCUREMENT

NMIAC §70-30.3-230

JUSTIFICATION REQUIREMENTS

- The official with expenditure authority must provide a written justification for the emergency procurement.
- Must justify contractor selection based on price and quality.
- If the Director is not satisfied, the request will be disapproved, and the official will be notified of the basis for denial.

EMERGENCY PROCUREMENT

NMIAC §70-30.3-230

LIMITATIONS

- Emergency procurement is ONLY limited to:
 - the supplies,
 - the services, or
 - the construction

necessary to meet the immediate emergency.

RATIFICATION

NMIAC §70-30.3-415

DEFINITION

- Approval of an agreement made WITHOUT proper authority.

**POLICY:
AVOID UNAUTHORIZED
COMMITMENTS**



RATIFICATION

NMIAC §70-30.3-415

REQUIREMENTS

- Reason procedures weren't followed.
- Vendor selection and alternatives.
- Description, price, and performance status.
- Funding Source (Federal/Local) – If Federal Funds, must obtain approval from Federal Grantor.
- Standard Operating Procedures
- Contractors Invoices

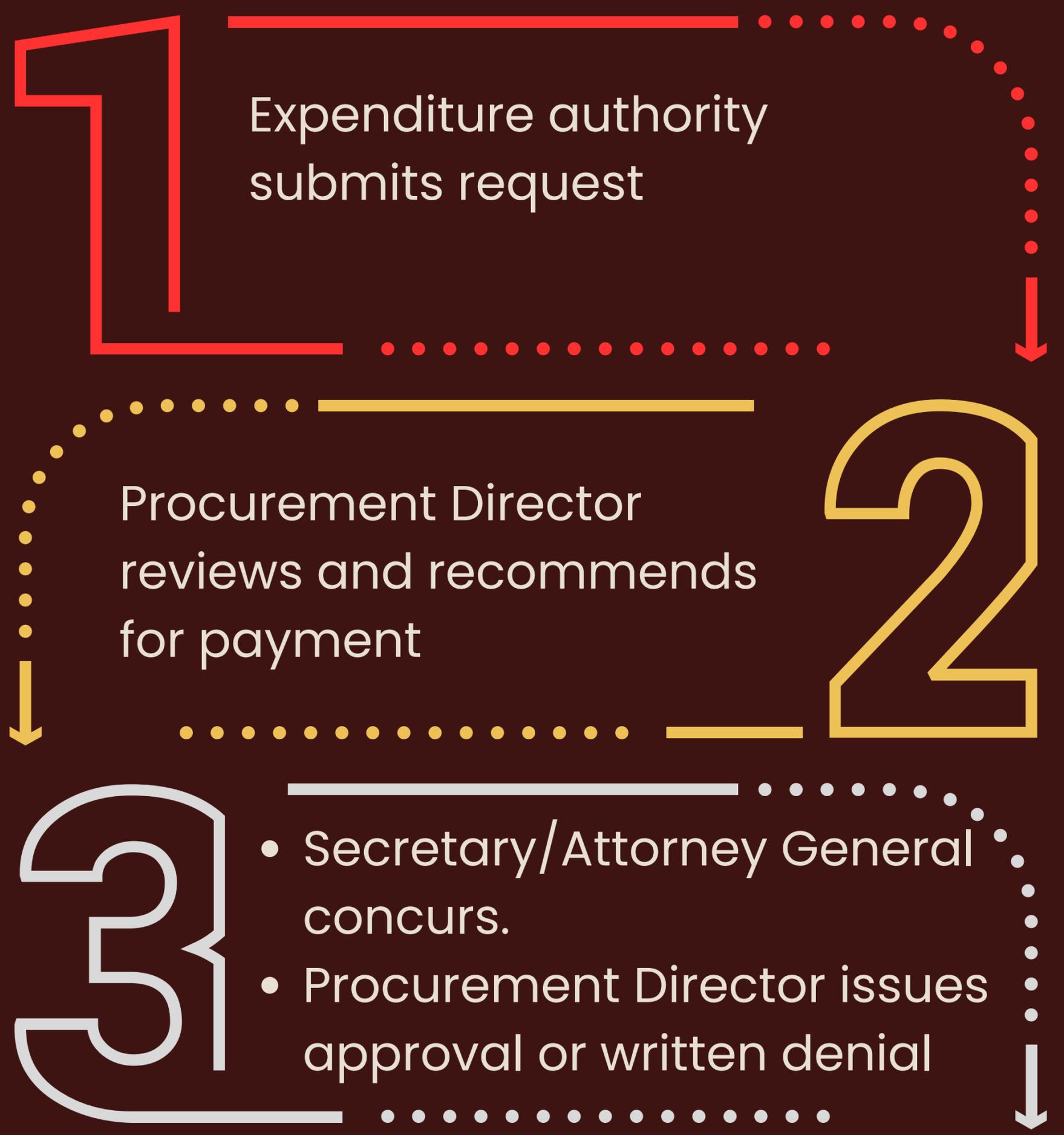


RATIFICATION

NMIAC §70-30.3-415

PROCESS

**NOTE:
UNAUTHORIZED ACTIONS
MAY LEAD TO DISCIPLINARY
OR CRIMINAL CHARGES**



SPLIT PURCHASE

NMIAC §70-30.3-120

SPLIT CONTRACT?

