

# Training Course

## **Basic Purchasing For Centralized Agencies**

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[www.doa.la.gov/pages/osp/Index.aspx](http://www.doa.la.gov/pages/osp/Index.aspx)

September, 2015

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# Section I: Purchasing Process

## A. Identify Need

An agency identifies its needs and determines which goods or services will satisfy those needs. The agency gathers all information that will help to simplify the procurement process, including specifications, potential sources, proper UNSPSC commodity codes and updated estimated cost, and then determines the appropriate method of procurement.

## B. Methods of Procurement

### 1. Statewide Contracts

OSP develops statewide contracts in various commodity areas in order to group the needs of the different agencies, to standardize, to consolidate usage for lower prices and reduce administrative costs. Contracts are developed because the need is recognized by repeat purchases, or agencies request them.

Contracts are agreements whereby participating agencies can purchase directly at the prices and terms established in the contract. Contracts allow agencies the convenience of purchasing items directly without having to competitively bid each time they buy those items.

An agency determines whether the goods or services they need are available on a state contract, and whether the terms of the contract meet the agency's needs.

Most state contracts are available for convenience and their use is **not mandatory**. Many of these contracts have minimum order requirements. All agencies may purchase from statewide contracts if they meet the minimum order requirement, unless the contract is for specific agencies or areas of the state, or unless excluded by other provisions. **There are no maximum dollar limits for contract release orders when purchasing from most statewide contracts, unless set internally by the individual agency. Refer of OSP Memorandum 13-02 on OSP website for purchasing limits for microcomputer and peripheral contracts.**

If the use of a contract is **mandatory**, this should be shown on the Header Text in LaGov or in Contract Notes in LA eCat Search. Agencies are required to use mandatory contracts, unless their quantities do not meet the minimum order requirements or the items do not meet their needs, in which case they must seek written approval from the Chief Procurement Officer to bypass the contract.

Although most contracts are non-mandatory, agencies are encouraged to compare prices on contract prior to making a purchase by another method. Agencies are also encouraged to shop and to compare products on contracts where same or similar items appear on more than one contract, and to make a best value decision when making a selection.

Many of our statewide contracts require agencies to comply with **LAPS (Louisiana Pricing Schedules)** procedures. LAPS is the acronym used to describe those contracts that were established as Brand Name, LaMAS or Multi-State contracts.

State Procurement has issued rules for the LAPS program to ensure that all users of these contracts are good stewards of the taxpayers' money. The rules require that, when the total procurement exceeds \$25,000.00, all eligible users of any of these contracts must compare contracts and seek best value procurements where multiple contracts exist for like or similar items.

These rules can be found in the Louisiana Administrative Code, Title 34, Part V, Section 1709. These rules are also attached to OSP Memo 08-02, which can be viewed on our website. State Procurement maintains a list of all contracts to which these rules apply on OSP's website.

**LA eCat** - Louisiana's Electronic Catalog (**eCat**) is an internet-based contract search tool for items on state contract for use by state agencies, quasi state agencies, and political subdivisions of the state. LA eCat can be accessed directly from OSP's home page. Just click on LA's Electronic Catalog (LA eCat) – Contract Search link under Procurement Tools.

**2. Non-Contract Purchases**

Purchases where a single transaction is \$5,000 or less are non-competitive. These purchases should be handled by P-card or a Purchase Order issued by the agency.

**3. Sheltered Workshop Purchase (RS 39:1594.I)**

An agency can purchase directly from a sheltered workshop without competitively bidding. Agency may obtain quote from Employment Development Services (EDS) or issue a Purchase Order, sourcing the Contract, against State Use Contract No. 4400007380\*\*. Phone number for EDS is (800) 927-1610.

**4. Prison Enterprise Purchase (RS 15.1157.A(1))**

An agency can purchase directly from Prison Industries. Agency may obtain quote from Prison Industries or issue a Purchase Order, sourcing the Contract against Prison Enterprise Contract No. 4400000932\*\*.

\*\* The above Contract Numbers will always remain the same (Never Expire).

**5. Exemptions to Competitive Bidding**

**Small Purchases Executive Order BJ 2010-16**

There are exclusions from competitive bidding in unlimited dollar amounts as outlined in Executive Order BJ 2010-16, Section 5A except for A(14), A(24), A(26), and A(30) which have specified dollar limits. See attached Appendix 5.

There are also exceptions to the requirements for bidding in Section 5B of the Small Purchases Executive order. See attached Appendix 5.

### **Sole Source (RS 39:1597, Rules & Regs. Sect. 901-907)**

A Sole Source condition exists when a particular item or service is available from only one supplier (usually the manufacturer) and is unique in that no other will be suitable or acceptable to meet the need. Conditions for use include:

- a. Compatibility is the paramount consideration.
- b. A sole supplier's item is needed for trial use or testing.
- c. Procurement of items for resale.
- d. Procurement of public utility services.
- e. Registered breeding stock on a selective basis with approval by Commissioner of Agriculture and specialist.
- f. Other livestock on a selective basis w/ approval from Commissioner of Agriculture up to \$1500.00. Over \$1500 requires approval of Chief Procurement Officer.

A sole source file should include a declaration of sole source letter from the vendor and justification from the agency as to why no other product will be suitable or acceptable to meet its need. Determination as to whether procurement shall be made as a sole source shall be made in writing by the chief procurement officer, or head of a purchasing agency. This written determination should also be included in the file.

## **6. Competitive Purchases**

If the agency determines that the goods or services required are not available through a state contract or if they do not choose to utilize an existing contract (if the contract is non-mandatory), or not available through a sheltered workshop or Prison Enterprises, and the estimated dollar amount is greater than \$5,000 the agency must also create and submit a ProAct transmittal as well as create and submit a requisition/shopping cart to OSP along with back-up documents for the goods/services.

