

Major Roles of OPTFM

- ▶ Establish and administer commodity state contracts
- ▶ Monitor agency compliance
- ▶ Oversee disposals/trade-ins
- ▶ State's Card Programs (P-card, Travel, EEF)
- ▶ Manage Certification Program for State agency officials
- ▶ Responsible for keeping Procurement Manual up to date with any new laws or regulations
- ▶ Assist agencies with the utilization of the State's accounting and e-procurement system (MAGIC)
- ▶ Bureau of Fleet Management – state contracts for vehicles

Amendments to 31-7-13

- ▶ Amended language regarding use of reverse auction with term contracts. (2021)
- ▶ (SB 2806) Amendment to reverse auction language concerning construction of public facilities, roads and bridges. (2022)
- ▶ (SB 2371) New thresholds: commodities, construction and solid waste disposal were increased \$50,000.00 to \$75,000.00. Two competitive written bids between \$5,000.00 and \$75,000.00. (2022)

Purchases less than \$5,000.01

- ▶ Check competitive state contract for item
- ▶ Purchases may be made on open market. Purchasing agent may obtain pricing from multiple sources to ensure competition, written bids not required
- ▶ Total cost must be used, items cannot be split up to avoid obtaining written bids

Awarding Competitive Written Bid/Quote Between \$5,000 and \$75,000.01

- ▶ Award shall be made to the lowest responsive bid/quote provided at least two competitive written bids/quotes have been obtained.
- ▶ Total cost must be used, items cannot be split up to avoid advertising for formal bids.
- ▶ A bid submitted on a bid form or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor.

Competitive Bids over \$75,000

- ▶ Reverse Auctions are the primary method

Can a reverse auction be held with only one vendor? Yes.

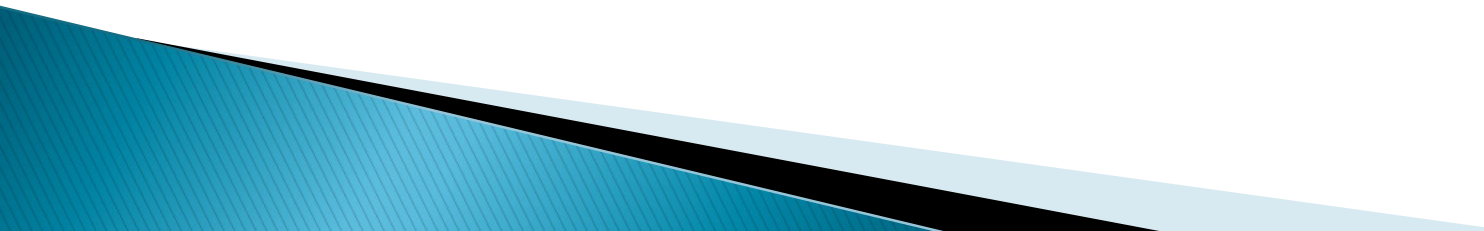
Are you required to use a reverse auction vendor for the auction? No. There is no law or rule that states you must use a vendor to run the auction.

- ▶ Electronic bidding must be provided (unless entity falls into a category for exemption)
 - “secure electronic interactive system”
 - Cannot require vendors to submit electronically
- ▶ Awards should only be made as described in specifications
- ▶ Advertisement must be done correctly
- ▶ MPTAP must be notified

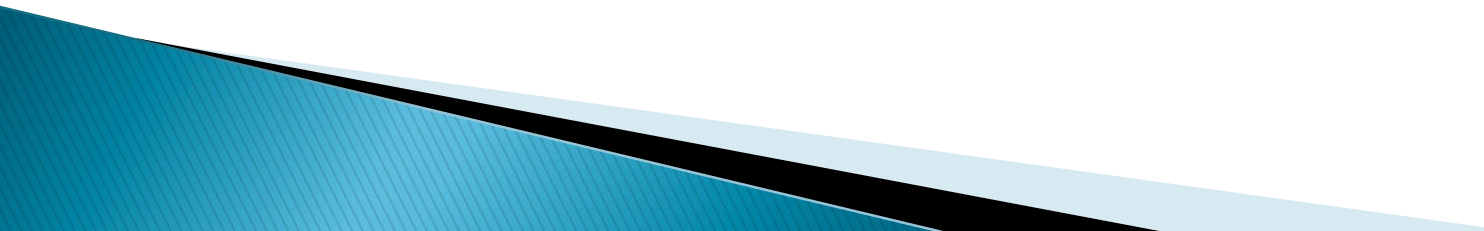
Commodity Advertising Requirements

- ▶ Period of time between date of publication of the ad and the time and date set for receipt of bids
- ▶ Published once each week for two consecutive weeks with the second notice being published on or after the 7th calendar date after the first notice was published
- ▶ Opening date must not be less than seven (7) **working days** after the last notice in the newspaper (must not be sooner than the 8th day)
- ▶ **MPTAP must receive notice same day or prior to first publication in the paper (Apex Accelerator)**
- ▶ If utilizing Reverse Auction, bids are used to qualify responsive bidders to invite to the auction and establish start price

