How to Publish a Protective Order to the Procurement Portal Job Aid

Pursuant to Miss. Code Ann. § 25-61-9(7), as amended, for all procurement contracts awarded by state agencies, the provisions of the contract which contain the commodities purchased or the personal or professional services provided, the price to be paid, and the term of the contract shall not be deemed to be a trade secret or confidential commercial or financial information , and shall be available for examination, copying or reproduction as provided for in the Mississippi Public Records Act of 1983, as amended.

Any party seeking a protective order for a procurement contract awarded by state agencies shall give notice to and provide the reasons for the protective order to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure. The notice and reasons for the protective order must be posted on the Mississippi procurement portal for a minimum of seven (7) days before filing the petition seeking the protective order in chancery court. Any party seeking a protective order in violation of Section 25-61-9(7) may be barred by a state agency from submitting bids, proposals or qualifications for procurement for a period not to exceed five (5) years.

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Step 1: Selection of RFx Type and Parameters

1.) Enter your **User-ID** and **Password** at https://portal.magic.ms.gov.

2.) Select **Procurement**.

3.) Select **Procurement Work Center**.

4.) Select **RFx** under Strategic Sourcing
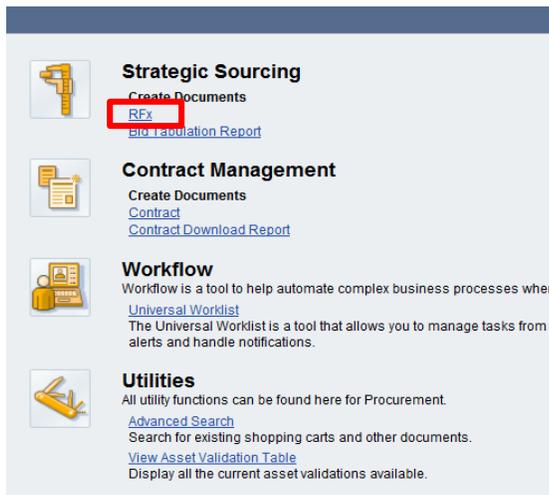
5.) Select **Bid Type (RFIN)** then click **Continue**

6.) In the RFx Information > RFx Parameters tab, enter the following data elements:

Data Element	Information
Start Date/Time	Advertisement Notice Start Date/Time
Bidders Submission Deadline Date/Time	Must be a minimum of seven (7) calendar days from Start Date/Time.
Opening Date/Time	Same as Bidder Submission Deadline Date/Time
Surrogate Bid Entry Submission Deadline/Time	Will automatically default seven working days from Bidder Submission Deadline Date/Time.

7.) Enter the applicable **Major Procurement Category:** Commodities and enter the **Sub Procurement Category:** Protective Order Request.

Step 2: Add Items to the RFx

1.) Select the **Items Tab**

2.) Click the **Add Item** button and select **Product Category** from the drop down.
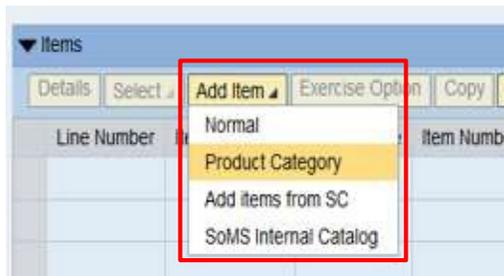
3.) Enter the **Product Category** from the original bid invitation.

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4.) Enter a short description (40 characters or less) of the commodity/service awarded preceded with **Protective Order for…**
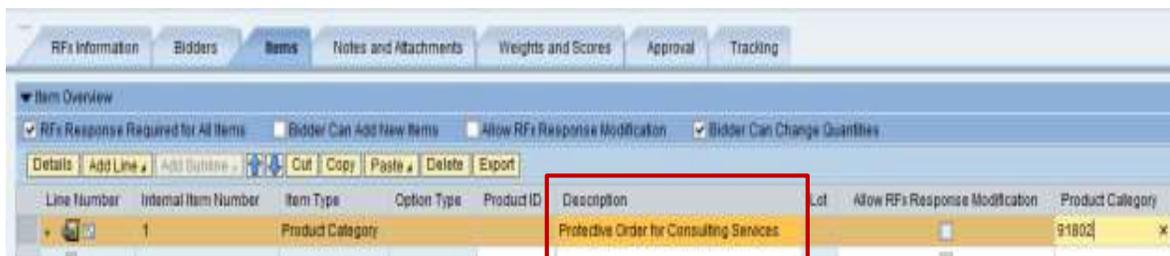
Step 3: Add Bidders to the RFx

Bidders added to the RFx will allow visibility of the request.