### **Prepare a Requisition/Shopping Cart**

- a. Enter all pertinent information for the requested goods/services requested on the requisition; i.e., quantity, unit of measure, description/specifications, updated estimated cost, desired delivery.
- b. Specifications should be clear, concise, but not restrictive.
- c. Desired delivery should be reasonable.
- d. Include any necessary special terms and conditions.

### **Proprietary Purchase (RS 39:1655, Rules & Regs. Sect. 109)**

A proprietary specification is one which cites a brand name, model number, or other designation which identifies a specific product to be offered, exclusive of others, but the product may be available from more than one source. If the estimated dollar amount of the purchase is over \$5,000, the agency must also create and submit a ProAct transmittal as well as create and submit a requisition/shopping cart to OSP for competitive bidding. Conditions for use include:

- a. Only one product will meet the State's needs due to compatibility, standardization or maintainability.
- b. Available from more than one source.
- c. Use of proprietary specifications must be justified by the agency head or his designee and approved by the chief procurement officer.
- d. Proprietary purchases **must be competitively bid**. Solicitation must state that the specifications have been approved as proprietary and that bids for only the specified brand/model, etc. will be considered.

**Emergency (RS 39:1598, Rules & Regs. Sect.1101-1111)**

An emergency condition is a situation which creates a threat to public health, welfare, safety or public property. The existence of such conditions creates an immediate and serious need for supplies, services, or major repairs which would seriously threaten:

1. The functioning of Louisiana Government
2. The preservation or protection of property, or
3. The health or safety of any person.

Emergency procurement shall be limited to only those supplies, services, or major repair items necessary to meet the emergency, as well as have the appropriate approvals and be in accordance with R.S. 39:1598 and LAC 34:I.1101-1111.

A record of emergency procurements for each FY must be submitted to OSP no later than November 1st annually to [\\_DOA-OSP-Reports@la.gov](mailto:_DOA-OSP-Reports@la.gov).

To include:

- Each contractor's name
- Amount of each purchase
- Listing of supplies, services, or major repairs procured
- Identification number of each purchase

**Who can authorize:**

- a) Head of Agency or designee must approve/validate emergency purchases over \$5,000
- b) *Prior* approval from OSP must be obtained, if time permits.
- c) If prior approval could not be obtained by OSP then information must be submitted to OSP by the next business day or as soon as time permits.

**Justification/ Backup needed:**

Written Justification/Approval of the head of state agency or designee

- a) Proclaimed the situation to be an emergency
- b) Explaining nature of emergency provided i.e. would normal procurement methods threaten the functioning of government, preservation of property, or health or safety of any person.
- c) Provide 3 quotes, if time permits (or justification/explanation why time did not allow)

Agency must create and submit a ProAct transmittal as well as create and submit a requisition/shopping cart to OSP for processing.

## Section II: Special Commodities

### A. **Telecommunications** (RS 39:1751-1755, LAC Title 4 Part IX)

1. All telecommunications equipment, systems, and related services for the purchase, lease, or rental by any state agency shall have prior approval from the Office of Telecommunications Management except as outlined in OTM Memo 13-01.
2. Purchasing for telecommunications equipment, systems, and services shall be done by State Purchasing.
3. State agencies shall use telecommunications contracts if available.

### B. **Information Technology** (LAC 34, Chapter 55) (Purchasing Rules & Regs. Sections 5501 - 5519), also Guidelines for the Procurement of Information Technology Hardware, Hardware Maintenance, Software, Software Maintenance and Support Services on OSP's website

1. Provides for the acquisition of Information Technology hardware, software and maintenance for all state agencies.
2. The Procurement Support Team (PST) reviews all acquisitions \$100,000 or greater. Team membership is comprised of representatives from State Procurement, Legislative Legal Staff, Legislative Fiscal Office, the user agency, with technical assistance from the Office of Technology Services.
3. Installment purchases for up to 60 months can be used.
4. Data Processing equipment can be disposed of by advertisement to other agencies or by trade-in.

### C. **Printing**

1. Per MEMORANDUM OSP 15-08, Effective July 1, 2015, the Office of State Procurement (OSP) hereby rescinds those provisions of Delegated Purchasing Authority (Memorandum OSP 03-13) which authorized an agency's delegated printing and engraving authority to be equal to their delegated authority to purchase other commodities currently on file. Commencing July 1, 2015, the purchase of printing is restricted, and all printing shall be done strictly in accordance with PPM 64, §2703. Memorandum OSP 15-08 can be accessed at <http://www.doa.la.gov/osp/AgencyCenter/memos/2015/OSP15-08.pdf> PPM 64 can be accessed at <http://doa.louisiana.gov/osr/PPM/PPM64.pdf>
2. All initial requests for printing or the purchase of printing shall be forwarded directly to State Printing. If State Printing notifies an agency in writing that State Printing is unable to process the printing request, the agency shall forward that request and associated notice to the Office of State Procurement. Link to State Printing website and Contact Info.

Exempted agencies may use the Office of State Printing for your printing needs. However, if an exempt agency chooses to bypass the Office of State Printing, any purchase of printing will continue to be in accordance with the Louisiana Procurement Code and Small Purchase Executive Order. Current statewide printing contracts are located at [http://www.prd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp\\_eCatSearch.cfm](http://www.prd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearch.cfm)

**D. Used Equipment (RS39:1600.C, Rules & Regs. Section 905B)**

1. Agency must present cost effective information.
2. Must be purchased within price range set by the Director of State Purchasing or the Directors of Purchasing at colleges and universities in his/her statement of approval for the purchase.
3. Head of agency, college or university shall certify the following in writing to the Director of State Purchasing, College or University:
  - a. Price of used equipment
  - b. Plan for maintenance and repair of equipment including cost
  - c. Savings that will accrue to the state by purchasing used equipment.
  - d. Statement of fact that procedures set out in the Louisiana Procurement Code will result in the loss of the opportunity to purchase the equipment.

