



DEPARTMENT OF FINANCE AND ADMINISTRATION
OFFICE OF PURCHASING, TRAVEL & FLEET MANAGEMENT

Website: <http://www.dfa.ms.gov>

E-mail: PurchasingandTravel@dfa.ms.gov

Telephone Number: 601-359-3409 Fax Number: 601-359-3910

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Workshops on P-1's and Utilizing State Contracts

Would you like assistance with entering P-1s or using MAGIC for finding commodities on state contracts? If so, here's a chance to get hands on help in these areas. On August 10, 2016, OPT will offer a morning session on P-1s and an afternoon session on Utilizing State Contracts in the Woolfolk Building. Space will be limited to no more than three (3) individuals from your agency. To sign up, please log into LSO in the MAGIC portal and register under P-1 Training or Utilizing State Contracts. Questions about getting registered can be directed to the Help Desk at mash@dfa.ms.gov.

Mississippi Department of Information Technology Services

ITS has recently awarded new contracts for Statewide Cellular Voice and Data Services and Equipment from RFP No. 3820 to AT&T Mobility and to C Spire. The initial term of the contracts is from July 1, 2016 through June 30, 2021.

The cellular award provides for quick purchasing of cellular services and equipment, with multiple plans and equipment available. Plans include various options for Voice only, Data only, and Voice and Data. State agencies and public universities purchasing cellular devices and services must use this award. Local governing authorities may choose to use this award.

The award meets Mississippi requirements for legal purchases, when used as outlined in the published Instructions for Use Memorandum. Anyone using the award must follow the Instructions for Use Memorandum, available on the Internet at: <http://www.its.ms.gov/Services/Pages/Cellular.aspx>. The award also meets E-Rate requirements.

The previous cellular award from RFP No. 3489 to C Spire expired June 30, 2016; therefore, it is no longer available for use. State agencies and public universities have until December 31, 2016, to obtain cellular devices and services through the new award. Any local governing authority that used RFP No. 3489 should now re-procure those services, following all applicable state purchasing laws. Use of the new award is one option for doing so. Governing authorities with valid Supplements from RFP No. 3489 should re-procure to coincide with the end date of the Supplement.

The Office of Purchasing, Travel and Fleet Management

Aubrey Leigh Goodwin, Director, OPTFM

Ashley Harrell
Linsey Boatner

Michael Cook, Director, OPT

James Brabston
Regina Irvin
Steve Tucker
Erika Weakley

Ross Campbell, Director of Marketing and Audit

Symone Bounds
Yolanda Thurman
Ramona Jones
Laurie Pierce
Carlos Galloway

Wayne Cranford, Director, Bureau of Fleet Management

Billy Beard



If you have questions about using the ITS cellular award, please contact Paula Conn at (601) 432-8046 or paula.conn@its.ms.gov, or the ITS Procurement Help Desk at (601) 432-8166 or isshelp@its.ms.gov.

Featured Contract

Commodity: Ammunition

This state contract features various types of ammunition. With this ammunition contract, you have a large selection of vendors and ammo to choose from.

Type of contract: Negotiated contract – **remember, this means that you can negotiate your best price from the vendors on contract!** *This has not always been the case. Up until this current contract, ammunition was limited to basically approved QPL items only. Due to the complexity of this commodity and the multiple requests to broaden the ammo offerings, this contract has gone from a competitive fixed price contract to a negotiated contract. This has allowed Ammunition Manufacturers to offer their top two hundred ammo items on this contract.* This negotiated contract was established on the basis of proposals from many vendors. These proposals are evaluated with contracts being awarded to all vendors whose prices are "comparable." These contracts may be used by any agency. Negotiated contracts are "convenience" contracts and serve to establish a **maximum price** that can be paid for any item covered by the contract. Agencies may purchase items covered by a negotiated contract from other than the awarded contract vendor provided they follow the applicable procedures set forth in Section 31-7-13 of the Mississippi Code, 1972 Annotated.

Dates of Ammunition Contract: June 1, 2016 through May 31, 2017.