1.) Search for appropriate bidders to add to the RFx by clicking on **Bidders tab**.

   At a minimum, add all bidders responding to the original solicitation that led to the contract award the vendor is seeking to protect from disclosure.

2.) Click and select **From Internal Directory** which appears in the dropdown

3.) Ensure the search view is by **Bidders from Suppliers Lists**.

4.) Enter the **Product Category** (same Product Category from the items tab) and click the

   Search button.

5.) Once the search results have been returned, highlight selections. If multiple selections are needed, use the shift key and select additional lines.

6.) Then, click [Add Selected Bidders] to add your selection(s). This will ensure that all the vendors who have registered for particular product categories will be informed of a notice via email (if an email address is maintained for the vendor).

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Step 4: Add Notes and Attachments to the RFx

This section must include the notice to and reasons for the protective order which must be provided to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure.

1.) Add appropriate Notes and Attachments at the header level tab. This can be done by clicking on the **Notes and Attachments** tab and clicking the **Add** button. A dropdown list will appear.

2.) The text that should be added is indicated below:

Header Tendering Text	This is a summary of the Protective Order Notice. It will print on the RFx form under "Notice to Vendor" section.
Synopsis text (required)	This should be a short description of 60 characters or less that will appear on the procurement portal. Example text: Protective Order Notice for Consulting Services
Additional Contact Info	Enter a description of vendor contact information, i.e., who/where objection letters and/or questions related to the notice should be submitted. It will print on the RFx form under "Additional Contact Info" section.

3.) Add Attachments by clicking on the **Add Attachment** button.
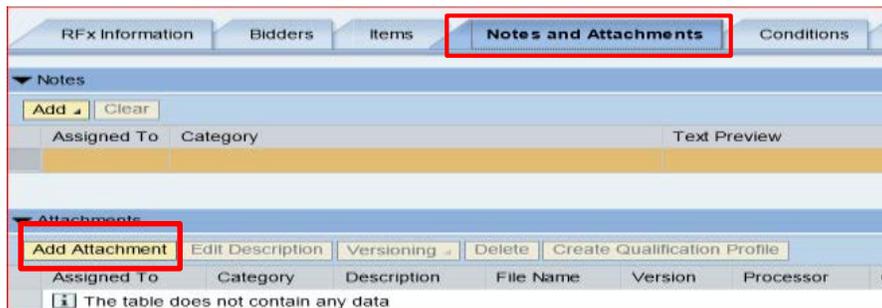
4.) In order to have the document visible to the vendor(s), uncheck the box that indicates **Visible internally only**

Attachments can be in any file extension. However, the best practice is to use a common file extension such as pdf or doc, because the vendors receiving notice may not have the appropriate software for viewing.

Step 5: RFx Approval

There is a single level of agency manager approval available on the RFx. If the agency does not have the approval level set, the document will "System Approve". However, if additional approvals are required, this can be done using the ADHOC Approver functionality.

Note: All approvals must be applied to the RFx prior to RFx Start Date/Time.

1.) To add an ADHOC approver, click the **Approval** tab.
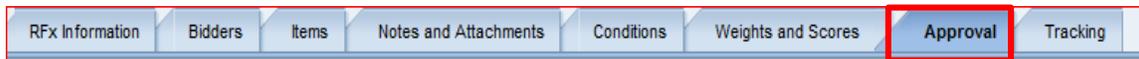
2.) Select **Add Approver**

3.) Enter the **Approver ID** or search by clicking the **search** icon.