**E. Labor and Materials Projects (RS 38:2241)**

1. Projects that require skilled laborers (plumbers, electricians, etc.)
2. Up to and including \$5,000 may be processed at the agency.  
  
Not necessary to reduce to a contract.
3. Per Exec. Order 2010-16, over \$5000 must be sent to State Procurement for processing, and must be reduced to a contract.
4. Additional requirements are applicable to labor and materials projects.

**F. Vehicles (OSP Website, go to “Contracts”, then “Vehicle Contracts”)**

1. Procedures for vehicles apply to **all state agencies**, including those exempted by R.S. 39:1572.
2. All request must have obtained written approval from Fleet Manager at LPAA prior to submittal to OSP.
  - a. Letter of Intended Use (including option justification) in accordance with the Commissioner of Administration’s guidelines.

1. Detail of the intended use
2. Estimated annual mileage
3. Number of expected occupants
4. Types of primary travel.

b. DA-121 Condition Report for Trade-in Vehicle

c. Alternative Fuel Form-1 (approved by LPAA)

3. For each new vehicle requested, an existing vehicle must be relinquished to Louisiana Property Assistance Agency (LPAA) – Surplus Property. If no trade-in vehicle exists, sufficient justification and budget approval for an addition to the agency's fleet must accompany the request and will require LPAA review and approval. All requests must be addressed to the Commissioner of Administration.
4. Agency request must be forwarded to the Office of State Procurement for processing. All purchase orders for state vehicles must be issued by OSP.
5. All newly purchased state-owned vehicles must be delivered to the LPAAI for inspection, receipt and acceptance to ensure compliance with the contract and order specifications.

**G. Elevator Maintenance**

All requests from **non-exempt agencies** for elevator maintenance are to be processed through the Office of State Procurement.

**H. Equipment Financing (on website, under “Agency Center”)**

The Office of State Procurement established one financing program (LEAF) to finance equipment such as those items which historically have been rented or leased and those equipment items historically placed in the bond portion of the Capital Outlay Bill.

\* Louisiana Equipment Acquisition Fund (LEAF)  
A self-administered internal finance program

The eligible program participants are all budgeted state agencies within the General Appropriation and Ancillary Appropriations Acts.

Agencies should contact State Purchasing to determine eligibility for either program. All financed purchases are processed by OSP.

Agencies may use their rental money for finance purchases instead of equipment money.

\*\*\*\*\*

## Section III: Deficiency Complaints

The Deficiency/Complaint form can be accessed and transmitted to the Office of State Procurement on their website, [www.doa.la.gov/pages/osp/Index.aspx](http://www.doa.la.gov/pages/osp/Index.aspx).

If used correctly, the deficiency/complaint report can effect better vendor performance, improved contracts and increased customer satisfaction. Agencies are encouraged to document and report all poor or deficient performance. End users need to understand the importance of ongoing documentation and reporting and not wait until it is time to award a new contract to decide that the product does not meet their needs. It is impossible for the contract manager to improve specifications or disqualify products that meet specifications without previous documentation.

The following steps should be followed if any problems occur:

1. Agency encounters problems
  - a. late delivery
  - b. inferior merchandise
  - c. product substitution, etc.
2. Attempt to resolve  
It is suggested that the agency call the contractor to discuss the problem and follow up in writing with a copy to State Purchasing. Follow up with contractor until the problem is resolved or contact State Purchasing for assistance.
3. Complete Deficiency/Complaint Form  
Never include personal opinions.
4. Include all documentation  
Document the events that have taken place between the agency and the contractor, including all correspondence or verbal communication.
5. Send to State Purchasing
6. Resolution  
State Purchasing assigns log numbers to all deficiency/complaints with follow up procedures in place. Letters are written to the vendor requesting corrective action and his written response within a given time. A copy of the vendor's response is sent to the agency for comment and the logged complaint is not closed until the agency is satisfied with the resolution.

## Section IV: Help Desk

### **State Purchasing Help Desk**

The Office of State Procurement, formerly the Offices of State Purchasing and Travel and Contractual Review, has expanded its Help Desk and Customer Service system to better serve our customers, vendors and the public. All Purchasing and Professional Contracts inquiries can be directed as follows:

Emails (*preferred*):

Purchasing: [DOA-OSPhelpdesk@la.gov](mailto:DOA-OSPhelpdesk@la.gov)  
Professional Contracts: [DOA-PChelpdesk@la.gov](mailto:DOA-PChelpdesk@la.gov)  
Vendor Inquiries: [Vendr\\_inq@la.gov](mailto:Vendr_inq@la.gov)

Our Help Desk hours are Monday through Friday, 8AM to 5PM (CST). We will endeavor to respond to all requests within 24 hours. We do not guarantee a resolution to an inquiry in that time period, but will acknowledge the inquiry and communicate with the requestor as needed to gather more information. Please note: standard inquiries/requests may take longer than 24 hours to receive a response when submitted on a Saturday or Sunday when our office is closed.

# Section V: Additional Resources

## State Procurement's – Purchasing Website

A wealth of information may be accessed on OSP's website @ [www.doa.la.gov/pages/osp/Index.aspx](http://www.doa.la.gov/pages/osp/Index.aspx) including, but not limited to:

Contract information: [www.doa.la.gov/pages/osp/contracts\\_index.aspx](http://www.doa.la.gov/pages/osp/contracts_index.aspx)

Direct links to LaPAC and eCat

Legal information and search capability

Featured Contracts

Vendor Information

[www.doa.la.gov/pages/osp/Vendor\\_index.aspx](http://www.doa.la.gov/pages/osp/Vendor_index.aspx)

List of Economically Disadvantaged Business (EDS) or Small & Emerging Business Development (SEBD) [www.doa.la.gov/pages/osp/se/se.aspx](http://www.doa.la.gov/pages/osp/se/se.aspx)

“About Us”

OSP Purchasing & Travel Staff

State Agency and Quasi Agency/Political Subdivision lists

Agency Center: [www.doa.la.gov/pages/osp/agency\\_index.aspx](http://www.doa.la.gov/pages/osp/agency_index.aspx)

Procurement Handbook

RFP Manual

Equipment Financing

OSP Memos – Issued periodically by OSP to announce important issues, procedural changes, certain contract awards, new rules or guidelines, etc.

