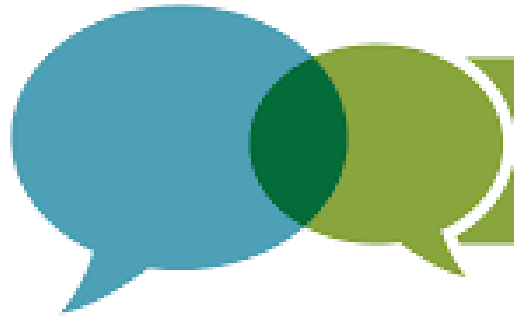


Summary of 2017 Legislative Changes to Public Procurement



Ross Campbell, Chief Procurement Officer
Director, DFA Office of Purchasing, Travel and Fleet Management



Legislative Update

- ▶ House Bill 1106 - Effective Jan. 1, 2018
- ▶ House Bill 1109 - Effective Jan. 1, 2018

HB 1106 – Electronic Bidding

- ▶ Requires all agencies and governing authorities with limited exceptions (entities without high speed internet, counties with population less than 20,000, cities with population less than 10,000) to provide a **secure electronic method of receiving bids**
- ▶ DFA required to set **standards** for receipt of such bids by state agencies



HB 1106 (Cont'd)

- **Certificate of Responsibility** conflict (where law requires “on the outside of envelope”) addressed to allow electronic bidding in construction

YATES CONSTRUCTION, LLC	
Record Type	Licensed
License Number	18506 -MC
Address	P.O.BOX 54
City	PHILADELPHIA
State	MS
Miss. County	NESHOBA
Zip	39350
Phone	601-656-5411
Fax	
DBA Name	
Expiration Date	07/08/2017
Minority	No
First Issue	08/09/2010
Class(es)	
Classification	Qualifying Name
BUILDING CONSTRUCTION	WILLIAM G YATES JR
CONSTRUCTION MANAGEMENT	WILLIAM G YATES JR
HEAVY CONSTRUCTION	WILLIAM G YATES JR
HIGHWAY, STREET AND BRIDGE CONSTRUCTION	WILLIAM G YATES JR
MUNICIPAL AND PUBLIC WORKS CONSTRUCTION	WILLIAM G YATES JR
Officers	
Name	Title
WILLIAM G YATES JR PRESIDENT	
YATES CONSTRUCTION, LLC	

HB 1106 (Cont'd)

- ▶ ITS RFP – Vendors that provide electronic bidding services are now on our website with the Instructions for Use Memo.

HB 1109 – Consolidation



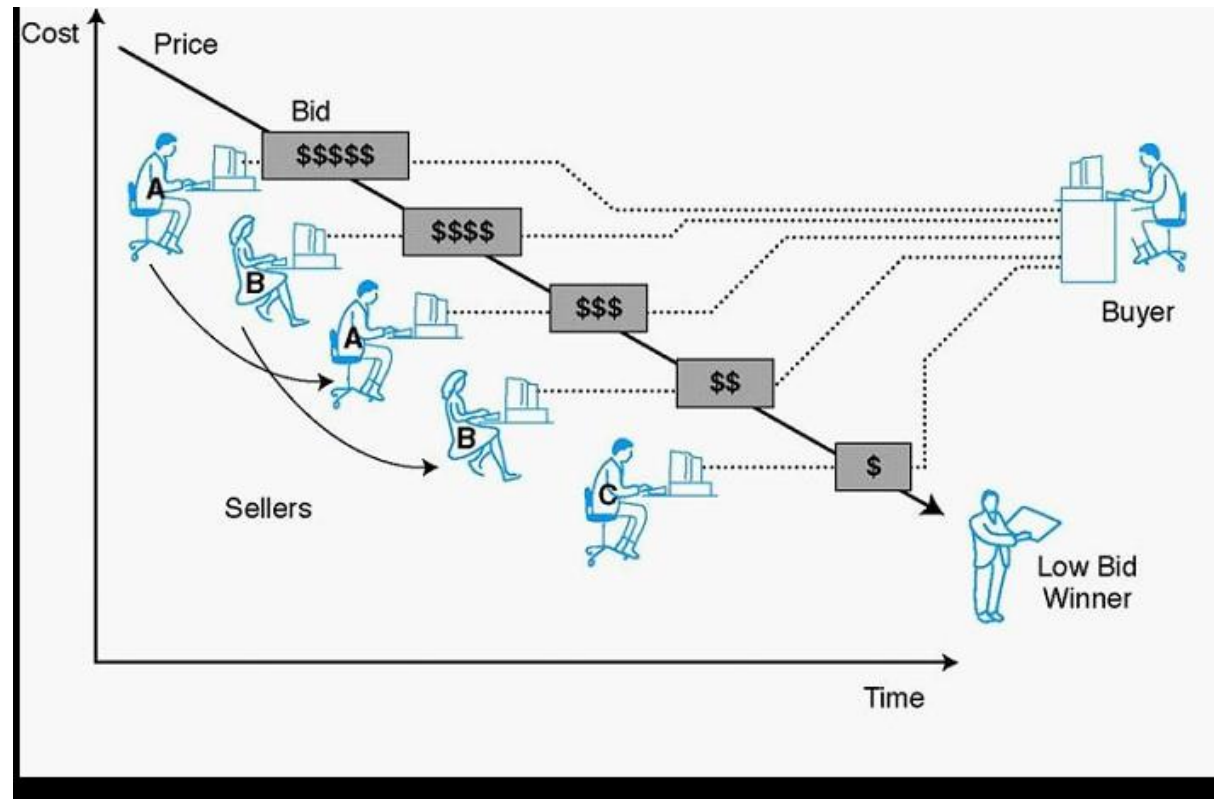
HB 1109

- ▶ **Abolishes PSCRB** and moves all statutory functions of current Board to PPRB effective January 1, 2018
- ▶ **Reconstitutes PPRB** into an appointed board of non-state employees. DFA Executive Director is 6th member, nonvoting
- ▶ Codifies standards for the issuance, evaluation, and award of **Requests for Proposals** and **Requests for Qualifications**



HB 1109 (Cont'd)

- Requires **reverse auctions** to be the primary method for receiving bids during the competitive bidding process



HB 1109 (Cont'd)

Reverse auction is defined as ...

An online auction in which sellers bid against each other to win a buyer's business. Typically used to purchase commodities from multiple pre-qualified providers. Also referred to as eAuction.

-NIGP Public Procurement Dictionary of Terms

HB 1109 (Cont'd)

- ▶ Purchasing entities must seek PPRB approval for exemption from using reverse auction as method of procurement. PPRB must approve any contract entered into by an alternative process.
- ▶ (Nowak, Smith, Moseley, Morgan Opinions)
- ▶ OPTFM is working with ITS to provide governing authorities a list of reverse auction providers.

How to Prepare

- ▶ Monitor the DFA/PPRB webpage for updates
- ▶ Evaluate how many bids will be impacted
- ▶ Build ample time into future procurements
- ▶ Utilize the DFA/ITS contract for reverse auction and electronic bidding services
- ▶ Prepare for PPRB approval to be required for an exemption

DFA Website

- ▶ PPRB Link – PPRB Minutes
- ▶ Memos to governing authorities and agencies – Info regarding new regulations and laws
- ▶ FAQ



New Contracts

- ▶ Heavy equipment contracts have been adopted.
- ▶ Will be looking at adopting contracts for garbage trucks and dump trucks.