

Source Selection and Contract Formation

3.101 Purchasing Procedures

3.101.01 Definition of Terms Used in this Section

- (1) Established Catalog Price – the price included in a catalog, price list, schedule, or other form that:
 - (a) Is regularly maintained by a manufacturer or contractor;
 - (b) Is either published or otherwise available for inspection by customers; and
 - (c) States price at which sales are currently or were last made to a significant number of any categories of buyers or buyers constituting the general buying public for the supplies or services involved.
- (2) Invitation for Bids – all documents, whether attached or incorporated by reference, utilized for soliciting bids.
- (3) Purchase Description – the words used in a solicitation to describe the commodities, equipment, or construction to be purchased and includes specifications attached to, or made a part of, the solicitation.
- (4) Request for Proposals – all documents, whether attached or incorporated by reference, utilized for soliciting proposals.
- (5) Responsible Bidder or Offerer – a person who has the capability in all respects to perform fully the contract requirements and the integrity and reliability which will assure good faith performance.
- (6) Responsive Bidder – a person who has submitted a bid which conforms in all material respects to the Invitation for Bids.
- (7) Reverse Auction – an electronic auction where suppliers bid online against each other for contracts against a published specification.
- (8) Electronic Bids – allows for the online submission of bids. It is a fast, secure and fully audited environment in which suppliers can upload bid files to buyers.
- (9) Online Auctions – an auction where items are sold over the internet.

3.101.02 Exemptions Not Requiring Approval

Unless otherwise ordered by regulation of the Public Procurement Review Board (PPRB), the following listed items are exempt from the competitive bid process and do not require approval of the [Office of Purchasing, Travel and Fleet Management](#) except as may be required when submitting an [Inventory Deletion Form](#).

<http://www.dfa.state.ms.us/Purchasing/Home.html>

- (1) Transactions listed in [Section 31-7-13\(m\), Mississippi Code of 1972, Annotated](#)
- (2) Transfer, sale, or exchange of personal property between state agencies or between state agencies and governing authorities - (For transfer, sale or exchange of vehicles, see [State Fleet Manual](#).)
- (3) Service contracts provided by businesses or persons which do not include the acquisition of a commodity or equipment
- (4) Transportation of items (freight charges) - This exemption shall not apply to the travel contracts established by the [Office of Purchasing, Travel and Fleet Management](#).
- (5) Postage
- (6) Workers Compensation Insurance and Personnel Bond required by law
- (7) Utilities
- (8) Commodities purchased for resale
- (9) Highway right-of-way and highway construction contracts governed by specific laws dealing with such contracts
- (10) Food and lodging reimbursable on a travel voucher
- (11) Maintenance contracts except those under the purview of the [Department of Information Technology Services](#)
- (12) Live animals
- (13) Textbooks
- (14) Library books and other reference materials purchased by or for libraries
- (15) Purchases of original artwork and artifacts by museums for public display
- (16) Purchases of original artwork (paintings, statues, sculptures, etc.) for public display
- (17) Subscriptions
- (18) Purchases made from state operated industries such as [Mississippi Industries for the Blind](#).

3.101.03 Exemptions Requiring Approval

Unless otherwise ordered by regulation of the Public Procurement Review Board (PPRB), the following listed items are exempt from the competitive bid process;

however, these purchases do require P-1 approval of the [Office of Purchasing, Travel and Fleet Management](#).

- (1) Non-competitive items that are available from only one source;
- (2) Items purchased for research that are available from only one source