As of May 1, 2016, we now have 8 manufacturers on contract offering a variety of new and reloaded ammunition. The best way to look at ammo and compare prices among the vendors is to go to our website at: <http://www.dfa.state.ms.us/Purchasing/StateContracts.html>

Contract Analyst: Steve Tucker, stephen.tucker@dfa.ms.gov

Contract Spend: During the last reporting period, contract spend was approximately \$801,844.80.



2016 Class Schedule

Dates	Location
July 19-21	Woolfolk Annex Building
September 20-22	Woolfolk Annex Building
November 29-Dec. 1	Woolfolk Annex Building

Travel Agency Services Contract

The Office of Purchasing, Travel and Fleet Management has approved a list of travel agencies soon to be available on OPTFM's Travel website (<http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/purchasing-and-travel/travel/>) to provide travel services for the officers and employees of the State of Mississippi. This multiple award contract is effective July 1, 2016, and is based on proposals received from various agencies.

Employees may make reservations for all travel arrangements, either through one of the state contract travel agencies or by other methods.

The state contract travel agencies are not required to enforce state rules and regulations, only to administer them, and will book arrangements as specified by the traveler.

If you use a state contract travel agency, please consider the following:

1. Final authorization and approval of the trip must be given before a call is placed to the travel agency.
2. All information regarding trip information should be readily available to give to the travel agency when a phone call is made. If the employee has a certain flight in mind or a route they prefer to take, providing this information to the travel agency will ensure that less expense will be incurred when making reservations.
3. If the employee calling the travel agency is not using the cardless account (BTA), a payment method should be readily available to provide over the phone. This means that the travel agency will not have to use its credit card to guarantee reservations made by the traveler. If the travel agency's card is used, a justification for why (except from governing authorities) should be signed by the Agency Head and attached to the travel voucher when submitted to DFA for reimbursement.
4. Seating preferences are not reimbursable unless there is justification, such as the business or first-class seating for flights with at least one segment of 6 hours or longer. Preferred seating or premium seating is a non-reimbursable expense. Economy seating is reimbursable with no justification required.
5. If you have never used a travel agency before, you might want to speak with someone in your office who has. If you are no stranger to talking with travel agents you may want to offer assistance to someone in your office that you know has a trip coming up.

Travel Tip: To utilize the contract, each state agency may choose one or more state contract travel agencies to handle its travel requirements. Simply contact the travel agency contact listed in the contract and identify yourself as a state employee. It is our recommendation that the agency advise its employees which travel agency(s) is to be used and designate a liaison

to work with the travel agency(s).

More than one quote is not necessary for all flights which are booked through one of the state contract travel agencies. However, the state agency must maintain in its files a cost comparison showing a minimum of two (2) fares if you do not go through a state contract travel agency. Neither of these quotes should be through a travel agency if they will not be used. This cost comparison must show the fare and any issuance cost and must show a savings, and shall be submitted along with the employee's Travel Voucher.

Payment to Travel Agencies

The methods for paying the state contract travel agencies for reimbursable expenses are through charges on the Travel Card, the employee's personal credit card, or direct bill upon approval by the travel agency. With the exception of governing authorities, it is recommended that the method of payment to guarantee airline reservations, lodging accommodations, vehicle rentals or other services be the Travel Card, the employee's personal credit card, or direct bill upon approval by the agency. When travel agencies use their credit card to secure these types of things, the cost is passed on to the state agency. Without justification signed by the agency head and attached to the travel voucher, this is not a reimbursable expense.

The Office of Purchasing, Travel and Fleet Management is often asked questions regarding various topics. We would like to take this opportunity to share some of these questions and answers in our monthly newsletter.

Q. Is a travel authorization form required to completed and submitted with a travel voucher, for a traveler to receive reimbursement, if a travel advance is not being requested?

A. *If the travel is for a conference the travel authorization form is needed. Per Section 111. In-State/Out-of-State Conferences, Section 25-1-83 of the Mississippi Code requires prior written approval from the department head for employee attendance at any convention, association or meeting in order for expenses to be reimbursed. Such reimbursed expenses must then be annually reported to the Legislature.*

Most agencies find the best way to capture this approval is the travel authorization form.

