



DPH Procurement Services Policy PR 11001



GEORGIA DEPARTMENT OF PUBLIC HEALTH POLICY # PR-11001 PROCUREMENT SERVICES POLICY AND PROCEDURE

Approval:	 Janie Brodnax, Chief Operations Officer	7/16/2013 Date
	 James C. Howgate, Chief of Staff	8/1/13 Date

1.0 PURPOSE

This policy contains guidelines for the purchase of commodities and contractual services as required to support the duties and responsibilities of the Department of Public Health. This policy directs the continued development of centralized procurement policies and practices.

1.1 AUTHORITY – The Georgia Department of Public Health (DPH) Procurement Services Policy is published under the authority of DPH and in compliance with the following:

1.1.1 Official Code of Georgia Annotated (OCGA), Sections:

§50-5-1, State Purchasing Act
§50-5-3, State Purchasing
§50-5-50 through §50-5-81, General Authority, Duties, and Procedures
§13-1-1 through §13-1-10, Contract defined
§13-10-91, Verification of New Employee Eligibility
<http://www.lexisnexis.com/hottopics/gacode/Default.asp>

1.1.2 State Accounting Office (SAO), Accounting Policy and Accounting Procedures Manuals

http://sao.georgia.gov/00/channel_createdate/0,2095,39779022_141768085,00.html
http://sao.georgia.gov/00/channel_createdate/0,2095,39779022_138756593,00.html

1.1.3 Georgia Records Act. (O.C.G.A.) §50-18-90 et seq.

http://sos.georgia.gov/archives/who_are_we/rims/best_practices_resources/georgia_records_act.htm
http://sos.georgia.gov/archives/pdf/state_spec_reports/2011StateGovernmentSchedules.pdf

1.1.4 Georgia Open Records Act. (O.C.G.A.) §50-18-70 through §50-18-77 et seq.

http://sos.georgia.gov/archives/who_are_we/rims/best_practices_resources/open_records_act.htm

1.1.5 Code of Federal Regulations (CFR), 45 CFR 92.36, Procurement

<http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi>

Department of Public Health POLICY AND PROCEDURES Procurement Services	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
	Page No.	2 of 27		

- 1.1.6 Federal Acquisition Regulation (FAR), Subpart 4.11
<http://www.acquisition.gov/>
- 1.1.7 Federal Acquisition Regulation (FAR), Subpart 9.4
<http://www.acquisition.gov/>
- 1.1.8 Health and Human Services Acquisition Regulation (HHSAR), Policy On Promoting Efficient Spending, Attachment 2, Sections 2.4, 2.5
http://www.hhs.gov/asfr/ogapa/acquisition/appfundspol_att2.html
- 1.1.9 Code of Federal Regulations (CFR) 2 CFR 176 American Recovery and Reinvestment Act (ARRA) of 2009, Buy American Provisions, Section 1605
http://ecfr.gpoaccess.gov/cgi/t/text/textidx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr176_main_02.tpl
- 1.1.10 19 United States Code (USC) Chapter 12, Trade Act of 1974
<http://uscode.house.gov/download/pls/19C12.txt>
- 1.1.11 Official Code of Georgia Annotated (O.C.G.A.) §Section 45-10-1, State Employee Code of Ethics and Conflicts of Interest
<http://ethics.ga.gov/wp-content/uploads/2011/05/Codes-of-Ethics-2011.pdf>
- 1.1.12 Georgia Department of Administrative Services (DOAS), State Purchasing Division, Georgia Procurement Manual
http://pur.doas.ga.gov/gpm/MyWebHelp/GPM_Main_File.htm
- 1.1.13 Georgia Department of Public Health Purchasing Card Policy, PR-11002
<http://health.state.ga.us/phil/dph/docs/Policies%20and%20Procedures/Procurement/PR-11002%20Purchasing%20Card%20Policy.PDF>
- 1.1.14 Georgia Department of Public Health Alien Residency Verification Policy, GC-09008
<http://health.state.ga.us/phil/dph/docs/Policies%20and%20Procedures/Legal/Policy%20GC-09008%20Alien%20Residency%20Verification.PDF>

2.0 SCOPE

This policy applies to all of the Department of Public Health.

3.0 POLICY

- 3.1 All commodities, contractual services and construction related projects will be procured by the Department in accordance with Georgia Code, Georgia State Finance Investment Commission (GSFIC) standards, Department of Administrative Services (DOAS) Guidelines, Department Policy, requirements of the Americans with Disabilities Act (ADA), and in compliance with applicable Federal laws and promulgated rules.

Department of Public Health POLICY AND PROCEDURES Procurement Services	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
	Page No.	3 of 27		

3.2 All purchases made by the Department shall be based on ethical, fair, and competitive procurement practices. These purchases should be made with as much diversity in vendor selection as possible.

3.3 DPH employees are prohibited from making unauthorized commitments for the procurement of goods and/or services. A purchase order must be issued before any authorization is given to ship, receive, or pay for any commitments relative to the purchase of commodities and services transacted between the department and a vendor. Authorized Purchasing Card (P-Card) activity is exempted from this requirement (see Order of Precedence).

3.4 There should be a separation of duties relating to the request, authorization, inspection or approval of commodities, contractual services, or construction and the receipt and approval of invoices to the extent possible.

3.5 ACCOUNTABILITY

3.5.1 Designated Procurement Officers - The DOAS Commissioner may delegate authority to a designee or to any state entity or official as permitted by the State Purchasing Act. Each state entity is required to identify a qualified individual to serve as its official agency procurement officer.

3.5.2 Small, Minority, and Disadvantaged Businesses - It is the policy of the state of Georgia that small, minority, and disadvantaged businesses have a fair and equal opportunity to participate in the state purchasing process. The DOAS State Purchasing Division's (SPD) Supplier and Customer Relations unit works with state entities to provide the small, minority, and disadvantaged business communities with access to information and bid opportunities.

3.5.3 Ethical and Professional Conduct – All DPH employees should strive to uphold the principles and rules outlined in this policy to promote efficient and ethical procurement practices.

3.5.4 State Code of Ethics - The Department of Public Health (DPH) subscribes to the State's Code of Ethics for Governmental Service and the State of Georgia Procurement Code of Ethics. Among the provisions relevant to the relationship between state staff and suppliers are the following;

Uphold the Constitution, laws and regulations of the United States and the state of Georgia, and of all governments therein and should never be a party to their evasion; Never discriminate unfairly by dispensing special favors or privileges to anyone, whether for remuneration or not; and never accept for themselves or their families favors or benefits under circumstances which might be construed by responsible persons as influencing the performance of their governmental duties; Make no private promises of any kind binding upon the duties of office, since a government

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	4 of 27		

employee has no private work which can be binding on public duty; Engage in no business with the government either directly or indirectly which is inconsistent with the conscientious performance of their governmental duties; Never use any information divulged to them confidentially in the performance of governmental duties as a means for making private profit; and Expose corruption whenever discovered.