[www.doa.la.gov/pages/osp/agencycenter/Memos/list.aspx](http://www.doa.la.gov/pages/osp/agencycenter/Memos/list.aspx)

....and more

Online Forms

[www.doa.la.gov/pages/osp/Forms\\_index.aspx](http://www.doa.la.gov/pages/osp/Forms_index.aspx)

Travel and Purchase Card Information

[www.doa.la.gov/pages/osp/Travel/Index.aspx](http://www.doa.la.gov/pages/osp/Travel/Index.aspx)

# Appendices

## **Checklist for Requisition Review**

- \_\_\_ Is item on contract?
- \_\_\_ Is item exempt from bidding by Governor's small purchase executive order?
- \_\_\_ Desired delivery realistic?
- \_\_\_ Delivery instructions clear (how, when, as needed, one time, etc.)?
- \_\_\_ Correct class and subclass selected for each item?
- \_\_\_ Suggested vendors indicated (if known or applicable) in Preferred Supplier in LaGov or in internal notes?
- \_\_\_ Specifications are clear and unduly restrictive?
- \_\_\_ Brand name and number indicated (if known or applicable)?
- \_\_\_ Mandatory language removed when not necessary?
- \_\_\_ Correct unit of measure used for each item?
- \_\_\_ Quantity is clear (number per case/package/etc. indicated when applicable)?
- \_\_\_ Samples required?
- \_\_\_ Pre-bid beneficial?
- \_\_\_ Period of Inquiry beneficial?
- \_\_\_ Literature requested (if appropriate)?
- \_\_\_ Terms and conditions appropriate to purchase?
- \_\_\_ Special requirements for specific commodity?
- \_\_\_ Trade-in information listed (if applicable)?
- \_\_\_ How will award be made?
- \_\_\_ Warranty and installation addressed (if applicable)?
- \_\_\_ Licenses, certifications, insurance, etc. requested (if applicable)?
- \_\_\_ Site visit information indicated (if applicable)?
- \_\_\_ Training required (if applicable)?
- \_\_\_ Approvals obtained (internal/financing/rentals/etc.)?
- \_\_\_ Sole source, proprietary or emergency procedures have been followed? (if applicable)
- \_\_\_ Realistic estimated cost?

## Checklist for Emergency Purchase

*Appendix 1b*

- \_\_\_ Does an emergency situation exist?
- \_\_\_ Conforms to definition in RS39:1598?
- \_\_\_ Does the situation create an immediate need for the supplies or services?
- \_\_\_ What is the dollar value of the purchase? (More than \$5,000 requires prior approval)
- \_\_\_ Less than \$5000, or approval obtained from State Procurement
- \_\_\_ Has the chief procurement officer, head of state agency, or either officer's designee proclaimed the situation to be an emergency?
- \_\_\_ Has the chief procurement officer, head of state agency, or either officer's designee approved the purchase outside of normal procurement methods?
- \_\_\_ Would normal procurement methods threaten the functioning of government, preservation of property, or health or safety of any person?
- \_\_\_ Written justification explaining nature of emergency provided?
- \_\_\_ Effort made to obtain quotes (if delegated the purchase)?
- \_\_\_ Does time permit bidding of any type (fax, phone)?
- \_\_\_ Has the vendor submitted a quote/bid? Are the terms of the bid acceptable?
- \_\_\_ If not already obtained, has the vendor been notified to follow up with a written quote?
- \_\_\_ Is the quantity requested limited to only that necessary to meet the emergency?
- \_\_\_ What is it that is being requested? (complete description of the item)
- \_\_\_ When does delivery need to be made?
- \_\_\_ Are installation and/or training required?
- \_\_\_ Contact person and phone number at agency?
- \_\_\_ Is there a requisition or purchase order number?

# Sole Source Checklist

*Appendix 1c*

## Agency requirements

Letter signed by the head of an agency (or designee) on letterhead to include:

- \_\_\_\_\_ Justification/explanation of why specific product/service/repair is the only one that will meet their need. What qualities or features make it unique to meet their need? Is the uniqueness substantially related to the intended purpose, use and/or performance?
- \_\_\_\_\_ Agency must show that other similar goods or services cannot perform the desired objectives. What other manufacturers did they investigate and why they don't meet their need.
- \_\_\_\_\_ Statement that the sole provider is the only known source.

## Vendor requirements

Letter from the sole source vendor on signed letterhead. This should be from the national marketing representative (not a salesman). Letter is to include:

- \_\_\_\_\_ Firm price quote
- \_\_\_\_\_ Statement that they are the only known supplier of the product/service/repair
- \_\_\_\_\_ Statement that they do not sell this product(s) through distributors
- \_\_\_\_\_ Provide a published price list or signed and notarized typed listing of manufacturer's prices

If you have reason to doubt that it is a sole source, the purchase is to be bid.

# Requisition/Purchase Order Overview

*Appendix 2*

- Agency determines need, develops specification, selects proper commodity class-subclass(es)
- Agency personnel seeks/obtains any/all approvals necessary i.e. proprietary, budget, emergency, etc.
- Agency personnel reviews requisition, specifications, and selects appropriate terms and conditions and prepares requisition.
- If over Agency's Delegated Purchasing Authority (DPA), transmit requisition/shopping cart along with ProAct transmittal to OSP. All Centralized Agencies have \$5,000 DPA.
- If over DPA, agency will receive a copy of PO from OSP via ProAct.
- Goods are delivered to agency. Receipt and payment are processed.
- Agency personnel addresses any complaints that might develop before or after delivery.
- Agency personnel processes change orders, if needed.

