When a bid, proposal, or qualification has been determined non-responsive to the requirements of the solicitation and/or non-responsible, the vendor must be promptly notified in writing of the determination and the reason(s) for the rejection. This notice may be mailed, faxed, and/or emailed. However, the best practice is to send via email with read receipt or by certified mail.

Do not reject if a mistake or omission is determined to be a minor informality. Minor informalities are insignificant omissions and mistakes related to form rather than substance with a negligible effect on price, quantity, quality, delivery, or contractual conditions, that can be waived or corrected without prejudice to other vendors. For more information, refer to Section 3-202.12.4.1 of the *PPRB OPSCR Rules and Regulations*.

If all responses are rejected and the solicitation is cancelled, the agency must send notice to all vendors indicating the reason(s) for the cancellation.

An agency may use this optional Notice of Rejection template. To customize this template for agency use, go to all fields highlighted in green, insert the requested information in place of the green field, and save the customized document to your computer.  Please note that all instructional paragraphs should be deleted from your final customized document.  If you have any questions, please contact your OPSCR contract analyst at 601-359-3422.

**Reference:** Sections 3-102.02, 3-102.09, 3-102.10, 3-202.01(f), 3-202.12, 3-202.13.2, 3-203.12, 3-301.04, and 3-301.05 of the *PPRB OPSCR Rules and Regulations*.

**Notice of Rejection**

[Insert Date]

|  |  |
| --- | --- |
| **Procurement Type and Number** | [Insert Procurement Type and Number] |
| **Procurement Title** | [Insert Procurement Title] |
| **Opening Date and Time** | [Insert Opening Date and Time] |

[Insert Company Name]

Attn.: [Insert Contact Person]

[Insert Address]

[Insert City, State Zip Code]

Dear [Insert Name],

Thank you for the recent response to the solicitation referenced above. Regrettably, your response has been rejected. The reason for the rejection is as follows: [Select applicable reason(s) for rejection from list below and delete those deemed non-applicable]

* The response was delivered late.
* The response does not meet the requirements of the solicitation. [Describe the requirement(s) they failed to meet, cite the specific section(s) of the solicitation that stated the requirement(s), and indicate how their response failed to meet said specification(s) or requirement(s).]
* The solicitation has been cancelled and all responses have been rejected. The solicitation [will/will not] be reissued. [Describe the reason all responses are being rejected, which may include, but is not limited to:
	+ limitation or lack of available funds;
	+ available funding for the contractual services has been discontinued;
	+ prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds;
	+ error in specifications or indication that revisions would be to the State’s advantage;
	+ cancellation or changes in the intended project or other determination that the proposed requirement is no longer needed;
	+ the proposed amendments to the solicitation would be of such magnitude that a new solicitation is desirable;
	+ ambiguous or otherwise inadequate specifications were part of the solicitation;
	+ the solicitation did not provide for consideration of all factors of significance to the buying entity;
	+ lack of competitiveness by reason of collusion or knowledge that reasonable available competition was not received;
	+ there is reason to believe the responses may not have been independently arrived at in open competition, may have been collusive, or may have been submitted in bad faith;
	+ federal regulation prohibits the award;
	+ the solicitation expired pursuant to PPRB OPSCR Rules and Regulations Section 3-102.01.1, Expiration of Solicitation;
	+ credible evidence has been presented that the procurement was tainted;
	+ the agency discovered an issue of competition, fairness, or transparency; etc.]
* The response was faxed, and a formal sealed response was required.
* The response was not legible.
* The proposed price is clearly not fair and reasonable in comparison to both market research and historical data.
* The [proposal or qualification] revealed the name of the offeror who submitted the [proposal or qualification] to the evaluation committee before the Technical and Cost factors had been evaluated.
* [Insert reason not listed]

The rejected response will be retained in the procurement file.

If you have any questions, please contact [Insert Procurement Officer Name, Title] at [Insert Ten Digit Phone Number or Email Address].

We appreciate your interest in doing business with the State of Mississippi.

Sincerely,

[Insert Name, Title]

[Insert Agency Name]

[Insert Address]

[Insert City, State Zip Code]

Phone: [Insert Ten Digit Phone Number]

Fax: [Insert Ten Digit Fax Number]

Email: [Insert Email Address]