3.5.5 Avoiding Conflicts of Interest - All DPH employees or agents should avoid any actions, relationships, or business transactions that conflict with the lawful interests of the employer or otherwise create conflicts of interests that taint the procurement process and the reputation of the state entity and the state of Georgia. All employees must comply with the employer's guidelines with respect to reporting outside employment.

3.5.6 The Department of Public Health strictly prohibits the award of agency contracts to current employees. Contracts may not be awarded to former employees within twelve months of their DPH separation date unless approved in advance by the Commissioner as provided in Paragraph 6.2.2.3 of the DPH Code of Ethics and Conflict of Interest Policy #GC-09001.

3.5.7 Accepting Gifts or Other Benefits from Suppliers – DPH employees or agents must not, at any time or under any circumstances, accept directly or indirectly, gifts, gratuities, or other things of value from suppliers which might influence or appear to influence purchasing decisions. The procurement professional must comply with the Department Ethics Policy and be mindful of the Governor's Executive Order with respect to the receipt of personal gifts, favors or gratuities. The procurement professional should also be mindful of any other applicable standards or restrictions, such as policy or directives accompanying the receipt or use of grant funds.

4.0 DEFINITIONS

4.1 Agency – Department of Public Health (DPH)

4.2 APO – Agency Procurement Officer – qualified individual designated by the Agency head to serve as its official agency procurement officer.

4.3 ADA – Americans With Disabilities Act – a 1990, Public Law which established a clear and comprehensive prohibition of discrimination on the basis of disability. Title II, Public Services requires all public entities to comply with the requirements of ADA.

4.4 BO – Business Owner

4.5 Breach of Contract – failure to fulfill a contract, wholly or in part, without legal excuse.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	5 of 27		

- 4.6 Bribery** – An individual who gives to any person acting for or on behalf of the state of Georgia or any state entity any benefit, reward, or consideration to which he is not entitled with the purpose of influencing them in the performance of any act related to the functions of his office or employment shall be guilty of bribery. An agent of the state of Georgia may be guilty of bribery if he solicits or receives such benefit, reward or consideration, O.C.G.A., §16-10-2.
- 4.7 CAR** – Contract Action Request
- 4.8 Change Order** – the purchaser's document used to amend a purchase transaction previously formalized by a purchase order.
- 4.9 Collusion** – Conspiracy in restraint of free and open competition in transactions with the state of Georgia is prohibited by Georgia law (O.C.G.A.), §16-10-22.
- 4.10 Commodity** – any of the various supplies, materials, goods, merchandise, equipment, printing, or other personal property which is purchased.
- 4.11 Commodity Number/NIGP Code** – a standardized code assigned to products or services based on their commodity types. Commodity codes provide a standardized format for the identification and classification of commonly produced goods and services. The use of these commodity codes produces valuable data which allows state purchasing officials to better analyze procurement trends which leads to more effective development and negotiation of term contracts.
- 4.12 Competitive Negotiation** – a method for acquiring goods, services, and construction for public use in which discussions or negotiations may be conducted with responsible offerors who submit proposals in the competitive range.
- 4.13 Competitive Sealed Bids or Competitive Sealed Proposals** – refers to the receipt of two or more sealed bids or proposals submitted by responsive and qualified bidders or offerors.
- 4.14 Contract** – a deliberate agreement between two or more competent persons to perform or not to perform a specific act or acts. A contract may be verbal or written. A purchase order, when accepted by a vendor, becomes a contract. Acceptance may be either in writing or be performance, unless the purchase order requires acceptance thereof to be in writing, in which case it must be thus accepted. A unilateral contract is one where only one party promises performance, the performance being in exchange for an act by the other. A bilateral contract is one where both parties promise, each promise being given in exchange for the other.
- 4.15 Contractor** – the party or parties to a contract that performs work or furnishes materials in accordance with a contract.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	6 of 27		

- 4.16 Contractual Service** – the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged there under; and professional, technical and social services.
- 4.17 Debarred and Suspended Contractors/Vendors** – suppliers who are currently suspended and/or debarred from use by the State of Georgia or who are listed on the “Federal Excluded from Procurement” list.
- 4.18 Department** – as used herein is the Department of Public Health (DPH), the entirety of the organizational units, and an Agency of the State of Georgia.
- 4.19 Division** – any one of the formally designated operational units labeled as such within the organizational structure of the Department of Public Health (DPH). Current Divisions consist of the Division of Communications, Division of Finance, Division of Operations, Division of Inspector General, Division of Health Protection, Division of Health Promotion, Division of General Counsel, Division of Information Technology, and Division of District and County Operations.
- 4.20 DOAS** – Georgia Department of Administrative Services
- 4.21 DOAS Statewide Contracts** – a written agreement which the Department of Administrative Services State Purchasing negotiates with a vendor to furnish agencies items at a predetermined price. The agreement involves a minimum number of units, provides for orders to be placed directly with the vendor by the purchasing agency and is established for a set period of time.
- 4.22 DPA** – Delegated Purchasing Authority, the State Purchasing Division delegates purchasing authority to state entities so that they can make purchases on their own behalf. The Delegated Purchasing Authority for the Department of Public Health is \$1,000,000.
- 4.23 DPH** – Georgia Department of Public Health
- 4.24 Emergency Purchase** – a purchase necessitated by a sudden unexpected turn of events (e.g., acts of God, riot, fires, floods, accidents or any circumstances or cause beyond the control of the agency in the normal conduct of its business) where an immediate danger to the public health, safety or welfare or substantial loss to the State requires emergency action.
- 4.25 eRequisition** – TGM PeopleSoft electronic requisition