A split contract in procurement refers to dividing a single procurement requirement into multiple contracts, often awarded to different vendors. This can be done for various reasons, such as:

- Cost efficiency: To get better pricing or terms by sourcing components separately.
- Specialization: Different vendors may specialize in different parts of the overall requirement.
- Risk management: Reducing dependency on a single supplier.
- Compliance: To stay within procurement thresholds or regulations.

Examples: Using different budget codes or funding sources, staying below approval thresholds or managing inventory or quantities only to repeat the purchase within a short period.



SPLIT PURCHASE

NMIAC §70-30.3-120

PREVENT SPLIT CONTRACTS



However, split contracts must be handled carefully to avoid contract splitting, which is the improper division of contracts to circumvent procurement rules or thresholds—this is **PROHIBITED** and considered **UNETHICAL** or **ILLEGAL**.

Prevent Split Contracts by:

1. Understand Procurement Thresholds

- Be aware of bidding and approval thresholds (e.g., micro-purchase limits, simplified acquisition thresholds).
- Ensure that purchases are not divided into smaller amounts just to stay below these limits.

2. Plan and Consolidate Purchases

- Forecast needs accurately to identify total requirements upfront.
- Consolidate purchases when possible to reflect the full scope of the need, rather than making multiple smaller purchases over time.

3. Document Justifications

- If splitting is necessary document the rationale clearly in procurement files.
- Ensure that the split is based on legitimate business needs, not to avoid competition or oversight.

DO'S



REQUISITION ENTRY

DO:

Ensure Funds are Available

BEFORE Obtaining Quotations

DO:

RESEARCH multiple and available vendors when obtaining quotations

avoid relying on the same vendors

Quotation

Invoice No: _____
Date: _____

[Due Date]

Bill To:
Client Name
Main Address Here City, State, Zip code
P: (222)333-4444
E: email@clientwebsite.com

Bill From:
Company Name
Main Address Here City, State, Zip code
P: (222)333-4444
E: email@clientwebsite.com
Website (if applicable)

#	Description	Purpose	Amount
1	Product/Service 1		
2	Product/Service 2		
3	Product/Service 3		
4	Product/Service 4		
5			

SUBTOTAL

TAX

TOTAL \$0.00

Payment Terms:
Payment terms will go here payment terms will go here
payment terms will go here.

Terms & Conditions:

- Terms will go here terms will go here
- Terms will go here terms will go here
- Terms will go here terms will go here

Thank you for your business!

REQUISITION ENTRY

DO:

Complete all fields to provide information

General Description

- Summarize

General Notes

- Add more justification/description of the item(s)

Shipping and Billing

- If an item needs tagging or receiving, then the Ship to needs to be "1704-1"

The screenshot shows a requisition entry form with the following fields and values:

- Main:**
 - Dept/Loc: 1710 PASSPORT OFFICE
 - Fiscal year: 2022 (Current)
 - Requisition number: 12201820
 - General description: OFFICE SUPPLIES
 - Status: 2 Created
 - Needed by: [empty]
 - Entered: 10/18/2021
 - By: a.schafer
 - PO expiration: [empty]
 - Receive by: Quantity (selected)
 - Three way match required:
 - Inspection required:
 - Project accounts applied:
- Vendor:**
 - Vendor: 100026 ACE HARDWARE
 - PO mailing: 0
 - Delivery method: Print (checked), Fax, E-Mail
 - Remit: 1 ACE HARDWARE
 - Address: PO BOX 500137, SAIPAN, MP, 96950-0137
- Shipping and Billing:**
 - Ship to: 1704-1 (circled in red)
 - Address: DOF-PASSPORT OFFICE, PO BOX 5234 CHR, 1ST FLOOR, KOPA DI ORU ST., HORIGUCHI BLD, SAIPAN, MP, 96950
 - Reference: [empty]
 - Deliver To: [empty]
 - Bill to: 1708 DOF - FINANCIAL SERVICES
 - Bill to email: [empty]

REQUISITION ENTRY

DO:

Complete all fields to provide information

Deliver to

- Enter your physical location

Bill to – remains as is.

- Do not change/touch/modify.