## SPECIFICATION WRITING

### WHAT IS A GOOD SPECIFICATION?

- ✓ Clearly, understandable
- ✓ Legible
- ✓ Accurate
- ✓ Concise
- ✓ Simple but exact
- ✓ Identifiable, wherever possible, with some brand or specification already on the market
- ✓ Reasonable
- ✓ Competitive
- ✓ Flexible
- ✓ Results in an award

### WHY DO WE HAVE PROBLEMS?

Inadequate specs can cause:

1. No award ..... Rebid
2. Addenda
3. Numerous phone calls from vendors clarification
4. Calls to the end user to clarify the specifications
5. Lengthy award process which includes researching and understanding what you asked versus what was bid

## SPECIFICATION WRITING

### DO'S AND DON'TS

1. Do not use literature verbatim.  
Pick and choose what is necessary.
2. Do not use vague terms.  
Use language that is measurable.
3. Do not use only a brand name and model number.  
List a brand and model number to establish a quality level.
4. Do not be restrictive.  
Use tolerance ranges or “ approximates” to open range.
5. Do not specify unnecessary features.  
List all requirements needed.
6. Don't guess.  
Consult the user or vendors for information.
7. Don't consult just one vendor.  
Compare literature for competition, insuring specs are most current  
and model specified has not been discontinued.
8. Do not duplicate specifications.  
Be clear, concise and accurate.
9. Use the word “may” in language to describe advisory or optional requirement.  
Use the word “shall” to describe a command or mandatory requirement.

**SPECIFICATION WRITING  
COMPETITIVE BIDDING CHECKLIST**

	YES	NO
1. Describe the item, material, equipment or service that is needed?	-----	-----
2. Identify the minimum acceptable requirements?	-----	-----
3. Is the language simple and clear?	-----	-----
4. Are the specifications accurate and updated?	-----	-----
5. Are the specifications competitive?	-----	-----
6. Do you provide a methodology for award?	-----	-----
7. Have you adequately described the desired quantity, number in case, length in roll, size of container, number of days, months, etc.?	-----	-----
8. Is the proper unit of measure used?	-----	-----
9. What limitations are necessary? (e.g. weight, size, strength, compatibility, etc.)	-----	-----
10. Are tolerance ranges allowable on limitations?	-----	-----
11. Are there any special statutory or regulatory needs? (e.g. OSHA, fire/safety codes, etc.)	-----	-----
12. Are operator/maintenance manuals required?	-----	-----
13. Are there special delivery requirements?	-----	-----
14. Are there any installation needs? Are site preparations needed? (e.g. plumbing, electricity, etc.)	-----	-----

Specification Writing  
 Competitive Bidding Checklist

	Yes	No
15. What are the minimum needs for warranty?	-----	-----
16. Do the items or equipment have to be compatible with existing equipment? Did you properly identify the equipment?	-----	-----
17. Are there needs for convenience or switch overs from present systems to be considered?	-----	-----
18. Are any options necessary? (e.g. to repurchase, or increase or decrease quantities, cancellation, etc.)	-----	-----
19. Are any factors critical and to be used in the bid award? (e.g. delivery time, matching colors, etc.) Are they clearly stated in the solicitation?	-----	-----
20. Is insurance required?	-----	-----
21. Must vendor carry initial or replacement stock?	-----	-----
22. Is there a need for a pre-bid conference?	-----	-----
23. Is there a need for an onsite job visitation? Have you included the contact name and telephone numbers?	-----	-----
24. Are samples required?	-----	-----
25. Is literature or technical data required?	-----	-----
26. Is any inspecting or testing to be done?	-----	-----
27. Are any terms and conditions which protect the Interest of user listed?	-----	-----

Specification Writing  
 Competitive Bidding Checklist

	Yes	No
28. Did you verify that specified models are still available And have not been discontinued?	-----	-----
29. If the specification is for maintenance, have you identified The extent of the service required, i.e. parts, labor, travel, Hours service is required, number of inspections, pickups, etc.	-----	-----

In your judgment will the above specifications:

A. Buy the right quality? .....	-----	-----
B. Buy the right quantity? .....	-----	-----
C. Buy at the right time? .....	-----	-----
D. Buy at the right price? .....	-----	-----

