

New Contract Submission Sole Source Procurement

PPRB OPSCR Rules and Regulations Section 3-206

Agency: _____

Contractor: _____

Period of Performance: _____

Spending Authority Requested: _____

Projected Contract Lifecycle and Budget

Contract Term	Start Date	End Date	Projected Budget

*List the initial term and all renewal periods in the Contract Term column. For example, if you are submitting a three year contract with two optional one year renewals, you would list "Initial Term"; "Renewal Year 1"; "Renewal Year 2". List the anticipated start and end date of each period and the amount the Agency anticipates it will spend in each period. If the Contract is for more than 5 years, provide the Agency's authority to enter a contract for a term longer than allowed in Section 3-502(a) and any additional information in the **Notes** section below.*

Contract Number: _____

*If multiple contracts were awarded for the same IFB, list them in the **Other Associated Numbers in MAGIC** section below. For each contract, you must complete pages 1, 9, 10, 11, and 14 (documents submitted in the Contract number in MAGIC only).*

Solicitation RFx Number: _____

Other Associated Numbers in MAGIC: _____

Notes (any comments or information you want to provide to OPSCR):

Sole Source Procurement

Section 3-206 and Miss. Code Ann. § 27-104-7(2)(o) and (4)

The Contractor is a sole source provider of the personal or professional service because:

The Contractor is the only source who can provide the required personal or professional service

A binding, valid court order has been issued mandating a particular source or provider be used for the required service

Court Ordered Sole Source

If the Contractor is a sole source provider because of a court order, please state the Court, case style, and docket number of the legal action in which the order was issued:

Sole Provider of Personal or Professional Service

The Agency Head signed a sole source determination: Yes No

The required sole source determination form can be found at www.dfa.ms.gov/opscr-forms-and-templates.

Date determination & contract terms posted on Procurement Portal**:

Must be publicly available for at least 14 days. OPSCR recommends that the sole source procurement be posted on the Agency's website concurrently with publication on the procurement portal.

Deadline to file objection: _____ No objection filed

At least 21 days after posting determination on Procurement Portal (14 day publication period plus 7 days to file objection).

Objection filed by: _____ Date: _____

Date Appeal to PPRB: _____ Date of PPRB Hearing: _____

The PPRB: Agreed with the Agency's sole source determination

Had reasonable doubt regarding the sole source determination such that a competitive procurement was required

** Throughout this document, any reference to the Procurement Portal refers to the Buying and Selling to Government in Mississippi website: https://www.ms.gov/dfa/contract_bid_search/Home/Sell. Use MAGIC to post your Solicitation, Amendments, and Notice of Intent to Award to this website. If you need assistance with posting to the Procurement Portal, contact the MMRS helpdesk at mash@dfa.ms.gov.

Contract

Sections 3-102.07, 3-501, 3-502, and Appendix C

Provide the contract page number for the following contract requirements:

- _____ the service to be performed
- _____ when the service is to be performed
- _____ how frequently the service is to be performed
- _____ where the service is to be performed
- _____ how much the service will cost
- _____ why the service is necessary

The Contract is for a Definite Quantity Indefinite Quantity

Describe the Contract Pricing Structure:

Is a Price Adjustment allowed? Yes No If so, please explain.

If yes, the Price Adjustment clause and an explanation of the Price Adjustment must be included in the contract.

Multi-Term Contracts

- The original contract term spans more than one State Fiscal Year? Yes No
- The contract contains renewal periods that, if exercised, would cause the contract to span more than one State Fiscal Year? Yes No

If you responded Yes to any of the above, list the page number where the contract states:

- _____ the amount of services required for the proposed contract period
- _____ a unit price provided for each service
- _____ the unit price shall remain the same throughout the contract
- _____ Availability of Funds clause
- _____ how the multi-term contract award will be determined

List the page number in the Contract where the following required clauses are located:

- _____ Applicable Law
- _____ Approval
- _____ Availability of Funds
- _____ Compliance with Laws
- _____ E-Payment
- _____ E-Verification
- _____ Paymode
- _____ Procurement Regulations

- _____ Stop Work Order
- _____ Termination for Convenience
- _____ Termination for Default
- _____ Termination upon Bankruptcy
- _____ Representation Regarding Contingent Fees
- _____ Representation Regarding Gratuities
- _____ Trade Secrets, Commercial and Finance Information
- _____ Transparency

Agencies are encouraged to review the optional clauses in Appendix D of the PPRB OPSCR Rules and Regulations to determine if including any such clauses in their contract would be in the Agency's best interests.