4.) A list of users from that agency's Purchasing Group will be displayed. Click on the desired user by highlighting the line and select the **OK** button.

Once the buyer has selected the individual from their Purchasing Group as an ADHOC Approver, the approver will proceed to the Universal Worklist and click on the work item. The document will open and once the document has been reviewed, the appropriate decision can be made, "Approve" or "Reject".

5.) Publish the RFx by clicking on **Publish** button after you have confirmed that the notice has all the relevant information populated and attached. The publish button is only visible in "Edit" mode

6.) Once published, the RFx will display within the ADHOC approvers Universal Worklist.
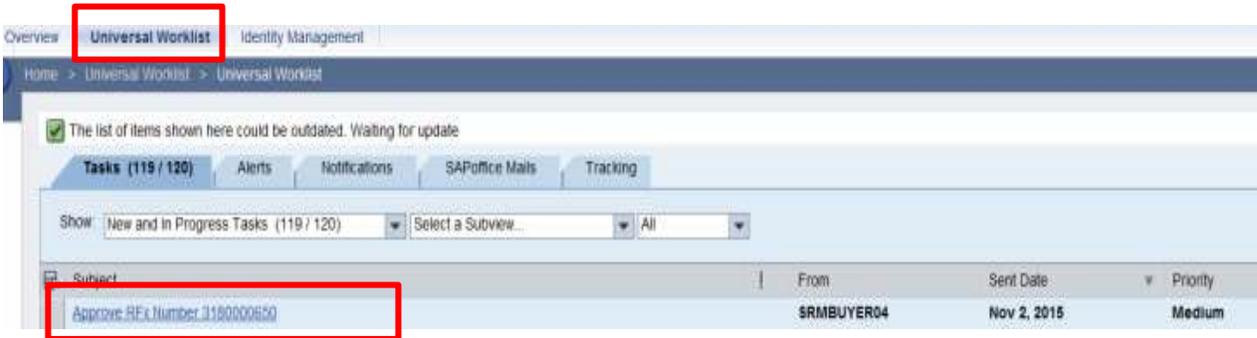
Once the notice has been approved, it must display on the MS Procurement Opportunity Contract Search Portal on the Start Date and Time for a minimum of seven (7) days.

Step 6: Attaching Protective Order Documents to the Awarded Contract

Once the contract has been awarded and the vendor requests a protective order, the agency must attach the petition seeking the protective order in chancery court document to the awarded contract for Transparency visibility.
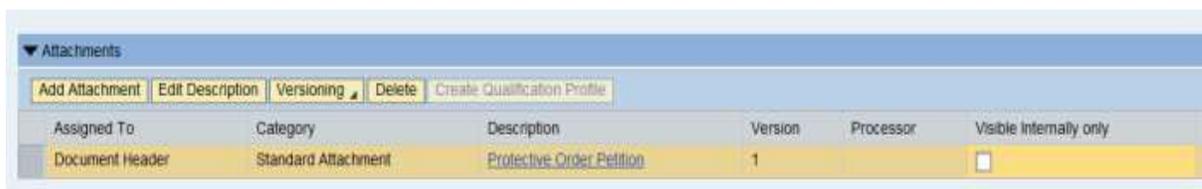
If the protective order request is granted by the chancery court, the agency should perform an external modification to the contract and attach a copy of the protective order as an external attachment for Transparency.
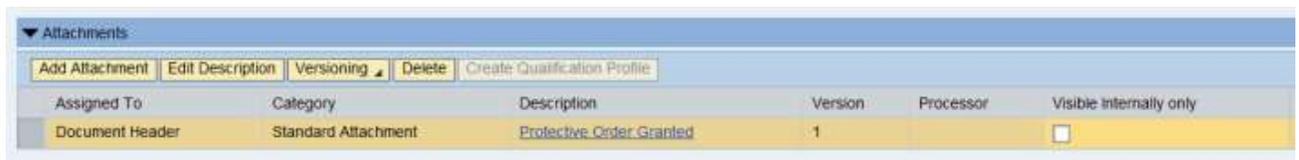
If the Protective Order Request is denied, the agency must attach an unreacted copy of the contract for Transparency purposes.