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	7 of 27		

- 4.26 Fraud** - an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit or financial gain to him/herself or some other person. It includes any act that constitutes Fraud under applicable federal or state law.
- 4.27 GBA** – Georgia Building Authority
- 4.28 GPM – Georgia Procurement Manual** – the purpose of the Georgia Procurement Manual is to publish administrative rules issued by the Department of Administrative Services (DOAS) through its State Purchasing Division.
- 4.29 GTA** – Georgia Technology Authority
- 4.30 Health Care** - Health Care means care, services, or supplies related to the health of an individual. Health Care includes, but is not limited to, the following: (i) Preventative, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care, and counseling, service, assessment, or procedure with respect to the physical or mental Condition, or functional status, of an individual or that affects the structure or function of the body; and (ii) Sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription.
- 4.31 HIPAA** - Health Insurance Portability and Accountability Act of 1996. A federal law that includes requirements to protect patient privacy, protect security, and data integrity of electronic medical records, to prescribe methods and formats for exchange of electronic medical information, and to uniformly identify providers and participating hospitals.
- 4.32 ITR – Information Technology Resources** – data processing, hardware, software, services, supplies, personnel, facility resources, maintenance and training.
- 4.33 ITB – Invitation to Bid** – a written solicitation for competitive sealed bids specifically defining the commodity, group of commodities, or contractual services for which bids are sought. The invitation to bid is used when the agency is capable of specifically defining the scope of work for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required. The title, date and hour of the public bid opening must be specified in the solicitation.
- 4.34 Minority Owned Business** – a business that is owned and controlled by one or more members of a minority race; or a partnership of which at least 51 percent (majority interest) is owned and controlled by one or more members of a minority race; or a public corporation of which at least 51 percent of all of the common stock is owned by one or more members of a minority race. The Minority Owned Business must be authorized to do business under the laws of the state of Georgia, domiciled within the state, and must pay all duly assessed taxes.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	8 of 27		

- 4.35 NOA – Notice of Award** – the state entity’s official announcement of actual contract award to the identified supplier(s).
- 4.36 NOIA – Notice of Intent to Award** – agency notice of intent to declare award of a winning bid to a particular vendor based on solicitation results.
- 4.37 Performance Bond** – a bond executed in connection with a contract and which secures the performance and fulfillment of all undertakings, covenants, terms, conditions, and agreements contained in the contract.
- 4.38 Procurement** – buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.
- 4.39 Proposal** – is a complete, properly signed response to a solicitation (usually to a RFP), that if accepted, would bind the proposer to perform the resultant contract.
- 4.40 Protest** – a written objection by an interested party to an RFQ or RFP solicitation, or to a proposed award or award of a contract, with the intention of receiving a remedial result.
- 4.41 PO – Purchase Order** – an agency’s document to formalize a purchase transaction with a vendor. The purchase orders are numbered consecutively and contain statements regarding the quantity, description, and price of goods and services ordered; applicable terms as to payment, discount, date of performance, and transportation; and other factors or suitable references pertinent to the purchase such as bid number or contract number and should be signed by the authorized purchasing designee.
- 4.42 Purchase Requisition** – a formal written request to procure commodities or services on behalf of a program area or section within the agency. Requisitions are created through the Team Georgia Marketplace (TGM) and routinely reflect a total requested purchase amount under \$25,000.
- 4.43 P-Card – Purchasing Card** – a State of Georgia tax exempt credit card issued to state employees for use in purchasing directly from merchants.
- 4.44 Qualified Bidder** – a person who has the capability in all respects to perform fully the contract and/or bid requirements and has the integrity and reliability which will assure good faith performance.
- 4.45 Quotation** – a statement of price, terms of sale, and description of goods or services offered by a vendor to a prospective purchaser; a bid. When given in response to an inquiry, is usually considered an offer to sell. Quotation may also be defined as the stating of the current price of a commodity.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	9 of 27		

- 4.46 RFP – Request for Proposal** – a written solicitation for competitive sealed proposals with the title, date, and hour of the public opening designated. The request for proposals is used when the agency is incapable of specifically defining the scope of work for which the commodity, group of commodities or contractual services is required and when the agency is requesting that a qualified offeror propose a commodity, group of commodities or contractual service to meet the specifications of the solicitation document. A request for proposal includes, but is not limited to, general information, applicable laws and rules, functional or general specifications, statement of work, proposal instructions, and evaluation criteria. Requests for proposals will state the relative importance of price and any other evaluation criteria.
- 4.47 RFQC – Request for Qualified Contractors** – a prequalification process for suppliers.
- 4.48 RFQ – Request for Quotation** – a request for quotation (RFQ) is a document that an organization submits to one or more potential suppliers eliciting quotations for a product or service.
- 4.49 Responsive Bidder/Offeror** – a supplier, whether a company or individual who has submitted a timely offer which materially conforms to the requirements and specifications of the solicitation.
- 4.50 Responsible Bidder/Offeror** – a supplier, whether a company or an individual, who has appropriate legal authority to do business in the state of Georgia, a satisfactory record of integrity, appropriate financial, organizational and operational capacity and controls, and acceptable performance on previous governmental and/or private contracts, if any.
- 4.51 SAO** – State Accounting Office, State of Georgia
- 4.52 Scope of Work** – a description of work to be performed to meet the demand of the Department. The scope may include a qualitative or quantitative description of all required equipment, supplies, materials, and/or software to be furnished. The statement should also specify functions to be performed by the Division and all other parties bound under the contract.
- 4.53 Small Business** – defined as a business with less than three hundred (300) employees, and less than thirty (30) million dollars annually in gross receipts.
- 4.54 Sole Source Purchase** – an item or service supplied by only one vendor and which cannot be purchased from any other source.
- 4.55 Sole Brand Purchase** – a competitive solicitation which includes specifications restricting offered goods to a specific manufacturer or owner's brand.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	10 of 27		

- 4.56 Solicitation** – as applicable, an Invitation to Bid (ITB), Request for Proposal (RFP), Request for Qualifications (RFQ), or a Request for Quotation (RFQ)
- 4.57 SPD** - State Purchasing Division – Georgia Department of Administrative Services Division providing oversight to the State Purchasing Act.
- 4.58 Supplier** – the individual, proprietorship, partnership, corporation, venture, or joint venture providing goods or services to the Department.
- 4.59 Term Contract** – an indefinite quantity contract wherein a party agrees to furnish commodities or contractual services during a prescribed period of time, the expiration of which concludes the contract.
- 4.60 TGM** – Team Georgia Marketplace.
- 4.61 Vendor** – one who sells something; a seller.
- 4.62 Vendor Prompt Payment** – by Executive Order, 12/21/10 – order stating that it is the goal of the State of Georgia to consistently pay its vendors in a prompt and efficient manner for goods and services provided to the state.

