

**CONTRACT/PURCHASING TRAINING
MAY 23 & 24, 2018
QUESTIONS AND ANSWERS**

PURCHASING

1. Not on competitive contract? Who do you use next?

Commodities not offered on State contract can be purchased on the State's negotiated or cooperative contracts found on Department of Finance and Administration's webpage. If commodities are not found on either contract, the program offices may purchase an item from other vendors within the threshold limits required for State purchasing.

<http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/purchasing-and-travel/contracts/>

Competitive contracts are established on the basis of written specifications and sealed competitive bids with a contract being awarded to the vendor that has submitted the lowest bid that meets the specifications.

Negotiated contracts are entered into when a commodity is used by multiple state agencies and a standard specification fails to meet the needs of a majority of the state agencies.

The Statewide Agency Contracts are established on the basis of competitive bids or negotiation by a specific agency. These agency contracts are approved by the Office of Purchasing and Travel for use by all state agencies and governing authorities to purchase specific products from the vendor.

Cooperative Contracts are procurement conducted by, or on behalf of, more than one Public Procurement Unit, or by a Public Procurement Unit with an External Procurement Activity.

Log-in information to see contract pricing for the two commonly used cooperative contracts are:

- Office Depot and Staples - <https://business.officedepot.com/>
Login ID - **State of MS** / Password - **Mississippi1**
- Staples - <http://www.staplesadvantage.com/>
Login ID – **1801167** / User ID - **MISSISSIPPI** / Password – **Staples1!**

For non-State contract items:

- Barefield – User ID - **MDE** / Password - **MDEsupplies**

2. Cumulative Amount?

Purchase amounts added together in one fiscal year from multiple program offices doing business with the same vendor is defined as cumulative amount.

For contracts and commodities, once the agency has exceeded the \$5,000 threshold limit for any one vendor, a competitive quote is required.

3. Feeding SAO's at conferences because not housed in Jackson at MDE?

Need more information.

The Procurement Office does allow for the feeding at conferences. Please discuss with Chief Officer and review the Request to Purchase Food and/or Space for Business Meetings and the Guide on the Procurement webpage:

<http://www.mdek12.org/OP/purchasing>

4. 18 MACBOOKS would that be over \$100,000?

The Office of Technology Strategic Services (OTSS) has purview for all technology related items. Please contact OTSS for assistance.

CONTRACTS

1. What the maximum # of years a contract can be for with renewal option included?

The maximum number of years for a contract, including renewal options is a total of five (5) years.

2. Should we be reimbursing travel for these trainers?

Only contract workers are reimbursed travel. The Request for Applications must include this information in the Compensation section in order for contractors to be reimbursed. Program Offices shall include travel within the total value of the contract and reimburse travel accordingly.

For example: The position will pay \$40 per hour up to 100 hours inclusive of travel for the time period when contract is signed by all parties to June 30, 2019.

If the program office has determined that the contract amounts will not exceed \$4,000, then an example of the contract expenditures could be as follows:

Personal Service – \$40 x 70 hours = \$2,800
FICA – (7.65%) = 214.20
Travel – \$985.80
Total Contract = \$4,000

Independent contractors shall not be reimbursed travel. The offeror's cost proposal shall be all inclusive in bid amount.

3. I need a better understanding of how the timeline needs calculating?

The Timeline for Submission of Contracts and the Tentative Timeline Checklist are two forms created to assist offices with defining tentative dates to begin a contract for board approval from drafting the solicitation to signing of a contract. Once you have completed the Tentative Timeline Checklist, you will need to review the date for Contract Submitted to Procurement and refer to the Timeline for Submission of Contracts to determine the appropriate date.

4. I have the renewal clause for the current contracts; when should I begin the RFA? Once renewal ends?

After the initial year of an RFA, a program office can release an advertisement for the same services at any time if positions are needed.

If you have a renewal clause in a current contract and wish to renew the contractor for the upcoming fiscal year you may begin the renewal process as early as December if the program office will NOT request a modification in the current fiscal year.