Buyer

- Person entering the Requisition
- Click on the 3 dots, Look for your name

The screenshot shows a web form for requisition entry. At the top, there is a 'Bill to email' field. Below it is the 'Miscellaneous' section. This section contains several fields: 'Allocation' with a dropdown menu and a blue square icon; 'Buyer' with a dropdown menu and a red circle around the text; 'Type' with a dropdown menu showing 'N - NORMAL'; and 'PO' with a text input field. To the right of the 'Buyer' field, there is a red text label that reads 'Person entering the Req.'.

REMINDERS

- Purchase orders are legally binding.
- Review. Review. Review.
- Release.

DON'TS





DO not:
commit without
PRIOR approval and
processing

DO not:
seek sole source
because it is
'convenient'



**DO not:
split purchases to
circumvent the
process**

**DO not:
rely on previous
practices; follow the
regulations**

FREQUENTLY ASKED QUESTIONS



REQUISITIONS & PURCHASE ORDERS



Q: How long does it take to process and receive a purchase order?

A: The processing time varies due to several factors. Once the requisition is entered and all supporting documents are uploaded for review, it is routed to Financial Services for approval. After their approval, it then proceeds to Procurement for approval and processing.

Depending on the workload at each stage, the process may take anywhere from 3 to 10 business days to complete.

Q: How do I rectify a deficient purchase order?

A: To make any change to an approved purchase order, a memorandum from the expenditure authority is required, explaining the reason for the change(s). It's then entered and a change order.

Q: How do I cancel an approved purchase order?

A: To cancel an approved purchase order, a memorandum from the expenditure authority is required stating the reason(s) for the cancellation.

Q: How do I process a purchase requisition that needs an Advance Payment?

A: Moving forward, a performance bond must be in place or any advance payments.

Q: Can I procure furniture(s), computers and equipment utilizing a purchase order and complying with the Small Purchase?

Yes, if the amount is below \$10,000, only one quotation is required. The requisition must be entered into Munis, and the quote should be uploaded as part of the supporting documentation.

For purchases above \$10,000, three quotations are required. Please ensure that all specifications are identical across the quotes to allow for fair comparison.

INVITATION TO BID/ REQUEST FOR PROPOSALS

Q: Is there a Standard Office Procedure (SOP) for Invitation to Bids and Request for Proposals?

Yes. All government organizations must follow the Standard Office Procedure for all Invitation to Bids (ITB's) and Request for Proposal (RFP's) when procuring government assets. This information is available on the Department of Finance website. Additionally, sample ITB's and RFP's can be provided upon request for reference. [Standard Procedures for ITBs and RFPs](#)

Q: Do I need to arrange for advertisement in print media for ITB's or RFP/s?

Yes. ITB/RFP require advertisements in print media. When submitting a request for ITB/RFP, you are required to submit a copy of the purchase order to Procurement and to the media outlet. Procurement will not process your request for ITB/RFP without confirming that you have arranged for advertisement of the ITB/RFP.

Q: Is it allowable to shorten the bidding timeframe due to the urgency of the goods or services needed?

A: Yes. A shorter bidding period may be considered depending on the specified circumstances of the acquisition, such as urgency of the good or services.

To request a shortened bidding period, the department or agency must provide a written justification explaining the urgency in their request letter. This justification must be reviewed and approved by the Director of Procurement Services, if it is deemed sufficient.

Q: Am I allowed to initiate the ITB and/or RFP for construction or A&E services without the Department of Public Works?

A: No. All construction-related services, including Architecture & Engineering (A&E) must be performed with the Department of Public Works.

To seek an exemption, submit a request to the Secretary of Department of Public Works (DPW) to approve your working seeking assistance to prepare an ITB and/or RFP for construction or A&E services for their Department/Agency. (NMIAC §70-30.3-115 (i))

INVITATION TO BID/ REQUEST FOR PROPOSALS



Q: If a copier machine is \$5,000.00 and we want to procure it, do we still need to process a request for an Invitation to Bid?

A: Yes. Any lease or purchase of machinery and or equipment in excess of \$2,500.00 shall be procured through Competitive Sealed Bidding. (NMIAC §70-30.3-205)

Q: I completed the ITB/RFP process and have selected a bidder/proposer. What are the next steps?

A: To complete the goods or service purchase, you now enter the contract phase. Submit to Procurement Service the following documents:

1. Selection letter of winning Bidder/Proposer
2. The original Contract (Depending on what type of services or goods that will be procured)
3. Attachments shall include
4. EXHIBIT A – Standard Terms and Condition v.2/11/2020
5. EXHIBIT B – ITB/RFP Summary Opening Sheet
6. EXHIBIT C – Bid/Proposal submission from winning
7. Bidder/Proposer
8. Evaluation and Summary Sheet
9. Any other documents related to the contract.