5.0 RESPONSIBILITIES

- 5.1** DPH, Division of Operations, Procurement Services Section, Purchasing Office (DPH Purchasing), is responsible for encumbering non-competitive requests for goods/services and providing a copy of the purchase order to the Business Owner (BO), Budget Section, and vendor as required.
- 5.2** DPH Division of Operations, Procurement Services Section, Procurement Office (DPH Procurement), is responsible for handling solicitations and approving Sole Source/Sole Source Brand or exempt contracts.
- 5.3** DPH Purchasing, is responsible for encumbering the funds for all contracts and providing an electronic copy via email of the purchase order to Contracts, Budgets, the Business Owner (BO), and Contracts Payable Office.
- 5.4** DPH Purchasing, is responsible for ensuring that all equipment \$1,000 or greater in value, as well as desktop CPUs and laptop/notebook/tablet computers, regardless of cost, are encumbered as assets.
- 5.5** DPH Procurement, is responsible for obtaining goods and services in a competitive manner, abiding by all state, federal and department regulations, and obtaining the best product (services or goods) for the cost.
- 5.6** DPH Division of Operations, Procurement Services Section, Contracts Office (Contracts), is responsible for creating contract documents and obtaining approvals.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	11 of 27		

6.0 PROCEDURES

ORDER OF PRECEDENCE

- 6.1** When purchasing a product or service, the buyer should adhere to the following order of precedence:
- 6.1.1 Mandatory Statewide Contracts (a mandatory source contract set-up by the SPD to consolidate volume purchases for goods and services)
 - 6.1.2 State Entity Contracts (i.e. an existing contract between the State entity, college/university and a supplier)
 - 6.1.3 Georgia Correctional Industries (GCI) or Georgia Enterprises for Products and Services (GEPS) for products designated as mandatory (not applicable to preferred products)
 - 6.1.4 Convenience Statewide Contracts, “preferred products” available through GEPS, or Open Market Purchases

Note: Notwithstanding the fact that the needed products or services may be fulfilled by an existing statewide contract, the buyer may, if desired, procure the needed products and services through an intergovernmental agreement with GCI, Georgia Industries for the Blind, or any other governmental entity. Intergovernmental agreements do not require approval from State Purchasing Division or competitive bidding and are not subject to dollar limits. The use of the P-Card in TGM must follow the VISA purchasing card policy and guidelines set forth in the GPM and the DPH Purchasing Card Policy, PR-11002. When applicable, the P-Card holder should not exceed \$2,500 on any single transaction or a card holder’s credit limit of \$10,000. The P-Card is recommended and should be used for payment on all contracts, exempt items and Point of Sale or in emergency situations per GPM.

6.2 STATE PURCHASING ACT – EXEMPTIONS AND EXCEPTIONS

Georgia Procurement Manual (GPM) 1.2.3.1 - Note: The fact that a purchase may be exempt from the State Purchasing Act is not a representation that no other laws apply or that the purchase may not need to be competitively bid.

6.2.1 Governmental Exempt Contracts

GPM 1.2.2.1 – Intergovernmental Agreements - The Georgia Constitution authorizes state entities to enter into an intergovernmental agreement if the items to be acquired are available from that source. An intergovernmental agreement is a contract between two or more government entities.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	12 of 27		

Permissible government entities include state and local (county, city, etc.) government entities within the state of Georgia as well as other states of the United States of America. Intergovernmental agreements do not require approval from SPD or competitive bidding and are not subject to dollar limits.

Note: To be considered exempt from the competitive bidding requirements of the State Purchasing Act, the good or service must be materially provided by the other governmental entity and not passed through the governmental entity by a private third party.

6.2.2 Professional Services

GPM 1.2.3.1 – Professional Services, which are limited to those services defined by statute as a "profession" or "professional service". For example, the following services are statutorily defined as "professions" or "professional services": certified public accountancy, actuarial services, architecture, landscape architecture, interior design, licensed or accredited appraisers or licensed or accredited financial analysts providing opinions of value, chiropractic, dentistry, professional engineering, podiatry, pharmacy, veterinary medicine, registered professional nursing, harbor piloting, land surveying, law, psychology, medicine and surgery, optometry, and osteopathy.

6.2.3 Exempt Goods/Services by NIGP Code

GPM 1.2.4 - As an additional resource to state entities, SPD has established a list of goods/services by NIGP™ Code which are either exempt from the State Purchasing Act or represent goods for which SPD has waived the competitive bidding requirements. This list is available on SPD's website or through the link provided below. SPD may update this list from time to time by posting a new version of the list.

http://doas.ga.gov/StateLocal/SPD/Docs_SPD_General/nigpexemptlist.pdf

6.2.4 Emergency Purchases

GPM 1.3.5 – In accordance with O.C.G.A., §50-5-71, the State Purchasing Division (SPD) has granted the authority to state entities to purchase urgently needed items arising from unforeseen causes, including, but not limited to, extreme weather conditions or official declared emergencies.

The Procurement Services Section, Division of Operations, adheres strictly to established emergency operations guidelines as set forth in the Department of Public Health Emergency Operations Policy, policy number EP-10001. In the event of an emergency situation, the effects of which creates a disruption in network or operational infrastructures, the Procurement Services Section will utilize internal protocol procedures for issuing manual purchase orders so that critical goods and services can be procured in an efficient and expedited manner.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	13 of 27		

Emergency operating guidelines are as follows;

The Business Owner or other program representative completes the Emergency Purchase Requisition form, PR1101C, and submits it to the Procurement Services Section in person, by email, fax, or as the situation dictates, can communicate the request by phone.

Procurement staff person enters the information on the Emergency Purchase Log and assigns a pre-numbered purchase order (P.O.) to the requisition.

The Procurement staff person then enters the requisition information in either the paper or electronic version of the Emergency Purchase Order form, PR1101B.

The Procurement staff person processing the order, contacts the vendor by the communication method available, e.g., phone, email, fax, text, to place the order, provides the Emergency Purchase Order number and hard copy if required.

Once the network infrastructure has been restored, Procurement staff will create a purchase order in Team Georgia Marketplace (TGM), and will upload all emergency purchase related documents as an attachment to the order. All vendors who were issued an emergency purchase order number will be contacted by Procurement staff and provided the corresponding TGM purchase order number for invoicing purposes. Each Business Owner who submitted an emergency requisition will be provided with the TGM purchase order number and reminded to properly receive the goods or services in TGM upon receipt.

In the event of an emergency purchase, the Agency Procurement Officer (APO) must provide the State Purchasing Division (SPD) with written notice and justification by completing the [SPD-NI004 Emergency Justification Form](#). The completed form must be forwarded by the APO via email to processimprovement@doas.ga.gov within five (5) business days of the emergency purchase. A copy of the purchase order and all pertinent documentation relating to the purchase transaction should be forwarded to processimprovement@doas.ga.gov as soon as possible but no later than five (5) business days following the state entity's final payment or receipt and acceptance of the goods/services, whichever occurs last.

If a P-Card (Purchasing Card) is used for an emergency purchase, there are additional requirements noted in the DPH Purchasing Card Policy (PR-11002) and the [Statewide Purchasing Card Policy](#). In the event of an emergency purchase, the APO is required to provide notice and justification to SPD whether or not the dollar value of the emergency purchase falls within the state entity's delegated purchasing authority (DPA).

