

**New Contract Submission**  
**Sole Source Procurement**  
PPRB OPSCR Rules and Regulations Chapter 9

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 five years pursuant to Rule 14.3.1 in the **Notes** section below and provide all supporting documentation.

Contract Number \_\_\_\_\_

Solicitation RFX Number \_\_\_\_\_

Other Associated Numbers in MAGIC \_\_\_\_\_

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

## Agency Head Determination

### Section 9.1

#### The Agency Head Determination

- |   |     |    |
|---|-----|----|
| • Describes Agency's need, including why particular service is the only one which will meet the Agency's need   | Yes | No |
| • Includes a certification that Agency has determined there is only a single provider of service <u>in the marketplace</u> , including marketplace research conducted | Yes | No |
| • Explains why the amount is reasonable, including efforts to get the best price possible   | Yes | No |
| • Is signed by the Agency Head (cannot be delegated)  | Yes | No |

## Sole Source Procurement

### Sections 9.2 and 9.3

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

### Sole Provider of Personal or Professional Service

Agency Head determination, proposed contract, and instructions for filing objection posted

Date on Agency website \_\_\_\_\_ Date on Procurement Portal\*\* \_\_\_\_\_

Must be publicly available for at least 21 days before submitting contract to PPRB or before contract award for contracts that don't require PPRB approval. Documentation which proves compliance with all public notice regulations required.

#### The instructions for filing objection include

- |   |     |    |
|---|-----|----|
| • Contact information for the Agency official responsible for procurement and contact information for Director of OPSCR | Yes | No |
| • Deadline to file objection (minimum of 21 calendar days following first date of publication)                          | Yes | No |
| • Explains reasonable requirements for Agency to determine it received objection  | Yes | No |

\*\* 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](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](mailto:mash@dfa.ms.gov).

Deadline to file objection \_\_\_\_\_ No objection filed

After objection, the Agency determined

Provider is a sole source

Provider is not a sole source

### Court Ordered Sole Source

The Agency has submitted

- Agency Head determination required by Section 9.1? Yes No
- Full copy of contract? Yes No
- Copy of the court order? Yes No

### Contract

#### Chapter 14, Appendix E

Provide the contract page number for the following

- Services to be performed/deliverables to be provided \_\_\_\_\_
- Period of performance \_\_\_\_\_
- Cost of services (fixed-price; cost reimbursement; etc) \_\_\_\_\_
- Insurance and/or bonding requirements \_\_\_\_\_
- Price adjustment language \_\_\_\_\_

State the page number in the contract where the following required clauses are located

- \_\_\_\_\_ Applicable Law Clause
- \_\_\_\_\_ Approval Clause
- \_\_\_\_\_ Availability of Funds Clause
- \_\_\_\_\_ Compliance with Equal Opportunity in Employment Policy Clause
- \_\_\_\_\_ Compliance with Laws Clause
- \_\_\_\_\_ E-Payment Clause
- \_\_\_\_\_ E-Verification Clause
- \_\_\_\_\_ No Limitation of Liability
- \_\_\_\_\_ Paymode Clause
- \_\_\_\_\_ Procurement Regulations Clause
- \_\_\_\_\_ Property Rights Clause
- \_\_\_\_\_ Representation Regarding Contingent Fees Clause
- \_\_\_\_\_ Representation Regarding Gratuities Clause
- \_\_\_\_\_ Required Public Records and Transparency Clause
- \_\_\_\_\_ Stop Work Order Clause
- \_\_\_\_\_ Termination Clause

## Contract Approval

Sections 1.2.1, 1.2.2, 9.2.3, and 14.8

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.

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):

\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

Does the contract require the Agency to be listed as 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) \_\_\_\_\_

Did the agency submit the procurement to OPSCR for a compliance review as described in Section 1.2.3 during the procurement process? Yes      No

If yes, all communication with OPSCR during the compliance review regarding the review shall be submitted with the contract.

Was there a conflict between the procurement requirements of the funding source and the PPRB OPSCR Rules and Regulations? Yes      No

Did the agency take any specific action to preserve the procurement? Yes      No

If yes, the memorandum required by Section 1.4.8.1 shall be submitted to OPSCR.

Did the Agency make decision(s) during the procurement process implicating the principles of competition, fairness, and transparency? Yes      No

If so, explain the facts underlying the decision and the legitimate business purpose supporting the agency's decision.

Has the Agency Head delegated authority to a designee to execute the contract? Yes No

If yes, the memorandum required by Section 14.9 shall be submitted to OPSCR.

Are these services currently being provided to the Agency? Yes No

If yes, who is currently providing the services?

Agency Representative for PPRB Meeting \_\_\_\_\_

Email Address \_\_\_\_\_ Telephone Number \_\_\_\_\_

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