ITB/RFP CONTRACT INFORMATION

Q: What type of contract do I complete? Is there a template?

A: Procurement has several templates on the website, finance.gov.mp. Choose the best type for the goods or service needed.

- CONTRACT FOR CONSULTANT
- INDEPENDENT CONTRACT FOR SHIPPING SERVICES
- LEASE OF BUILDING TEMPLATE
- LEASE OF MOTOR VEHICLE
- LEASE OF WAREHOUSE TEMPLATE
- NOTICE OF CONTRACT EXTENSION
- PURCHASE OF GOODS CONTRACT (HEAVY EQUIPMENT, COPIER MACHINE, ETC.)
- PURCHASE OF MOTOR VEHICLE CONTRACT
- PURCHASE OF SERVICES CONTRACT
- CHANGE ORDER (TO BE USED FOR ANY CHANGE WITH THE ORIGINAL CONTRACT)
- CHANGE ORDER FOR EXTENSION (TO EXTEND THE PERIOD OF PERFORMANCE)
- STANDARD TERMS AND CONDITIONS

Q: Who is responsible to fill out the contracts?

A: The Office of the Expenditure of Authority is responsible for completing all contracts and required documents. Procurement Services reviews for sufficiency.

Q: What do we do when the contract is already expired?

A: All contracts that are already expired are no longer valid. The department must procure through ITB/RFP or other subsections in the CNMI Procurement Regulations that allows the procurement.

Q: I am unable to find another vendor or obtain additional quotations. What are my options?

A: You may enter into a Sole Source Procurement. Consult the regulations at NMIAC §70-30.3-225 (a) (1-9) for the details. In addition, a justification is required, addressed to the Director of Procurement Services.

In the event that you need to immediately procure goods or services due to critical or urgent circumstance, you may request Emergency Procurement. Consult the regulations at NMIAC § 70-30.3-230 (a) (b) (c) and submit a justification addressed to the Director of Procurement Services.

GOVERNMENT ASSETS • CAPITOL ITEMS, CAPITALIZED PROPERTY

Q: What is considered Capital Item/Fixed Asset/Capitalized Property?

A: Items or goods that are non-expendable property equal to or greater than \$5,000.00. These assets are designed to last for several years, often with a useful life of more than one year.

- CONSTRUCTION EQUIPMENT (E.G., CRANES, BULLDOZERS)
- MEDICAL EQUIPMENT (E.G., MRI MACHINES, SURGICAL TOOLS)
- VEHICLES (E.G., DELIVERY TRUCKS, COMPANY CARS)
- IT INFRASTRUCTURE (E.G., SERVERS, DATA CENTERS)
- OFFICE FURNITURE AND FIXTURES (E.G., DESKS, CHAIRS, SHELVING SYSTEMS)

Q: What is Minor Properties/Selected Non-Capitalized Property considered?

A: Goods or items that are below \$5,000.00 which is controlled for physical accountability. Examples include communication equipment (i.e. radios, cellphones), some furniture, office machinery, etc. These items are designed to serve a limited number of years.

- OFFICE SUPPLIES (E.G., PENS, PAPER, STAPLERS)
- SMALL TOOLS (E.G., SCREWDRIVERS, HAMMERS)
- CONSUMABLES (E.G., PRINTER INK, CLEANING SUPPLIES)
- PROTECTIVE GEAR (E.G., GLOVES, SAFETY GLASSES)
- SMALL ELECTRONICS (E.G., CALCULATORS, USB DRIVES)
- MAINTENANCE SUPPLIES (E.G., LUBRICANTS, FILTERS)

Q: How do we participate in Government Auctions/Sale of Government Properties/Public Sale?

A: There are a variety of Disposal Techniques: Invitation for Sealed Bids, Public Auction, **OR** by means of Negotiations at the discretion of the Director of Procurement Service. All government Personal Properties must first be surveyed by the Custodial Agency and all Property and Accountability Management Branch processes be completed before any requests from interested individuals can be entertained.

Q: Why are agencies required to conduct In-House Physical Inventory?

A: To ensure the agency is accountable for the goods or items it has procured over the years. Physical inventory conducted by the department/agency ensures that the goods recorded in the system actually exist and are in usable condition. It helps detect discrepancies such as theft, loss, damage, or clerical errors. This process strengthens internal controls and promotes responsible asset management. Knowing exactly what is on hand helps agencies avoid overstocking or understocking. It also supports better planning, procurement, and resource allocation. Lastly, regular physical inventories prepare agencies for internal or external audits. Auditors often require evidence that inventory records are accurate and up to date.



PROCUREMENT CONTACT INFO

 (670) 664-1500

 procurement@dof.gov.mp

 www.finance.gov.mp