6.2.5 Non-Profit Exemption for Services

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	14 of 27		

GPM 1.3.4.4 - In accordance with O.C.G.A. §50-5-51, DOAS has both the authority and duty to canvass all sources of supply to establish contracts for needed goods and services as well as enter into or authorize agreements with private non-profit organizations or other states and their political subdivisions. Pursuant to this authority, DOAS may enter into and/or authorize state entities to enter into contracts with sources of supply established pursuant to competitive bidding conducted by other governmental entities or cooperative purchasing groups. Prior to using a consortia or cooperative purchasing contract, the state entity must request and receive prior approval from SPD by submitting a written request to processimprovement@doas.ga.gov.

GPM 1.2.2 - Non-profit exemptions for services, the state agency must comply with the provisions of O.C.G.A. §50-20-1 et seq.

- 6.2.6 Sole Source or Sole Brand Contracts - The Business Owner should make the request via email to Procurement for approval of Sole Source or Sole Brand contracts. The response should be attached with the Sole Source/Brand Form to the Contract Request Packet.

GPM 2.3.1 – Sole Brand Solicitation - A sole-brand solicitation is a competitive solicitation which includes specifications restricting offered goods to a specific manufacturer or owner's brand. Before making a determination that only one specific brand of goods will meet the state entity's critical business requirements, research must be conducted by the procurement professional to determine if other brands exist which can also satisfy procurement requirements in a timely manner. Sound procurement practice requires that a sole-brand solicitation be used only when it is the last justifiable option, and not as an attempt to contract for a favored brand of goods. An example of the appropriate use of the sole-brand justification may include certain situations where a specific piece of equipment is needed to match existing equipment or is a replacement. If the desired good is only available from one source, then the sole-brand solicitation is not applicable and the procurement professional must review the Sole Source Purchases Section of this policy.

A valid sole-brand justification allows the procurement professional to process a competitive solicitation with the insertion of "No Substitute" after the good is specified by brand name, model number, or some other designation identifying a specific good of a manufacturer.

To conduct a sole-brand solicitation, the procurement professional must first complete form SPD-PS019 Sole-Brand Justification Form. The procurement professional should access SPD-PS019a Sole-Brand Instructions for additional information regarding the completion of the form. The completed form must be publicly posted as an attachment with the solicitation. A sole-brand solicitation is a competitive solicitation and the procurement

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	15 of 27		

professional must comply with all other requirements regarding posting and processing a competitive solicitation.

GPM 2.3.2 – Sole Source Purchases - Based on market analysis, the procurement professional may determine only one supplier is capable of providing the needed goods or services. This is referred to as a sole-source purchase. Sole-source purchases must be distinguished from sole brand purchases in which more than one supplier is capable of providing the specific item.

6.3 PURCHASING THRESHOLD

Purchases totaling \$25,000 or greater require competitive bidding and/or a solicitation, unless the purchase is available from a Statewide Contract, or qualifies for an exemption or other exception.

6.4 DELEGATED PURCHASING AUTHORITY (DPA)

All DPH procurement/purchasing professionals must ensure all procurements conducted on behalf of the agency are within the purchasing authority granted by the State Purchasing Division. If the dollar amount of the purchase is within the delegated purchasing authority established for DPH, currently \$1,000,000 for Request for Proposals (RFP), then the procurement professional may begin to prepare the solicitation for processing. If the dollar amount of the purchase exceeds the delegated purchasing authority, the solicitation must be processed by the State Purchasing Division (SPD) unless DPH requests and receives approval to exceed the established threshold amount. Note: The delegated purchasing authority is unlimited for Request for Quotations (RFQ).

6.5 CONVENIENCE STATEWIDE CONTRACTS

6.5.1 Any statewide contract that has not been designated by SPD as a mandatory statewide contract (as further described in Tier 1 of the Order of Precedence) is a convenience statewide contract.

6.5.2 State entities are not required to use convenience contracts, but ordinarily such contract represents the best value for the state.

6.5.3 DPH supports use of state contracts as they save administrative cost and ensure compliance with state rules and regulations.

6.6 CONSORTIA OR COOPERATIVE PURCHASING

It is permissible for state agencies to participate in supply opportunities. In accordance with O.C.G.A., §50-5-51, DOAS has both the authority and duty to canvass all sources of supply to establish contracts for needed goods and services as well as enter into or authorize agreements with private non-profit organizations

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	16 of 27		

or other states and their political subdivisions. Pursuant to this authority, DOAS may enter into and/or authorize state entities to enter into contracts with sources of supply established pursuant to competitive bidding conducted by other governmental entities or cooperative purchasing groups. Prior to designating a supplier approved by a consortia or purchasing cooperative as an authorized source of supply, the state entity must provide public notice of the intended selection by posting that notice on the Georgia Procurement Registry (GPR) for a minimum of five (5) business days.

6.7 REQUESTS FOR WAIVER

Prior approval must be obtained from the State Purchasing Division (SPD) for any requests for waivers not to purchase from mandatory statewide contracts. Justifiable reasons include, but are not limited to:

- 6.7.1 The state entity's ability to pay
- 6.7.2 Cost
- 6.7.3 Delivery time, or
- 6.7.4 Compatibility with existing state entity situations.

6.8 CONTRARY PURCHASES

A purchase that is contrary to the rules and regulations established by SPD shall be void and of no effect. Any Department official who willfully purchases or causes to be purchased any materials, supplies or equipment contrary to the rules and regulations will be personally liable for the cost thereof. If purchase is paid for from state funds, the amount may be recovered in the name of the state, O.C.G.A. §50-5-79.

6.9 RECIPROCAL PREFERENCE

O.C.G.A. § 50-5-60 - The state and any department, agency, or commission thereof when contracting for or purchasing supplies, materials, equipment, or agricultural products, excluding beverages for immediate consumption, shall give preference as far as may be reasonable and practicable to such supplies, materials, equipment, and agricultural products as may be manufactured or produced in this state. Such preference shall not sacrifice quality.