5. Evaluators selection process?

Persons appointed to an evaluation committee should be majority external MDE and have the relevant experience necessary to evaluate the proposal, application, or qualification. The members of the evaluation committee shall have no personal, financial or familial interest in any of the contract offerors, or principals thereof to be evaluated.

6. My notary expires 10/2018, what's the process to renew?

Steps to process a notary renewal:

- Collaborate with the Accounting contact in your office to ensure funding is available
- Complete a requisition or utilize the Shopping Cart feature in MAGIC (tentatively scheduled for July 1, 2018)
- Attach the renewal notice or quote for the amount mirrored on the requisition or shopping cart
- Submit to the Office of Procurement to request a purchase order
- A purchase order will be emailed to you upon approval

- Upon receipt of invoice attach the purchase order and submit to the Accounting Office for payment

7. How do you know when to do an RFP or RFQ?

RFP - agency provides the outcome and deliverables needed for a service as the vendor provides a demonstration of their ability to perform the work along with cost to accomplish outcome; award is based on weighted criteria.

RFQ - agency provides scope or outcome for services as the contractor provides qualifications and demonstration of their ability to perform the work along with cost; award is based on weighted criteria.

8. If I request quotes from multiple vendors & get more than required #, do I submit them all w/contract?

For contracts \$5,000.01 - \$50,000 – two written quotations are required

For contracts \$50,000.01 - \$75,000 – three written quotations are required

9. RFA templates say to submit attached application. But it is a separate form. Can the link to that form be embedded into the template for the applicant to click on it?

The form has been updated to embed the link to the application. Thank you for that suggestion.

10. Why isn't this process for evaluation & contracts at diff levels depending on type or cost? i.e. 5 evaluators for contract worker making \$8.50/hr. is a lot and 5 evaluators for contract worker making \$42.98/hr. is adequate.

The MDE contract procedures states the evaluation committee requires a minimum of five (5) individuals to form an evaluation committee. However, the Office of Procurement will revisit the current procedure.

11. Who determines external evaluator qualifications?

The program offices will take the lead on determination of external evaluator qualifications; however, the Procurement Director will assist in the selection process to ensure each member has a professional interest in that the results of the Committee can be supported and defended.

12. If it is an OTSS, who submits to them?

All technology requests must be reviewed and approved by OTSS prior to the submission to the Office of Procurement to prevent a delay in processing. The program office shall submit the request to OTSS for approval and make certain the requisition is signed for validation.

- 13. Policy states _ OPTFM may grant exemption if deemed in the best interest of the agency. Saving \$ is in best interest. Can MDE create a policy for consideration to require documentation to prove the items are cheaper?**

Procurement asked this question to the Department of Finance and Administration (DFA) and DFA's Office of Purchase Travel and Fleet Management (OPTFM) stated:

“MDE must follow the normal procurement laws as all State Agencies. The State Approved Office Supply Contract is a competitive Contract. All State Agencies must purchase from this contract. We do not give a blanket exemption. The Procurement Manual provide guidance on when an Exemption from the State Contract is appropriate or a request is appropriate.”

- 14. What happens when you have multiple applicants and after they are ranked there are some you don't want who are ranked higher than those you do want?**

For example: Someone can look good on paper but based on previous knowledge of them or their work you don't want to contract with them.

The evaluation committee is comprised of at least five (5) committee members and are responsible for scoring applicants accordingly based upon the specified criterion. The program office has the obligation of awarding contracts strictly based upon this selection process. For an applicant whose work was previously unacceptable, the program office shall submit the previous Contract Worker Performance Review Form along with the signed contract to the Office of Procurement to support the rejection to hire.

In addition, the Procurement Office highly recommends program offices take advantage of the interview phase of the selection process to give the committee an opportunity to gain additional facts about an applicant.

CONTRACT/PURCHASING

- 1. Are we responsible for making sure PO is paid?**

The program office designee is responsible for monitoring expenditures of a contract and/or purchases to ensure reconciliation of the budget and to ensure invoices are submitted timely. Please review the MDE contract clauses.

OTHER

- 1. Can we start receiving something from Accounting stating “payment has been made.”**

The Office of Procurement is not responsible for payments. Each Office meet monthly with an assigned budget analyst to review expenditures.