# Most Common Procurement Methods *Appendix 4*

Mandatory Statewide Competitive Contracts (ex: elevators, vehicles)	<p>If the purchase meets the minimum requirement of a statewide competitive contract:</p> <ul style="list-style-type: none"> <li>• Agency issues Contract Release Order/Sourced PO to contractor; or</li> <li>• Agency may submit justification to OSP to exempt purchase from contract if contract will not meet their needs and then bid accordingly</li> </ul>
Non-mandatory (Non Exclusive) Statewide Contracts	<p>If the purchase meets the minimum requirement of a non-mandatory statewide contract or statewide brand name contract:</p> <ul style="list-style-type: none"> <li>• Agency may issue a Contract Release Order/Sourced PO or pays via LaCarte card to contractor;</li> <li>• LA eCat (Louisiana’s Electronic Catalog) contract search can be found on the OSP website at <a href="http://www.prd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearch.cfm">http://www.prd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearch.cfm</a></li> </ul>
LaPS Contracts: Brand Name, LaMAS, or Multi State Contract	<p>LaPS (Louisiana Pricing Schedules)</p> <ul style="list-style-type: none"> <li>• Require all eligible users of these contracts to compare contracts</li> <li>• Seek best value procurements where multiple contracts exist for like or similar items through Request for Responses (informal process)</li> <li>• List of eligible contracts can be found at <a href="http://www.doa.la.gov/osp/contracts/LaPScontracts.pdf">http://www.doa.la.gov/osp/contracts/LaPScontracts.pdf</a></li> <li>• Rules: <a href="http://www.doa.la.gov/osp/agencycenter/Memos/2008/OSP08-02.pdf">http://www.doa.la.gov/osp/agencycenter/Memos/2008/OSP08-02.pdf</a></li> </ul>
Sole Source Purchase	<p>If the purchase is available from only one source and is not sold through distributors:</p> <ul style="list-style-type: none"> <li>• Must be identified as sole source prior to acquisition.</li> <li>• Agency submits letter stating why no other product is suitable or acceptable for their needs, the unique characteristics, and a statement that it is sold by only one known source. Letter must be from an agency head or his designee.</li> <li>• Other conditions for sole source: <ul style="list-style-type: none"> <li>• where compatibility is the paramount consideration,</li> <li>• where a sole supplier’s item is needed for trial use or testing,</li> <li>• procurement of items for resale,</li> <li>• procurement of public utility services,</li> <li>• registered breeding stock on a selective basis and other livestock on a selective basis with special approvals.</li> </ul> </li> <li>• Agency obtains letterhead statement from sole source vendor (corporate marketing – not sales representative) declaring that product is sold only by his company and is not sold through a distributor network.</li> <li>• Vendor must also provide a price quote, and a notarized price list or published price list.</li> </ul>
Proprietary Purchase	<p>If there is only one product suitable for the agency’s needs but it is sold through distributors:</p> <ul style="list-style-type: none"> <li>• Agency submits letter stating why only one brand name or item is suitable for their needs and the necessitated circumstances or unique characteristics. Letter must be from an agency head or his designee.</li> <li>• Requisition must contain language indicating that the purchase has been approved as a proprietary purchase.</li> </ul>

Sheltered Workshop Purchase	Agency may obtain quote from Employment Development Services (EDS) or issue a Contract Release Order (CRO)/ Sourced PO against State Use Contract No. 4400007380.
Prison Enterprise Purchase	<ul style="list-style-type: none"> <li>Agency may obtain quote from Prison Industries or issue a Contract Release Order (CRO)/Sourced PO against Prison Enterprise Contract No. 4400000932.</li> </ul>
Emergency Purchase	<p>Any state agency may make emergency procurement of less than \$5,000 when an emergency condition arises and the need cannot be met through normal procurement methods, provided that whenever practical, approval by the chief procurement officer shall be obtained prior to the procurement. Prior to all such emergency procurement of \$5,000 or more, the chief procurement officer (CPO), head of a state agency, or either officer's designee shall approve the procurement. FAX requests should be obtained/submitted if time permits, and must contain adequate justification for the emergency. An emergency condition is a situation which creates a threat to public health, welfare, safety, or public property such as may arise by reason of floods, epidemics, riots, equipment failures, or such other reason as may be proclaimed by the chief procurement officer. The existence of such condition creates an immediate and serious need for supplies, services, or major repairs that cannot be met through normal procurement methods and the lack of which would threaten the functioning of Louisiana government, the preservation or protection of property, or the health or safety of any person.</p> <ul style="list-style-type: none"> <li>Obtain C.P.O. approval – mandatory if \$5,000 or more</li> <li>Obtain quotations from 3 bona fide or more vendors when time permits.</li> <li>Prepare written determination of emergency.</li> </ul>
Small Purchase ≤ \$5000	<ul style="list-style-type: none"> <li>No competitive bidding is required</li> <li>Obtain a written quote from vendor in records.</li> </ul>
Small Purchase >\$5000 (non-contract)	<ul style="list-style-type: none"> <li>Create a ProAct transmittal and a Requisition/Shopping Cart</li> <li>Submit both to OSP along with all required documentation</li> </ul>
Purchases Exempt from competitive bidding by Governor's Small Purchase Executive Order (Sec 5A & 5B)	<ul style="list-style-type: none"> <li>Agency obtains price quote(s) in accordance with executive order and issues a purchase order, if within delegated authority,</li> <li>Latest version of the Executive order can be found on our website at <a href="http://www.doa.la.gov/pages/osp/Index.aspx">http://www.doa.la.gov/pages/osp/Index.aspx</a></li> </ul>

Used Equipment Purchase	<ul style="list-style-type: none"><li>• (See R.S 39:1600)</li><li>• Agency must present satisfactory cost effective information</li><li>• Must be purchased within price range set by Director of State Purchasing or the Director of purchasing at colleges and universities in her/his statement of written approval for the purchase</li><li>• Head of agency, college or university shall certify the following in writing to the Director of State Purchasing, College or University:<ul style="list-style-type: none"><li>- Price of used equipment</li><li>- Plan for maintenance and repair of equipment including cost</li><li>- Savings that will accrue to the State by purchasing used equipment</li><li>- Statement of fact that procedures set out in the Louisiana Procurement Code will result in the loss of the opportunity to purchase the equipment.</li></ul></li></ul>
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**EXECUTIVE DEPARTMENT**  
**Executive Order No. BJ 2010 - 16**

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***SMALL PURCHASE PROCEDURES***  
**Exemptions**

**SECTION 5:**

Except as provided in subsection A(14), A(24), A(26), or A(30) of this section, the following items are considered small purchases regardless of price and may be procured in the following manner:

A. No competitive process is required for the following items:

1. Repair parts for equipment obtained from a Louisiana authorized dealer shall be used if available. This provision does not apply to the stocking of parts;
2. Equipment repairs obtained from a Louisiana authorized dealer shall be used if available;
3. Vehicle repairs not covered by a competitive state contract or the state fleet maintenance repair contract obtained from a Louisiana authorized dealer shall be used if available;
4. Vehicle body repairs covered by insurance recovery and in accordance with insurance requirements;
5. Livestock purchased at public auction;
6. Purchasing or selling transactions between state budget units and other governmental agencies;
7. Publications and/or copyrighted materials purchased directly from the publisher or copyright holder;
8. Publications and/or copyrighted materials purchased by libraries or text rental stores from either subscription services or wholesale dealers which distribute for publishers and/or copyright holders;