Types of Contracts

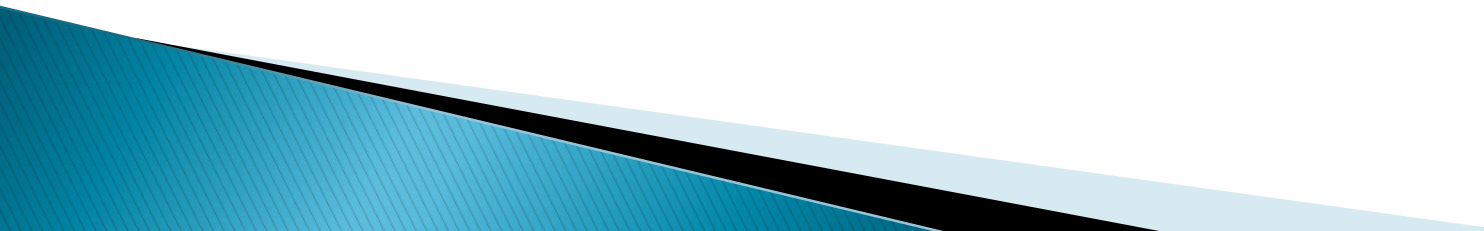
- ▶ Competitive Contracts
 - ▶ Negotiated Contracts (Convenience)
 - ▶ State Agency Contracts
 - ▶ Cooperative Contracts
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Competitive Bid Contracts

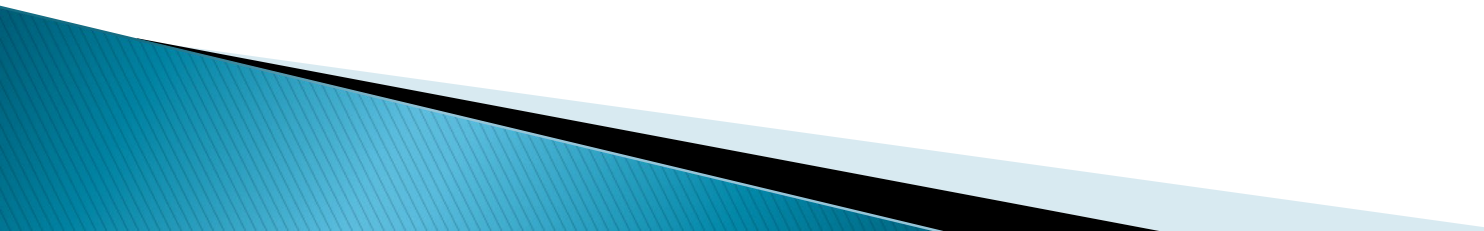
- ▶ **What items are they used for?** Examples – office supplies, auto batteries, toner cartridges, office papers
 - ▶ **How are they Developed?** Competitive sealed bids
 - ▶ **Who can use them?** Governing authorities and state agencies
 - ▶ **Who must use them?** State agencies
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Negotiated Contracts

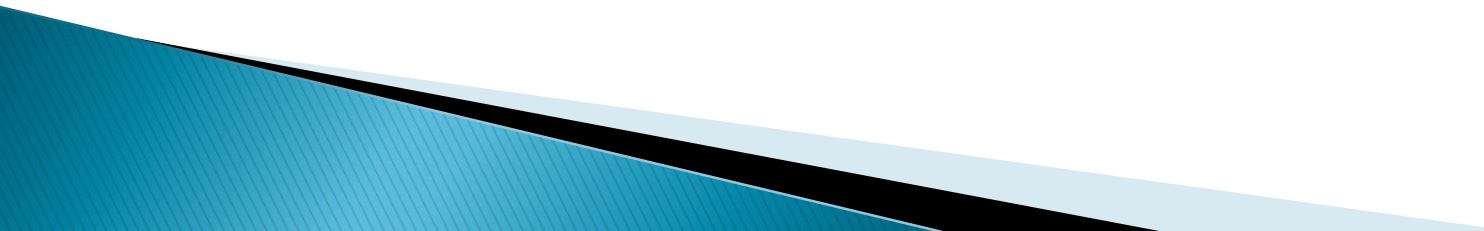
(Convenience/Multiple Award Contracts)

- ▶ **What items are they used for?** Examples – automotive parts, copiers, furniture, janitorial products
 - ▶ **How are they Developed?** Proposals from many vendors
 - ▶ **Who can use them?** Agencies and governing authorities
 - ▶ These are convenience contracts that are there for the buyers to utilize and users should negotiate the best possible price
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Statewide Agency Contracts

- ▶ **What items are they used for?** Examples - asphalt, motor graders, truck and chassis, sand and gravel
 - ▶ **How are they developed?** Competitive bids by a specific agency
 - ▶ **Who can use them?** Agencies and governing authorities if permitted in the original bid.
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Cooperative Contracts

- ▶ **What items are they used for?** Examples - floor covering, medical supplies, building supplies, pharmaceuticals
 - ▶ **How are they developed?** Cooperative contracts are procurements conducted by, or on behalf of, more than one public procurement unit, or by a public procurement unit with an external procurement activity
 - ▶ **Who can use them?** Agencies and governing authorities **only** when adopted by OPTFM (Check the OPTFM website to see which contracts are adopted)
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