Vendors resident in the State of Georgia are to be granted the same preference over vendors resident in another state in the same manner, on the same basis, and to the same extent that preference is granted in awarding bids for the same goods or services by such other state, or by any local government of such state, to vendors resident therein over vendors resident in the State of Georgia.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	17 of 27		

6.10 APPLICATION OF FEDERAL LAW, POLICY, OR RULE

- 6.10.1 HHSAR Policy, Attachment 2, Sections 2.4 (Conference Services and Meeting Space) – HHS solicitations, funding opportunity announcements, contracts (such as events management and logistical support contracts), purchase orders, grants, and agreements for conferences or meeting space must specifically prohibit the inclusion of food and meals and state that food and meals are not to be provided and are an unallowable expense.
- 6.10.2 Code of Federal Regulations (CFR) 2 CFR 176, American Recovery and Reinvestment Act (ARRA) of 2009, Buy American Provisions, Section 1605 of Title XVI – Provides that, unless of the three listed exceptions applies (non-availability, unreasonable cost, and inconsistent with public interest), and a waiver is granted, none of the funds appropriated or otherwise made available by the Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all the iron, steel, and manufactured goods used are produced in the United States.
- 6.10.3 19 United States Code (USC) Chapter 12, Trade Act of 1974 – Accords permanent normal-trade-relations (NTR), formerly called most-favored-nation (MFN) treatment to all its trading partners, promotes the development of an open, nondiscriminatory, and fair world economic system to stimulate fair and free competition between the U.S. and foreign nations, to foster the economic growth of, and full employment in, the U.S., and for other purposes.
- 6.10.4 Code of Federal Regulations (CFR) 2 CFR 180 - Suspension and Debarment, non-federal entities are prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. When a non-federal entity enters into a covered transaction with an entity at a lower tier, the non-federal entity must verify that the entity is not suspended or debarred or otherwise excluded. This verification may be accomplished by checking the System for Award Management (SAM) <https://www.sam.gov/portal/public/SAM/>, maintained by the General Services Administration (GSA), collecting a certification form from the entity, or adding a clause or condition to the covered transaction with that entity (2 CFR section 180.300).
- 6.10.5 United States law requires companies to employ only U.S. citizens or foreign citizens who have acquired the necessary work authorization. In compliance with O.C.G.A. §13-10-91 and DPH policy GC-09008 (Alien Residency Verification), all public services contracts shall include as an attachment, DPH form GC09008A. This compliance affidavit is required from all contractors, subcontractors, and sub-subcontractors for any performance of labor or services for a public employer using a bidding

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	18 of 27		

process or by contract (purchase orders included) wherein the labor or services exceed \$2,499.99. Procurement of services through a Georgia Statewide Contract is excluded from this requirement.

6.11 QUALITY CONTROL

6.11.1 Prior to dispatch of the purchase order, the APO or designee will reference the following details to identify errors in Purchase order coding and documentation.

6.11.1.1 Appropriate documentation of Purchase Type.

6.11.1.2 Appropriate documentation of Purchase Details.

6.11.1.3 Confirmation of following Order of Precedence

6.11.1.4 NIGP Code Review

6.11.1.5 Split Purchase Review

6.11.1.6 \$25K Bid Review

6.11.2 Purchase orders that are missing details are returned to the Buyer for edits or may include denial if additional procurement actions are required to validate processing. APO will provide evidence on the outcome of quality inspections monthly and on any corrective action (if applicable).

6.12 PUBLIC POSTING GUIDELINES

6.12.1 The following guidelines dictate posting periods based on Estimated Contract Value:

6.12.1.1 Up to \$9,999.99 - Minimum of three (3) business days

6.12.1.2 \$10,000-\$49,999.99 – Minimum of seven (7) calendar days

6.12.1.3 \$50,000-\$99,999.99 – Minimum of eight (8) calendar days

6.12.1.4 \$100,000-\$249,999.99 – Minimum of ten (10) calendar days

6.12.1.5 \$250,000 or greater – Minimum of fifteen (15) calendar days

Note: Sole Source posting requirements; \$25,000-\$249, 999.99, five (5) business days, \$250,000 >, fifteen (15) calendar days.

6.12.2 Solicitations – Minimum Review Period

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	19 of 27		

In the event that the solicitation does not identify a minimum time period for review, the minimum period listed below apply;

6.12.2.1 RFQ – Thirty (30) days from solicitation closing date.

6.12.2.2 RFQC – Sixty (60) days from solicitation closing date.

6.12.2.3 RFP – One hundred twenty (120) days from the solicitation closing date.

6.12.3 Notice of Intent to Award (NOIA)

The Notice of Intent to Award (NOIA) is the state entity's official public announcement of its intended contract award to the apparent supplier/bidder.

If the contract has an estimated value of less than \$100,000, use of the NOIA is not required, but strongly recommended as a best practice. If the contract value is estimated to be \$100,000 or greater, the NOIA posting is mandatory. The NOIA is required to be posted for a period of ten (10) calendar days and no contract award can be made until the official posting period has expired.

6.12.4 Notice of Award (NOA)

The Notice of Award (NOA) is the state entity's official announcement of actual contract award to the identified supplier/bidder. The NOA must be posted publicly within one (1) day of contract award and is mandatory for announcing any and all awards resulting from solicitations regardless of the dollar amount.

6.12.5 Supplier Notice of Protest

A supplier/bidder may file a written protest challenging a state entity's compliance with applicable procurement procedures subject to the supplier's compliance with established protest procedures. Reference the Georgia Procurement Manual (GPM), sections 6.5.1-6.5.8 for protest procedures and remedies.

6.12.6 Team Georgia Marketplace (TGM)

Team Georgia Marketplace™ is provided by SPD and its partners and serves as an online tool to support various state purchasing functions, including registration of suppliers, advertisement of procurement solicitations and contract opportunities, electronic bidding, and contracts management. All solicitations posted to Team Georgia Marketplace™ are automatically publicly advertised on the Georgia Procurement Registry (GPR).

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	20 of 27		

6.13 NON-COMPETITIVE PROCUREMENT/PURCHASING LIFE CYCLE

- 6.13.1 The DPH Business Owner/Program first identifies the need for goods and/or services.
- 6.13.2 The Business Owner (BO) then develops appropriate procurement documentation (including cost estimate) by following established Procurement/Purchasing guidelines.
- 6.13.3 Non-competitive status is applied to goods and services which are less than \$25,000, or are covered by statewide or agency contracts, or which qualify for a one-time exemption or exception. Although purchases under \$25,000 do not require competition, Procurement Section, when practical, will obtain three (3) competitive quotes.
- 6.13.4 The BO creates an eProcurement Requisition (eReq) and enters it into PeopleSoft TGM. It is imperative that the eRequisition includes the following information; Agency contact and delivery requirements, P-Card or P.O., item(s) description, quantity, unit of measure, unit price and shipping cost. The Statewide Contract number (if applicable) and NIGP code shall be referenced on each purchase order.
- 6.13.5 The eRequisition is then reviewed and approved by Manager and Program Director. If the Procurement/Purchase request is not in current year budget or represents a non-standard purchase, Executive Leadership approval is required.
- 6.13.6 The Budget Office then reviews the eRequisition for appropriate approvals and verifies budget information. If approved, the eRequisition is then processed by Purchasing.
- 6.13.7 Purchasing then creates a purchase order in PeopleSoft TGM and forwards the purchase order or purchase order number to vendor and a P.O. copy to the Business Owner/Program.
- 6.13.8 End of Non-Competitive Procurement/Purchasing cycle.