For all other travel, it is up to the agency regarding the use of this form. For example, our agency requires it for all travel. Other agencies require it only when going out-of-state, and still others only when an advance is involved.

Fleet Management (BFM)

BFM is preparing to release the 2016-2017 Vehicles and Police Vehicles competitive bid. A vendor meeting for this contract will be held on July 13, 2016 at 1:30 pm in Room 145 of the Woolfolk State Office Building. If there are any vehicles that you would like to see added to the contract, any issues with vendors, or any other things that you would like to have us discuss, please feel free to contact Billy Beard at billy.beard@dfa.ms.gov or Wayne Cranford at wayne.cranford@dfa.ms.gov.

MAGPPA NEWS

The Third Quarter MAGPPA meeting is scheduled for August 10, 2016 at Hinds Community College, Raymond campus. At this meeting we will elect officers for 2017. If you would like to be considered for an officer position or would like to nominate someone for a position, please send an email to jstepp@mdot.ms.gov. Also, presentations will be made for the host city for the 2019 conference. Make your plans to be at this very important meeting.

The MAGPPA Annual Conference and Vendor show will be held October 23-26, 2016 in Natchez, MS. The Natchez Grand will serve as the host hotel and the vendor show will be at the Natchez Convention Center. The theme this year is "Roll on the River." Check the MAGPPA website, www.magppa.org for information on registration.

Laws that take effect July 1

Several new laws passed during this legislative session which will take effect July 1, 2016. Below is a list of some of the bills, along with their purpose.

Senate Bill 2591 amended Sections 31-7-1 and 31-7-9 to define who must attend the Office of Purchasing, Travel and Fleet Management's mandated certification program for purchasing agents.

Senate Bill 2362 is known as the Mississippi Budget Transparency and Simplification Act of 2016. The bill provides that expenses of certain special fund agencies shall be defrayed by appropriation of the Legislature from the state general fund. It also provides that no state agency shall charge another agency a fee, assessment, rent or other charge for services or resources received.

Senate Bill 2593 revised the Mississippi Public Records Act to clarify when competitive sealed proposals must be produced, if a public records request is made.

Are You Writing a Good Specification?

A good specification should do a minimum of three things:

1. Identify minimum requirements.
2. Allow for a competitive bid.
3. Provide for an equitable award at the lowest possible cost.

Once adequate specifications which meet the needs of the user have been developed, the award must be made to the lowest and best bid which meets or exceeds the specifications. We do not consider acceptance of a bid based on any items not included in the specifications

and we cannot allow the rejection of a bid which meets specifications.

If a vendor submits a bid which does not meet the minimum specifications, the bid should be rejected. However, we must be able to identify in which areas of the specifications the bid is deficient. Awarding agencies must provide adequate explanation and justification.

We cannot allow the acceptance of a product which does not meet the specifications. The specifications have told all vendors the minimum acceptable.

For Example: If the specifications say "45 hp", could we consider a low bid offering 44.5 hp? How about a 44 hp? What about considering a 42 hp? Where do we draw the line?

The specifications say 45 hp, so we draw the line at 45. In situations like this, the agency is faced with the problem of possibly paying more than necessary for the items. The low bid of 44.5 hp may meet the needs of the agency, but it does not meet the specifications. In this case, we would strongly urge the agency to reject all bids and start over with revised specifications. The process may take a little longer, but the State will be getting the right product at a competitive price.

In the case of restrictive specifications, we require that the agency be able to justify why they must have the specified product. For example, what are the parts of the specification which make it impossible for other vendors to bid and why must the State require these items? Are all other States, Counties, Universities, etc., using the requested product or is there a reason why we must have the "top of the line"? Do we have documentation to support our claims of product superiority?

How do we determine what appears to be restrictive? There is no clear answer to what is restrictive and what is not. If there is only one bid on an item, it would appear that the specifications may be restrictive. If there are several bids, but only one meets the specifications, then it would appear that the specifications may be restrictive. In these situations, we ask that the agency determine why only one bid or only one acceptable bid was received. What is it about the specifications that no other bidders could meet? Why is this feature a requirement of the department?