Contract Approval

Sections 3-102.08, 7-105, 7-107, and 7-114

Date Submitted to OPSCR: _____

Requested PPRB Meeting Date: _____

Contract Effective Date*: _____

**The Contract Effective Date cannot be prior to the PPRB Meeting Date.*

The contract requires regulatory board approval (other than PPRB): Yes No

Board: _____

Expected Board Meeting Date: _____

A copy of the Minutes showing the Regulatory Board approved the contract is required before final approval.

Will the Contractor use State Property? Yes No

If so, submit letter to the Bond Commission as required by Section 7-114.

Contractor is qualified to do business in the State per Miss. Code §79-4-15.01? Yes No

Provide documentation of registration and good standing with the Mississippi Secretary of State.

Insurance Requirements (type of insurance and amount):

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Is the State or Agency required to be an Additional Insured? Yes No

A current Certificate of Insurance reflecting the required coverage must be submitted to OPSCR.

What is the funding source for this contract?

_____ % State General Funds

_____ % Federal Funds

_____ % Grant Funds (describe Grant): _____

_____ % Other (describe): _____

Are these services currently being provided to the Agency? Yes No
If yes, who is currently providing the services?

Agency Representative for PPRB Meeting: _____

The Agency Representative will attend: In Person Remote

*The option to attend remotely is not available to Agencies located in Hinds, Rankin, or Madison counties.

Responsible Agency Official: _____

Title: _____

Telephone Number: _____

Email Address: _____

By signing below, I certify that all information provided herein and/or uploaded to MAGIC is true, correct, and complete to the best of my knowledge.

Signature: _____ Date: _____

OPSCR USE ONLY

Primary Analyst: _____ Signature: _____

Secondary Analyst: _____ Signature: _____

NOTES:

Check if Uploaded	Documents to Upload in MAGIC <i>(preferably as individual PDFs labelled as indicated below)</i>	Location in MAGIC	Publicly Available
Sole Provider of a Service			
	Signed Sole Source Determination <ul style="list-style-type: none"> • Contract Terms • Market Analysis • Any Other Attachments 	RFIN	Yes
	Proof of Publication of on Procurement Portal (with date)	RFIN	-
	All Objections Filed	RFIN	-
	PPRB Minutes: Hearing on Objection	RFIN	-
Court Ordered Sole Source			
	Court Order	Contract	-
Either Type of Sole Source			
	Unexecuted Contract	Contract	-
	All Contract Attachments, Appendices, or Exhibits	Contract	-
	Complete Submission Checklist (this document)	Contract	-
	Contractor's Current Registration with the Secretary of State	Contract	-
	Current Certificate of Insurance/Performance Bond, if required	Contract	-
	Proof of Regulatory Board Approval (if applicable)	Contract	-

Following approval by the PPRB, the following documents are required to be made publicly available on www.transparency.mississippi.gov. It is the sole responsibility of the Agency to ensure compliance with Sections 3-202.16, 3-204.05, and 7-116 of the PPRB OPSCR Rules and Regulations, the Mississippi Public Records Act of 1983 (Miss. Code Ann. § 25-61-1 *et seq.*), Miss. Code Ann. § 79-23-1, and the Mississippi Accountability and Transparency Act of 2008 (Miss. Code Ann. § 27-104-151 *et seq.*).

- The fully executed contract;
- All contract attachments, appendices, or exhibits; and
- The Public Notice of Contract Award.