




**STATE OF MISSISSIPPI**  
GOVERNOR PHIL BRYANT

**DEPARTMENT OF FINANCE AND ADMINISTRATION**  
LAURA D. JACKSON  
EXECUTIVE DIRECTOR

**MEMORANDUM**

**TO: Executive Directors and University Presidents**

**FROM: J.K. "Hoopy" Stringer, Jr., PPRB Chair**  
**Laura D. Jackson, DFA Executive Director** 

**DATE: March 23, 2018**

**RE: Agency Submissions to the Public Procurement Review Board**

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The newly formed Public Procurement Review Board (PPRB) has begun meeting monthly to consider agency requests for those contracts under its purview. In consideration of the many changes that have occurred in procurement laws and regulations in recent years, and with the input of the newly appointed Board members and staff of the DFA Offices that provide support to the Board, we are writing to provide guidance to agencies and their procurement staff in preparing contract packets for submission to the Board. The following are questions that we recommend become part of the internal analysis of each agency procurement, as applicable, and are illustrative of the Board's expectations regarding fairness, transparency, and competitiveness:

1. If only one bid or proposal was received ...
  - a. How many suppliers is the agency aware of for this commodity/service?
  - b. How many suppliers could meet the requirements of the solicitation?
    - i. Who prepared the scope of work or specifications?
    - ii. Are they "open" or "restrictive"?
  - c. Did the agency send the solicitation to multiple potential suppliers?
  - d. Why would only one respond if multiple suppliers qualify?
  - e. How can the agency be certain of the competitiveness of the price?

2. When mistakes are made which require exception to rules and regulations ...
  - a. Has staff been trained by DFA?
  - b. Were the rules and regulations reviewed prior to beginning the procurement?
  - c. Were procurement staff engaged throughout the process? Were they engaged during the drafting of the solicitation, advertisement, opening and award or not until the deadline to submit the contract for approval?
3. If requesting an exemption from using reverse auction as the primary method of receiving bids, what elements of the reverse auction process are incompatible with the agency's needs?
4. If requesting an exemption to utilize a Request for Proposals or Request for Qualifications for personal or professional services ...
  - a. What about this procurement necessitates the need to consider more than price?
  - b. Has the agency considered the alternative of establishing detailed minimum requirements in a traditional Invitation for Bids and then accepting the low bidder?
5. In each contract submitted, what evidence does the agency have that the proposed vendor represents a cost savings to the State?

This list is by no means exhaustive, but represents several recent concerns raised at the Board meetings. The DFA staff wishes to be a resource to the agencies during every step of the contracting process. **Both the Office of Personal Service Contract Review (OPSCR) and the Office of Purchasing, Travel and Fleet Management (OPTFM) provide courtesy reviews and consultations on draft solicitations which may assist agencies with compliance issues prior to beginning the advertisement.** Please feel free to contact OPSCR at (601) 359-3422 and OPTFM at (601) 359-3409 any time. Additional resources may be viewed on each Office's website at [www.dfa.ms.gov](http://www.dfa.ms.gov).

Thank you for your commitment to fair, transparent, and competitive procurement in Mississippi. Please let us know if we may be of assistance to you in any way.