

Repair/Emergency Purchases Procurement Guidance

PURCHASES

- ✓ Please visit the Procurement webpage to obtain a Quote for Repairs Form.
- ✓ If a commodity only is purchased a purchase order is required.
- ✓ If a commodity is purchased that requires labor (installation or maintenance) a contract MAY be required. (Rule of thumb – Which agency has purview Office of Personal Services Contract Review (OPSCR) or Office of Purchasing, Travel and Fleet Management (OPTFM) Cost will be the determining factor.
- ✓ If a commodity, technology and a service are purchased, a contract and/or ITS' approval MAY be required. (Rule of thumb – OPSCR, OPTFM or ITS)
- ✓ Contracts are required for ALL work involving maintenance work of a product (commodity). A vendor providing a product and services such as HVAC systems, elevators, termite services, etc. may require additional services for upkeep. Services such as these require a contract. **For an emergency contract request, a justification memo from the State Superintendent is required.**
- ✓ A repair company that service all areas of construction/plumbing/electrical, etc. should be solicited for contractual services for ALL on-call services/repairs. This will limit or eliminate the need for an emergency repair for services without a purchase order.

INVOICES

The following information is required on ALL invoices for repairs:

- identify equipment
- specific repairs made (detailed)
- parts identified by number and name
- supplies used in such repairs
- number of hours of labor
- costs

EQUIPMENT

Office should identify all equipment to ensure purchases submitted for repairs are consistent with the State's definition of equipment to make certain bidding requirements are met in accordance with State law.

"Equipment" shall be construed to include: *automobiles, trucks, tractors, office appliances and all other equipment of every kind and description.*

Equipment vehicles or office furniture with a cost of \$1000 or more will be added to the Department inventory after these items are paid in full. This includes items purchased from Surplus Property and items that are donated to the Department with a fair market value of \$1000 or more. Any freight charges are to be included in the total cost of the item. These items should be tagged with 30 days of receipt of the item. If 30 days passed and the item is still not identified with a numbered inventory tag, the Property Officer should be notified.

All agencies and universities are required to maintain a complete and current inventory list of each property item (Section 29-9-21) which costs \$1000 or more unless the items purchased fall within the groups listed below. These items will be reported as equipment, regardless of their purchase value.

- ✓ Weapons
- ✓ Cameras and camera equipment(greater than or equal to \$250)
- ✓ Two -way radio equipment
- ✓ Televisions (greater than or equal to \$250)
- ✓ Lawn maintenance equipment
- ✓ Cellular Telephone
- ✓ Computer and computer equipment (greater than or equal to \$250)
- ✓ Chain saws
- ✓ Air compressor
- ✓ Welding Machines
- ✓ Generators
- ✓ Motorized Vehicles

DEFINING A REPAIR -

(1) "Repairing" a part or unit to function properly. – NON-COMPETITIVE BID

(2) "Repairing" a unit that requires a replacement to function properly – COMPETITIVE BID

NON-EMERGENCY –

Maintenance contracts should be executed for these type repairs.

Exceptions from bidding requirements. Exceptions from bid requirements are:

Outside equipment repairs. Repairs to equipment are permissible, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when *replaced* as a complete unit instead of being *repaired* and the need for such total component replacement is known before disassembly of the component.

In-house equipment repairs. Purchases of parts for repairs to equipment are permissible, when such repairs are made by personnel of the agency; however, entire assemblies, such as engines or transmissions, *shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.*

EMERGENCY

ALL emergency purchases (no matter of cost) are reviewed and approved by the Office of Purchasing, Travel and Fleet Management (OPTFM).

Emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract packet. Such purchases shall be made in compliance with [Section 31-7-13\(j\), Mississippi Code of 1972, Annotated](#) and requesting office shall notify or seek approval from the Office of Procurement.

Emergencies Requiring Approval After Purchase

(1) Emergencies threatening health and safety or property

If such emergency threatens the health or safety of any person, or the preservation or protection of property, then the provisions of competitive bidding shall not apply and the requesting office having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment and provide justification and certification in writing detailing from whom the purchase was made or with whom the repair contract was made to the Office of Procurement.

The justification should be written in sufficient detail so that a person not familiar with the situation could be expected to understand the need to forego the normal purchasing procedure. As per [Section 31-7-13\(j\), Mississippi Code of 1972, Annotated](#), the certification for an emergency purchase must be submitted on letterhead and signed by the Chief Officer. The requesting office shall address the following when preparing the justification:

- Does it fall under the definition of an emergency set forth in [Sections 31-7-1\(f\), Mississippi Code of 1972, Annotated](#)?
- What happened to cause the emergency?
- What would be the negative consequences of following normal purchasing procedures?
- Does it threaten the health or safety of any person, or the preservation or protection of property?
- The total purchases made shall only be for the purpose of meeting the needs created by the emergency situation.

Emergencies Requiring Approval Prior to Purchase

If the requesting office shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the office shall seek approval from the Office of Procurement.

The justification should be written in sufficient detail so that a person not familiar with the situation could be expected to understand the need to forego the normal purchasing procedure.

As per [Section 31-7-13\(j\), Mississippi Code of 1972, Annotated](#), the certification for an emergency purchase must be submitted on letterhead and signed by the Chief Officer. The requesting office shall address the following when preparing the justification:

- Does it fall under the definition of an emergency set forth in [Sections 31-7-1\(f\), Mississippi Code of 1972, Annotated](#)?
- What happened to cause the emergency?
- What would be the negative consequences of following normal purchasing procedures?
- The total purchases made shall only be for the purpose of meeting the needs created by the emergency situation.

Upon receipt of the justification and any applicable board certification, the State Fiscal Officer (DFA) will authorize the purchase or repair without having to comply with competitive bidding requirements.