

OFFICE OF CHIEF OPERATIONS OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda

OFFICE OF PROCUREMENT

- L. Approval to revise Miss. Admin. Code 7-3: 23.1, State Board Policy Chapter 23, Rule 23.1 – Contracts
(Has cleared the Administrative Procedures Act process without public comments)

Background Information: The Office of Procurement revises this rule to reflect updates because of revisions to Miss. Ann. Code Sections 31-7- 401 through 31-7-423 and the rules as promulgated by the Public Procurement Review Board.

Recommendation: Approval

Back-up material attached

Part 3 Chapter 23: Contracts

Rule 23.1 Contracts. The ~~Mississippi Department of Education~~MDE Contracts Policy set forth herein applies to the procurement of all personal and professional services by the ~~Mississippi Department of Education~~MDE. Violation of this policy shall carry such penalties as may be applicable under state and federal laws. The awarding office shall be responsible for compliance with the rules and regulations governing the procurement of services.

Contracting for services shall be governed by all applicable rules and regulations promulgated by the ~~Personal Services Contract Review Board~~Public Procurement Review Board (PSCRBPPRB), Department of Finance and Administration, Mississippi Department of Information Technology Services, Mississippi Ethics Commission, and state laws, as well as the policies approved by the Mississippi Board of Education.

Contracts must be procured through adequate and reasonable competition, with the exception of sole-source and emergency procurements. Generally, the total amount of the contract shall be used to determine the appropriate method to be used in procuring services.

Contracting for services shall be accomplished by using one of the following methods of source selection:

1. Competitive Sealed Bids
2. Competitive Sealed Proposals
3. Competitive Sealed Qualifications
4. Competitive Sealed Applications
- ~~2.~~
- ~~3. Small Purchases~~
- ~~4. Pool of Service Providers~~
- ~~5. Three Written Quotations~~Quotes
6. Sole-Source Procurement
7. Emergency Procurement

Contracts totaling \$50,000 or greater must be approved by the Mississippi Board of Education prior to awarding the contracts. Contracts requiring PSCRBPPRB approval shall be submitted to PSCRBPPRB following approval by the Mississippi Board of Education.

Source: *Miss. Code Ann. § 37-1-3; 31-7- 401 through 31-7-423* (Revised ~~11/2010~~09/2022)

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Part 3 Chapter 23: Contracts

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Contracting for services shall be governed by all applicable rules and regulations promulgated by the Public Procurement Review Board (PPRB), Department of Finance and Administration, Mississippi Department of Information Technology Services, Mississippi Ethics Commission, and state laws, as well as the policies approved by the Mississippi Board of Education.

Contracts must be procured through adequate and reasonable competition, with the exception of sole-source and emergency procurements. Generally, the total amount of the contract shall be used to determine the appropriate method to be used in procuring services. Contracting for services shall be accomplished by using one of the following methods of source selection:

1. Competitive Sealed Bids
2. Competitive Sealed Proposals
3. Competitive Sealed Qualifications
4. Competitive Sealed Applications
5. Quotes
6. Sole-Source Procurement
7. Emergency Procurement

Contracts totaling \$50,000 or greater must be approved by the Mississippi Board of Education prior to awarding the contracts. Contracts requiring PPRB approval shall be submitted to PPRB following approval by the Mississippi Board of Education.

Source: *Miss. Code Ann. § 37-1-3;31-7- 401 through 31-7-423 (Revised 09/2022)*