9. Public utilities and services provided by local governments;
10. Prosthetic devices, implantable devices, and devices for physical restoration which are not covered by a competitive state contract;
11. Educational training and related resources (except equipment) used to enhance the performance of state employees and good standing of state agencies, including memberships in and accreditations by professional societies and organizations, except for customized training which is covered under R.S. 39:1481, *et seq.*;
12. Purchases for clients of blind and vocational rehabilitation programs not covered by competitive state contract which are federally funded at a rate of at least 78.7%, regulated by Title 34, Parts 361, 365, 370, and 395 of the Code of Federal Regulations, and in accordance with OMB Circular A-102;
13. Materials, supplies, exhibitor fees, and exhibit booths for conferences, seminars, and workshops, or similar events (business, educational, promotional, cultural, etc.) for participation in promotional activities which enhance economic development or further the department's mission, duties and/or functions, with the approval of the department secretary, or agency equivalent, if not covered by competitive state contract;
14. Wire, related equipment, time and material charges to accomplish repairs, adds, moves, and/or changes to telecommunications systems not exceeding two thousand five hundred dollars (\$2,500);
15. Working class animals trained to perform special tasks, including, but not limited to, narcotics detection, bomb detection, arson investigation, and rescue techniques;
16. Food, materials, and supplies for teaching and training where the purchasing, preparing, and serving of food are part of the regularly prescribed course;
17. Shipping charges and associated overseas screening and broker fees between international and domestic origins and destinations;
18. Parcel services, including but not limited to Federal Express, United Parcel Service, Airborne Express, and Express Mail;
19. Renewal of termite service contracts;
20. Purchase of supplies, operating services, or equipment for

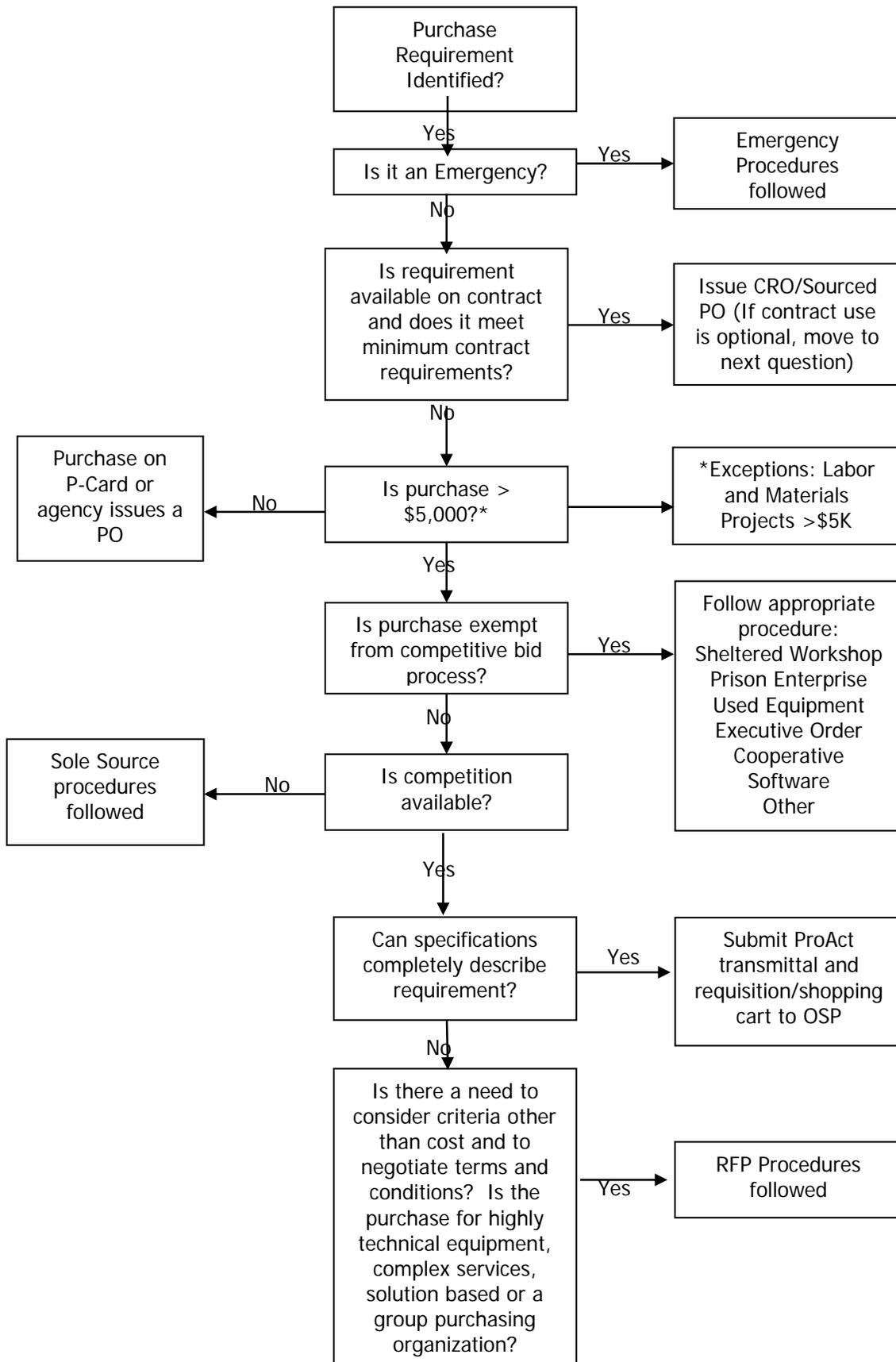
Louisiana Rehabilitation Services, Traumatic Head and Spinal Cord Injury Trust Fund Program. Although competitive bidding is not required under this paragraph, whenever practicable, three (3) quotations from bona fide, qualified vendors should be obtained. Whenever possible, at least one (1) of the bona fide, qualified vendors shall be a certified small and emerging business, a small entrepreneurship, or a veteran or service-connected disabled veteran-owned small entrepreneurship;