6.14 COMPETITIVE PROCUREMENT/PURCHASING LIFE CYCLE – GOODS

- 6.14.1 The DPH Business Owner/Program first identifies the need for goods (commodities).
- 6.14.2 The BO/Program then develops appropriate procurement documentation (including cost estimate) by following established Procurement/Purchasing guidelines.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	21 of 27		

- 6.14.3 If the cost for goods (commodities) is \$25,000 or greater, and the purchase is not under a statewide contract or qualifies as an exemption or exception under the State Purchasing Act, O.C.G.A., §50-5-50, only a purchase order is required. The Procurement Services Section reserves the right to utilize a contract based on the conditions of the selected procurement method.
- 6.14.4 The BO creates eRequisition. It is imperative that the eRequisition includes all relevant information or documentation regarding request.
- 6.14.5 The eRequisition is then reviewed and approved by Manager and Program Director, if the Procurement/Purchase request is not in the current year budget or represents a non-standard purchase, Executive Leadership approval is required.
- 6.14.6 The Budget Section then reviews the eRequisition for appropriate approvals and verifies budget information. If approved, the eRequisition is then processed by the Purchasing Office.
- 6.14.7 If the request for goods (commodities) qualifies for a one time exemption under the State Purchasing Act, the eRequisition will be processed by the Purchasing Office and subsequently, a purchase order is created in PeopleSoft TGM. The purchase order is dispatched and copies are routed to the vendor and Business Owner/Program as required.
- 6.14.8 If the request for goods does not qualify for a one time exemption, with assistance from BO/Program, Procurement Office develops and posts a solicitation document.
- 6.14.9 Vendor is selected, Notice of Intended Award (NOIA) is posted, a purchase order is created in PeopleSoft TGM, followed by Notice of Award (NOA) posting.
- 6.14.10 The purchase order is dispatched and copies are routed to the vendor and Business Owner/Program as required.
- 6.14.11 End of goods request Procurement/Purchasing cycle.

6.15 COMPETITIVE PROCUREMENT/PURCHASING LIFE CYCLE – SERVICES

- 6.15.1 The DPH Business Owner (BO) first identifies the need for services.
- 6.15.2 The BO then develops appropriate procurement documentation (including cost estimate) by following established Procurement/Purchasing guidelines;

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	22 of 27		

- 6.15.3 A contract is required if the cost for services is \$25,000 or greater, the contract is for services, and the purchase is not under a statewide contract or qualifies as an exemption or exception under the State Purchasing Act, O.C.G.A., Section §50-5-50.
- 6.15.4 The BO completes the Contract Action Request (CAR) form, obtains approvals, and forwards document to the Budget Section for review and approval. If the Procurement request is not in the current year budget or represents a non-standard purchase, Executive Leadership approval is required.
- 6.15.5 After review and approval process is completed, the Budget Section returns the Contract Action Request (CAR) to the originating BO. The BO then delivers approved CAR and procurement documentation to Procurement Services. Procurement Services will review the CAR and corresponding documentation to determine type of contractual service and appropriate solicitation method.
- 6.15.6 Once the CAR is reviewed and approved by the Procurement Office, the CAR with corresponding procurement documentation is forwarded to the Contracts Office, where it is then logged in and contract development initiated.

Continuation of process life cycle by solicitation types are listed below:

6.16 EXEMPT STATUS SERVICES REQUEST

- 6.16.1 If the requested contractual service qualifies for exempt status, the Procurement Office notes the approved exemption and forwards the CAR to the Contracts Office for development/processing.
- 6.16.2 The Contracts Office adds services request information to the Pending Log and then forwards the CAR Packet to the BO for additional information if original documentation is deemed insufficient to move forward with the request.
- 6.16.3 If the CAR Packet is approved by the Contracts Office, and no additional information/documentation is required, the draft contract is forwarded to the Business Owner, Program Director, Executive Leadership, Contracts Director, Contracts Attorney, General Counsel, and Chief of Staff for approval.
- 6.16.4 The final contract is sent electronically to the contractor for review, approval, and instructions for signature.
- 6.16.5 The signed contracts, two (2), are then forwarded from the contractor to Procurement Services and then to the Chief of Staff for signature and final execution.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	23 of 27		

- 6.16.6 Once signed by the Chief of Staff, the Contracts Office scans the executed contract, then emails the Contract and CAR to the following;
 - 6.16.6.1 Budget Section – verifies budget and notifies Procurement Services, (Purchasing, Procurement, and Contracts), change orders are created when required.
 - 6.16.6.2 Purchasing Office – creates purchase order and sends copy to the Contracts Office, Contracts Payable, and Budget. Purchase Order (with executed contract) copy is placed in permanent Contract File.
 - 6.16.6.3 Contracts Payable Office – creates spreadsheet and updates spreadsheet with P.O. information.
 - 6.16.6.4 Business Owner – notifies contractor when work can begin and initiates contract monitoring process.
- 6.16.7 Contracts Office – forwards one copy of the executed contract to contractor.
- 6.16.8 Contracts Office – places executed contract copy in permanent Contract File, and then moves contract from the pending log to the active log. A scanned copy of the contract is retained as electronic backup.
- 6.16.9 End of services request (Exemption Status) Procurement/Purchasing cycle.

6.17 SOLE SOURCE/SOLE BRAND SERVICES REQUEST

- 6.17.1 If the requested contractual service qualifies as a Sole Source or Sole Brand purchase, the Procurement Office posts the Sole Source/Sole Brand services request on the Georgia Procurement Registry (GPR) for five business days. This applies to Sole Source requests only. If the purchase is a Sole Brand only, the purchase is posted to the Team Georgia Marketplace (TGM) following the same guidelines as a competitive procurement.
- 6.17.2 If after the required posting period has closed and no protests have been received, the Procurement Office forwards the CAR back to Contracts for contract development/processing. If a valid protest to the posting is received, the Procurement Office will be required to initiate a competitive solicitation.
- 6.17.3 Contracts Office adds services request to Pending Log and then forwards CAR Packet to Business Owner (BO) for additional information if original documentation is deemed insufficient to move forward with the request.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	24 of 27		

- 6.17.4 If the CAR Packet (including draft contract) is approved by Contracts, and no additional information/documentation is required, the draft contract is forwarded to the Business Owner, Program Director, Executive Leadership, Contracts Manager, Contracts Attorney, General Counsel, and Chief of Staff for approval.
- 6.17.5 The final contract is sent electronically to the contractor for review, approval, and instructions for signature.
- 6.17.6 The signed contracts (2) then are forwarded to the Chief of Staff for signature and final execution.
- 6.17.7 Once signed by the Chief of Staff, Contracts scans the executed contract, then emails the Contract and CAR to the following;
 - 6.17.7.1 Budget Office – verifies budget and notifies Procurement Services (Contracts, Procurement and Purchasing), change orders are created when required.
 - 6.17.7.2 Purchasing Office – creates purchase order and sends copy to Contracts, Contracts Payable Office, and Budget. P.O. (with executed contract) copy is placed in permanent Contract File.
 - 6.17.7.3 Contracts Payable Office creates spreadsheet and updates spreadsheet with P.O. information.
 - 6.17.7.4 Business Owner notifies contractor when work can begin and initiates contract monitoring process.
 - 6.17.7.5 Contracts forwards one copy of executed contract to contractor.
 - 6.17.7.6 Contracts places executed contract copy in permanent Contract File, and then moves contract from the pending log to the active log. A scanned copy of the contract is retained as electronic backup.
 - 6.17.7.7 End of services request (Sole Source/Sole Brand) Procurement/Purchasing cycle.