BOTTOM LINE:

When writing specifications, in order to allow the greatest possible competition, emphasize functional or performance criteria while limiting design or other detailed physical descriptions. Include the principal function or performance needs to be met. And above all – avoid the use of brand names if at all possible.

Procurement Card

State Agencies and Governing Authorities utilizing the State of MS Small Purchase Procurement Card and/or Travel Card program should have received rebate checks for the 2015 fiscal year. All entities utilizing the program, that have met the spend qualifications for a rebate, will receive a rebate check from UMB. If two checks have been received, the check with information including the numbers **9810** is associated with the Travel Card Program 2015 fiscal year spend. If you have any questions about the rebate check(s), please do not hesitate to contact Symone Bounds by email at symone.bounds@dfa.ms.gov or by phone at 601-359-9373.



Want To Find More Minority Contractors?

www.mnbr.org

Our Online Registry Gets You Connected

Mississippi Development Authority's minority and woman-owned business online registry can put you in touch with minority contractors. You can search by geographical location, type of service and products provided or by our easy-to-use alphabetical listing.

What are the benefits of utilizing a minority contractor?

Gain a Competitive Advantage

Minority-Owned companies are in a better position to provide personalized customer service and flexible and innovative solutions to challenges which gives your organization a competitive advantage.

Efficient Utilization of Resources

Increased competition creates cost saving opportunities for consumers. Minority-Owned companies often have low overhead and respond efficiently to the needs of procurement professionals.

Greater Representation and Community Development

Contracting with minority-owned companies has a direct economic impact on entire communities where minority-owned companies have incorporated their businesses.

Start searching online now

Visit www.mnbr.org

For information contact Latonia Shirley at Mississippi Development Authority
at 601.359.6678 or e-mail: lshirley@mississippi.org



Advertisement of Sole Source Purchases to the Procurement Portal

When publishing sole source advertisements to the procurement portal, agencies must ensure that notices are active for a minimum of (14) calendar days and must include the following information as an **external attachment within MAGIC**:

1. A description of the commodity that the agency is seeking to procure;
2. An explanation of why the commodity is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required commodity;
4. An explanation of why the amount to be expended for the commodity is reasonable;
5. The efforts that the agency went through to obtain the best possible price for the commodity; and
6. Procedures for any person or entity that objects and proposes that the commodity published on the procurement portal is not sole source and can be provided by another person or entity. These procedures shall direct the objecting person or entity to notify the agency that published the proposed sole source procurement request with a detailed explanation of why the commodity is not a sole source procurement.

Once the advertisement is "Published" to the portal, agencies are encouraged to review the portal publication via the "Buying and Selling to Government in Mississippi" website to ensure required documents are visible to objecting suppliers. If advertisements do not contain the required information, P-1 authority to procure the sole source commodity/equipment will not be granted.

Prior to publishing sole source advertisements, please review:

- Procurement Manual - Chapter 3.109.02
- [How to Publish Sole Source Advertisement to the Procurement Portal \(MAGIC INSTRUCTIONS\)](#)

CPO'S CORNER



Greetings, friends! I have greatly enjoyed my first three months as your Chief Procurement Officer. Thank you so much to those of you who have reached out to introduce yourself to me. I have enjoyed working with many of you out in the agencies and governing authorities and I look forward to meeting many more of you. This month I would like to extend an invitation to you.

OPTFM's statutory mission is to promote efficiency and economy in purchasing by supervising and regulating purchasing and purchasing practices of state agencies. To that end, we maintain an "open door" policy. We strive to serve as your best resource in procurement and we will always make ourselves available to help you at any step of the procurement process.

There are so many traps for the unwary in procurement – there are many, many things to remember that are required by law or regulation and it can be difficult to keep up sometimes. Please know that we are here to help you walk through these challenges as you are writing specifications, putting together bid documents, evaluating bids, or resolving protests.

Please feel free to call, e-mail, or schedule a time to come by and visit with us if we can assist you in any way.

Aubrey Leigh