21. Purchasing of clothing at retail necessary to individualize clients at state developmental centers in compliance with Federal Regulations for ICF/MR facilities;
22. Health insurance for the managers of Randolph-Sheppard programs, as defined by 20 U.S.C. § 107, *et seq.*, and paid from income generated by unmanned vending locations;
23. Purchases made to resell as part of a merchandising program with the written approval on file from the secretary of the department, or agency equivalent, when it is not practical or feasible to obtain competitive price quotations;
24. Commercial Internet service not exceeding one thousand five hundred dollars (\$1,500) per subscription per year;
25. Advertising, where permitted by law and after the head of an agency or designee certifies that specific media is required to reach targeted audiences;
26. Scientific and laboratory supplies and equipment when procured by colleges and universities for laboratory or scientific research not to exceed twenty-five thousand dollars (\$25,000) per transaction;
27. Publication of articles, manuscripts, etc. in professional scientific, research, or educational journals/media, and/or the purchase of reprints;
28. Livestock sperm and ova;
29. Royalties and license fees for use rights to intellectual property, such as, but not limited to: patents, trademarks, service marks, copyrights, music, artistic works, trade secrets, industrial designs, domain names, etc.;
30. Equipment moves by the original equipment manufacturer or authorized dealer to ensure equipment operation to original equipment manufacturer specifications, calibration, warranty, etc. not to exceed twenty-five thousand dollars (\$25,000) per transaction;

31. Mailing list rentals or purchases; and
  32. Art Exhibition rentals and/or loan agreements and associated costs of curatorial fees, transportation, and installation.
- B. For the following items, telephone or facsimile price quotations shall be solicited, where feasible, to at least three (3) bona fide, qualified vendors. Whenever possible, at least one (1) of the bona fide, qualified vendors shall be a certified small and emerging business, a small entrepreneurship, or a veteran or service connected disabled veteran-owned small entrepreneurship.
1. Farm products including, but not limited to, fresh vegetables, milk, eggs, fish, or other perishable foods, when it is determined that market conditions are unstable and the competitive sealed bidding process is not conducive for obtaining the lowest prices.
  2. Food, materials, and supplies needed for:
    - a. Operation of boats and/or facilities in isolated localities where only limited outlets of such supplies are available; and/or
    - b. Juvenile detention homes and rehabilitation facilities/homes where the number of inmates, students, or clients is unstable and unpredictable.
  3. Convention and meeting facilities, provided that any associated food or lodging must be in accordance with Policy & Procedure Memorandum No. 49 – General Travel Regulations.
  4. Gasoline and fuel purchases not covered by competitive state contract.
  5. Equipment for blind operated facilities not covered by competitive state contract.
  6. Feed commodities, including but not limited to soybean meal, cottonseed meal, and oats.
  7. FAA PMA approved aircraft parts and/or repairs, inspections, and modifications performed by an FAA certified mechanic and/or at an FAA certified repair station in accordance with FAA requirements with approval by the head of the agency or head of the Office of Aircraft Services, Division of Administration.
  8. Air and bus charters in accordance with PPM 49, including group travel that does not qualify for commercial rates available to individual travelers.

# ASK YOURSELF THESE QUESTIONS WHEN DETERMINING PROCUREMENT METHOD

*Appendix 6*



### DEFICIENCY/COMPLAINT REPORT

Complete this form to report complaints against vendors, commodities, or to report any unsatisfactory service by the Purchasing Section. Be sure to furnish all necessary detail so that a satisfactory settlement of the complaint can be made. Please verify all information to insure accuracy. Complaint reports become a permanent record of the commodity or vendor concerned and must be accurate to guarantee an equitable settlement to serve as a guide for future action.			
Agency		Name and Address of Vendor	
Date of Complaint			
Contract Number	Purchase Order Number		
Commodity or Service Covered by Complaint			
<b>NATURE OF COMPLAINT</b> (check all that apply)			
<b>DELIVERY</b>	<b>QUALITY</b>	<b>OTHER</b>	
<input type="checkbox"/> Delivery not made on date ordered or promised	<input type="checkbox"/> Quality of Commodity is inferior	<input type="checkbox"/> Invoice price higher than authorized	
<input type="checkbox"/> Delivery made at an unsatisfactory hour	<input type="checkbox"/> Unsatisfactory and unauthorized substitute	<input type="checkbox"/> Weight received at variance with invoice or shipping ticket	
<input type="checkbox"/> Delivery made to wrong destination	<input type="checkbox"/> Unsatisfactory workmanship in installation of commodity	<input type="checkbox"/> Quantity delivered in excess of order	
<input type="checkbox"/> Improper method of delivery	<input type="checkbox"/> Commodity lacks required inspection stamps	<input type="checkbox"/> Quantity delivered less than ordered	
<input type="checkbox"/> Unauthorized delivery made before issuance of order			
<input type="checkbox"/> Delivery in damaged condition			
<b>REMARKS</b>			
NOTE: Give detailed explanation of complaint in this space. Indicate manner in which you suggest complaint be settled. Be specific. If necessary to submit additional documentation, please include a copy of this form with your faxed or mailed documents.			
<b>Instructions to Agency</b>  Print copy for your records prior to submittal.	Complaint Initiated By (Name)	Title	Phone No.
	Complaint Form Executed By (Name)	Title	Phone No.
	Your Email Address:		

Action Taken:

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