6.18 SOLICITATION FOR SERVICES REQUEST

- 6.18.1 If the requested contractual service requires a formal solicitation, Procurement Services forwards CAR packet to Contracts and then initiates development of solicitation document.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	25 of 27		

- 6.18.2 The Contracts Office assigns contract number and adds services request to Pending Log. The CAR packet is then reviewed to verify that all required information is included in the document. If the documentation provided in the CAR packet is deemed insufficient to move forward with the services request, it is forwarded to Business Owner/Program for additional information.
- 6.18.3 Once all required information is obtained, Contracts creates contract shell. The contract shell is then forwarded to the Business Owner, Program Director, Executive Leadership, Contracts Manager, Contracts Attorney, General Counsel, and Chief of Staff for approval.
- 6.18.4 Copy of approved contract shell is then forwarded to the Procurement Office where it is merged with solicitation document.
- 6.18.5 The solicitation document is posted, evaluated, the contractor is selected, and the apparent successful bidder is notified of selection.
- 6.18.6 Contracts then updates contract shell with contractor information, and then sends the contract electronically to the contractor for review, approval, and instructions for signature.
- 6.18.7 Once the contractor returns the signed contract to the Contracts Office, the Procurement Office is notified, and the Notice of Intent to Award (NOIA) is posted.
- 6.18.8 If a protest is received during the ten (10) day posting period, and the Department of Administrative Services (DOAS) determines it is valid, the procurement process is terminated and DPH will be required to re-issue the solicitation.
- 6.18.9 If no protests are received after the ten (10) day posting period, then the signed contracts (2) are forwarded to the Chief of Staff for signature and final execution.
- 6.18.10 Once signed by Chief of Staff, the Notice of Award (NOA) is posted by the Procurement Office, Contracts Administration scans, then forwards Contract and CAR to the following;
- 6.18.10.1 Budget Section – verifies budget and notifies Procurement Services (Contracts, Procurement, and Purchasing), change orders are created when required.
- 6.18.10.2 Purchasing Office – creates purchase order and sends copy to Contracts, Contracts Payable, and Budget. P.O. (with executed contract) copy is placed in permanent Contract File.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	26 of 27		

6.18.10.3 Contracts Payable Office creates spreadsheet and updates spreadsheet with P.O. information.

6.18.10.4 Business Owner notifies contractor when work can begin and initiates contract monitoring process.

6.18.11 Contracts Office – forwards one copy of executed contract to contractor.

6.18.12 Contracts Office places executed contract copy in permanent Contract File, and then moves contract from the pending log to the active log.

6.18.13 A scanned copy of the contract is retained as electronic backup.

6.18.14 End of services request (Formal Solicitation) Procurement/Purchasing cycle.

6.19 MANAGING PROCUREMENT RECORDS

Each procurement file should be identified so it can be readily located and referenced. All purchasing transactions should be supported with appropriate documentation. The state entity may maintain the files either in hard copy or in electronic form as long as the documentation is accessible. It is important that documentation maintained in electronic form has the same level of detail that would be available in hard copy, including authorized signatures.

6.20 RETENTION OF PURCHASING RECORDS

The use, retention, and destruction of Georgia records, including procurement records, is governed by the Georgia Records Act., O.C.G.A. §50-18-90 et seq. The act requires state entities to manage records in accordance with the procedures and regulations issued by the Division of Archives and History of the Office of the Secretary of State and the retention schedules approved by the State Records Committee. "Retention Schedule" means a set of instructions prescribing how long, where, and in what form records are maintained by the state entity. The Secretary of State's online resources include approved retention schedules and other resources. In addition to maintaining procurement records in accordance with the state entity's approved retention schedule, the APO must manage procurement records in a way that ensures documents are easily located to support contract management, respond to public requests for documents, and facilitate procurement processes such as resolution of protests and completion of audits.

Department of Public Health POLICY AND PROCEDURES	Policy No.	PR-11001		
	Effective Date:	08/11/2012	Revision #:	2
Procurement Services	Page No.	27 of 27		

7.0 REVISION HISTORY

REVISION #	REVISION DATE	REVISION COMMENTS
0	July 1, 2011	Initial Issue
1	August 11, 2012	Annual review and update. Reformat to new template
2	July 11, 2013	Annual Review

8.0 RELATED FORMS

Form #CA05002A – Contract Action Request

<http://health.state.ga.us/phil/dph/docs/Forms/Procurement%20Services/CA-05002A%20CAR.pdf>

Form #PR11001A - Request for Purchase Order Revisions or Closure

<http://health.state.ga.us/phil>

Form #PR11001C – Emergency Purchase Requisition

<http://health.state.ga.us/phil>

Form #PR11001B – Emergency Purchase Order

For internal Procurement Services use only

Form #SPD-PS019 – Sole Brand Justification Form

[http://doas.ga.gov/StateLocal/SPD/Seven/Docs SPD Stages/SPD-PS019SoleBrandJustificationForm.doc](http://doas.ga.gov/StateLocal/SPD/Seven/Docs_SPD_Stages/SPD-PS019SoleBrandJustificationForm.doc)

Form #SPD-PS020 – Sole Source Intent to Award Form

[http://doas.ga.gov/StateLocal/SPD/Seven/Docs SPD Stages/SPD-PS020SoleSourceIntentToAwardJustificationForm.doc](http://doas.ga.gov/StateLocal/SPD/Seven/Docs_SPD_Stages/SPD-PS020SoleSourceIntentToAwardJustificationForm.doc)

SPD-NI004 – Emergency Justification Form

[http://doas.ga.gov/StateLocal/SPD/Seven/Docs SPD Stages/SPD-NI004EmergencyJustificationForm.doc](http://doas.ga.gov/StateLocal/SPD/Seven/Docs_SPD_Stages/SPD-NI004EmergencyJustificationForm.doc)

GCA09008A Alien Residency Verification Form

<http://health.state.ga.us/phil>

